



THE ATTORNEY GENERAL
OF TEXAS

AUSTIN, TEXAS 78711

JOHN L. HILL
ATTORNEY GENERAL

November 8, 1976

The Honorable Lorene Rogers
President
The University of Texas
Austin, Texas 78701

Attn: W.O. Shultz

Open Records Decision No. 145

Re: Whether the advance
travel itinerary of a
university president is
public under the Open
Records Act.

Dear Dr. Rogers:

You ask whether your travel itinerary and a desk calendar maintained by your secretary are public information or are excepted from required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S.

A member of a television news staff has requested that you make available a weekly itinerary of your university-related travels on a regular basis, a week prior to their occurrence. In connection with this request for our decision, you have submitted a sample copy of the itinerary prepared for your use, and a sample copy of pages from the desk calendar maintained for you by your secretary. It is the University's position that the travel itinerary and calendar are personal notes, rather than official records, and therefore do not come within the scope of the Open Records Act.

We believe that the travel itinerary is a public record and is not excepted from disclosure. In Open Records Decision No. 116 (1975), we said that appointment lists are public information and are not excepted from disclosure. It is contended that the itinerary information should be excepted under section 3(a)(1) of the Act as information deemed confidential by law, and should be held protected by the right of privacy, since disclosing the detailed travel schedule would subject you to telephone calls and personal intrusion at all hours of the day or night while traveling. We are aware of no authority which would support such a position.

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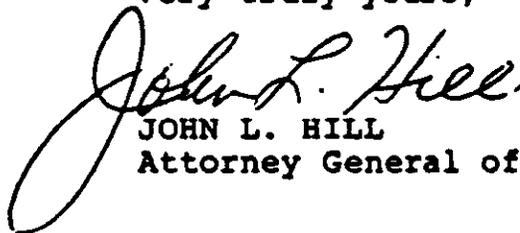
However, we believe that the handwritten notes in the calendar are the same type of personal notes of a public officer or employee which we have previously held to be not within the scope of the Open Records Act. Open Records Decision Nos. 116, 77 (1975).

It is our decision that the travel itinerary is public information, but that the personal calendar is not within the scope of the Open Records Act.

The request for this information asks that it be provided a week prior to the planned travel on a regular basis. You explain that you often travel on short notice and that frequently, previously scheduled travel is either altered or cancelled at the last minute.

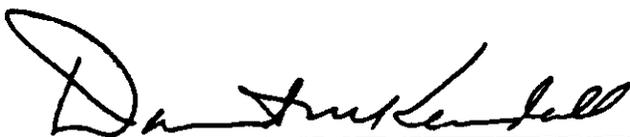
The Open Records Act does not require a governmental body to prepare information in a form or on a schedule dictated by a requesting party. Open Records Decision Nos. 87, 65 (1975). However, when information such as a travel itinerary is prepared in the regular course of official business, it is public and must be "promptly produced" for inspection. Section 4.

Very truly yours,

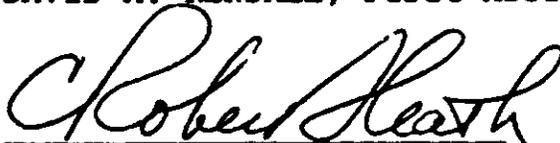


JOHN L. HILL
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APPROVED:



DAVID M. KENDALL, First Assistant



C. ROBERT HEATH, Chairman
Opinion Committee

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