



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

January 21, 2026

Mr. W. Montgomery Meitler
Deputy General Counsel for Public Information
Texas Education Agency
1701 North Congress Avenue
Austin, Texas 78701-1494

OR2026-001855

Dear Mr. Meitler:

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# 25-058531 (ORR# 2501686).

The Texas Education Agency ("TEA") received a request for information pertaining to a named individual. TEA states it has released some of the requested information. TEA claims the submitted information is excepted from disclosure under section 552.11765 of the Government Code. We have considered the claimed exception and reviewed the submitted representative sample of information.¹

Section 552.11765 of the Government Code provides, in relevant part, the following:

(a) In this section, "license" means a license, certificate, registration, permit, or other authorization that:

(1) is issued by a governmental body described by Section 552.003(1)(A)(i); and

(2) an individual must obtain to practice or engage in a particular business, occupation, or profession.

¹ We assume the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent those records contain substantially different types of information than that submitted to this office.

(b) Except as provided by Subsections (c) . . . and (d), information maintained by a governmental body described by Section 552.003(1)(A)(i) is confidential and excepted from the requirements of Section 552.021 if the information:

(1) is a license application; or

(2) relates to the home address, home telephone number, electronic mail address, social security number, date of birth, driver's license number, state identification number, passport number, emergency contact information, or payment information of:

(A) an applicant for a license issued by the governmental body;

(B) an individual who holds a license issued by the governmental body; or

(C) an individual who previously held a license issued by the governmental body.

Gov't Code § 552.11765(a)-(b). TEA states the submitted information pertains to an individual who holds a license issued by TEA. We note section 552.11765 encompasses a personal cellular telephone number, provided a governmental body does not pay for the cellular telephone service. *Cf.* Open Records Decision No. 506 at 5-6 (1988) (section 552.117 not applicable to cellular telephone numbers paid for by governmental body and intended for official use). We also understand sections 552.11765(c) and 552.11765(d) are not applicable to the information at issue. *See* Gov't Code § 552.11765(c)-(d). Accordingly, we conclude TEA must withhold the submitted home address, home telephone number, and electronic mail address under section 552.11765 of the Government Code. TEA must release the remaining information.

Finally, TEA asks this office to issue a previous determination permitting it to withhold certain information under section 552.11765 of the Government Code without requesting a ruling from this office. *See* Gov't Code § 552.301(a) (allowing governmental body to withhold information subject to previous determination); Open Records Decision No. 673 (2001). After due consideration, we have decided to grant TEA's request on this matter. Therefore, this letter ruling authorizes TEA to withhold the following types of information under section 552.11765 of the Government Code: the home address, home telephone number, electronic mail address, social security number, date of birth, driver's license number, state identification number, passport number, and emergency contact information of an applicant, license holder, or former license holder for a license issued by TEA. *See* Gov't Code § 552.11765(b)(2). We note a person or a person's authorized representative has a special right of access under section 552.023 of the Government Code to information that is protected from public disclosure by laws intended to protect the person's privacy interests. *See id.* § 552.023(a); Open Records Decision No. 481 at 4 (1987) (privacy

theories not implicated when individual requests information concerning himself). Consequently, this previous determination is not applicable to information requested by a person or the authorized representative of a person whose information is at issue. So long as the elements of law, fact, and circumstances do not change so as to no longer support the findings set forth above, TEA need not ask for a decision from this office again with respect to these types of information. *See* ORD 673 at 7-8 (listing elements of second type of previous determination under Gov't Code § 552.301(a)).

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 <https://www.texasattorneygeneral.gov/open-government/members-public/what-expect-after-ruling-issued> or call the OAG's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Public Information Act may be directed to the Cost Rules Administrator of the OAG, toll free, at (888) 672-6787.

Sincerely,

James Coggeshall
Assistant Attorney General
Open Records Division

JLC/jxd

Ref: ID# 25-058531

c: Requestor