



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

February 14, 2014

Mr. Dean Micknal  
Leasor Crass, P.C.  
201 East Debbie Lane  
Mansfield, Texas 76063

OR2014-02845

Dear Mr. Micknal:

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# 514283.

The Aubrey Independent School District (the "district"), which you represent, received a request for specified information pertaining to all district employees, including name, title, location, salary, years of experience, and years with the Teacher Retirement System (the "system"). You state the district has released some of the requested information. You claim some of the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.101 of the Government Code excepts "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. Section 552.101 encompasses section 825.507 of the Government Code, which provides in relevant part:

(a) Records of a participant and information about the records of a participant that are in the custody of the retirement system or of an administrator, carrier, attorney, consultant, or governmental agency, including the comptroller, acting in cooperation with or on behalf of the retirement system are confidential and not subject to public disclosure. Because the records and information described by this section are exempt from the public access provisions of Chapter 552 [of the Government Code], the retirement system

or an administering firm, carrier, attorney, consultant, or governmental agency, including the comptroller, acting in cooperation with or on behalf of the retirement system, is not required to accept or comply with a request for a record or information about a record or to seek an opinion from the attorney general, except as otherwise provided by this section.

...

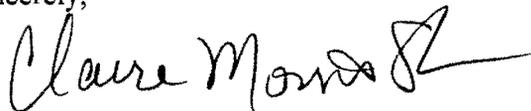
(g) In this section, "participant" means a member, former member, retiree, annuitant, beneficiary, or alternate payee of the retirement system[.]

*Id.* § 825.507(a), (g). You argue the information pertaining to the number of years each district employee has been with the system consists of records of participants or information about the records of participants in the system. You state the information at issue is in the custody of the district in cooperation with the system. You state the requestor has not asserted any of the provisions of section 825.507(b) are applicable in this instance, nor has the requestor provided any information that would allow the district to determine any of these provisions apply. *See id.* § 825.507(b). Based on your representations, we conclude the information at issue, which you have highlighted, is confidential under section 825.507 of the Government Code and must be withheld under section 552.101 of the Government Code. The district must release the remaining information.

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.texasattorneygeneral.gov/open\\_orl\\_ruling\\_info.shtml](http://www.texasattorneygeneral.gov/open_orl_ruling_info.shtml), 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Claire V. Morris Sloan  
Assistant Attorney General  
Open Records Division

CVMS/som

Ref: ID# 514283

Enc. Submitted documents

c: Requestor  
(w/o enclosures)