



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

March 18, 2009

Mr. Fortunato G. Paredes  
Escamilla & Poneck, Inc.  
216 West Village Boulevard Suite 202  
Laredo, Texas 78041

OR2009-03537

Dear Mr. Paredes:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 341828.

The United Independent School District (the "district"), which you represent, received a request for the telephone number of an employee of the district. You claim that the requested information is excepted from disclosure under section 552.117 of the Government Code. We have considered the exception you claim and reviewed the information you submitted.

We initially note that because the requestor only seeks access to the employee's telephone number, the rest of the submitted information is not responsive to the instant request. This decision does not address the public availability of the information that is not responsive to the request, and the district need not release that information in response to the request.

Section 552.117(a)(1) of the Government Code excepts from disclosure the home address and telephone number, social security number, and family member information of a current or former official or employee of a governmental body who requests that this information be kept confidential under section 552.024 of the Government Code. *See* Gov't Code §§ 552.117, .024. Whether a particular item of information is protected by section 552.117(a)(1) must be determined at the time of the governmental body's receipt of the request for the information. *See* Open Records Decision No. 530 at 5 (1989). Thus, information may only be withheld under section 552.117(a)(1) on behalf of a current or former official or employee who made a request for confidentiality under section 552.024

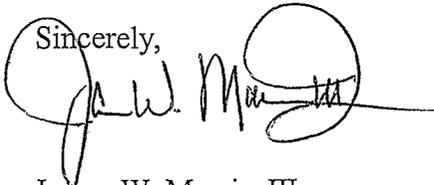
prior to the date of the governmental body's receipt of the request for the information. Information may not be withheld under section 552.117(a)(1) on behalf of a current or former official or employee who did not timely request under section 552.024 that the information be kept confidential.

You inform us that the employee to whom the requested telephone number pertains requested confidentiality for that information prior to the district's receipt of the instant request for information. Based on your representations, we conclude that the district must withhold the requested telephone number under section 552.117(a)(1) of the Government Code.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at [http://www.oag.state.tx.us/open/index\\_orl.php](http://www.oag.state.tx.us/open/index_orl.php), or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General at (512) 475-2497.

Sincerely,

A handwritten signature in black ink, appearing to read "J.W. Morris, III", written over a circular stamp or mark.

James W. Morris, III  
Assistant Attorney General  
Open Records Division

JWM/cc

Ref: ID# 341828

Enc: Submitted documents

c: Requestor  
(w/o enclosures)