



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

April 16, 2019

Mr. Jose R. Guerrero  
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P.O. Box 4602  
McAllen, Texas 78502

OR2019-10168

Dear Mr. Guerrero:

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# 759642 (File No. 19-001G).

The Region One Education Service Center (the "center"), which you represent, received a request for seven categories of information pertaining to center employees who meet certain Teacher Retirement System of Texas ("TRS") guidelines. You claim the submitted information is excepted from disclosure under sections 552.101, 552.102, and 552.117 of the Government Code. We have considered the exceptions 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 [TRS] or of an administrator, carrier, attorney, consultant, or governmental agency, including the comptroller, acting in cooperation with or on behalf of [TRS] 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], [TRS] or an administering firm, carrier, attorney, consultant, or governmental agency, including the comptroller, acting in

cooperation with or on behalf of [TRS], 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.

...

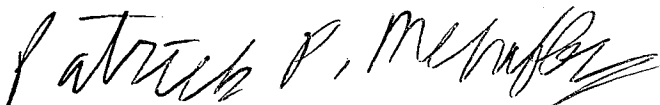
(g) In this section, "participant" means a member, former member, retiree, annuitant, beneficiary, or alternate payee of [TRS.]

*Id.* § 825.507(a), (g). You assert the requested information consists of records of participants or information about the records of participants in TRS. You state the information at issue is in the custody of the center on behalf of and in cooperation with TRS. We note the requestor has not asserted any of the provisions of section 825.507(b) are applicable in this instance, nor has she provided any information that would allow the center to determine that any of these provisions apply. *See id.* § 825.507(b). Accordingly, we conclude the submitted information is confidential under section 825.507 of the Government Code, and the center must withhold the submitted information under section 552.101 of the Government Code on this basis.<sup>1</sup>

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,



Patrick P. Mehaffy  
Assistant Attorney General  
Open Records Division

PPM/jxd

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<sup>1</sup>As our ruling is dispositive, we need not address your remaining arguments against disclosure of this information.

Ref: ID# 759642

Enc. Submitted documents

c: Requestor  
(w/o enclosures)