



THE ATTORNEY GENERAL
OF TEXAS

JIM BLATTON
ATTORNEY GENERAL

January 23, 1990

Mr. Tom Garner, Jr.
Attorney for Calhoun County I.S.D.
Garner, Roberts & Roberts
P.O. Drawer J
Port Lavaca, Texas 77979

Dear Mr. Garner:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 8000; this decision is OR90-034.

Exhibit No. 2 may be withheld under section 3(a)(11). The last paragraph is recommendation. In the context of this request, mere deletion of that paragraph would not obscure the contents of that paragraph. Therefore, you may withhold the entire document.

Exhibit Nos. 3, 6, 7, and 8 may not be withheld. See Open Records Decision No. 515 (1988).

The driver's license information contained in Exhibit 4 is open. Open Records Decision No. 23 (1974).

Exhibit No. 5 is a medical examination report. The part prepared by a physician must be withheld. V.T.C.S. art. 4495b, § 5.08. The information supplied by Mary Ann Thielen must be released. Open Records Decision No. 316 (1982).

Exhibit No. 9 is a medical record prepared by a physician and must be withheld. V.T.C.S. art. 4495b, § 5.08.

Exhibit No. 10 is an I.R.S. W-4 form and must be withheld. See Open Records Decision No. 226 (1979).

Exhibit No. 11 contains basic personnel information and may not be withheld. Open Records Decision No. 315 (1982).

Exhibit Nos. 12a, 12b, and 12c contain payroll information. You ask whether social security numbers on those documents should be withheld. Social security numbers are available under the Open Records Act. Open Records Decision No. 169 (1977). You also ask whether the number of deductions taken is available. We assume the number of deductions is the number of deductions for purposes of withholding for federal income taxes. If so, you should delete that information from the records. Open Records Decision No. 226 (1979).

You ask if the date of birth should be deleted from Exhibit No. 13. An employee's date of birth may not be withheld. Attorney General Opinion MW-283 (1980).

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR90-034.

Yours very truly,



Open Government Section
of the Opinion Committee
Prepared by Sarah Woelk
Assistant Attorney General

SW/le

Ref.: ID# 8000

Enclosure: Documents Submitted

cc: Mr. & Mrs. M.W. Maretick
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