



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

April 26, 1994

Ms. Detra G. Hill
Assistant City Attorney
City of Dallas
City Hall
Dallas, Texas 75201

OR94-181

Dear Ms. Hill:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code.¹ Your request was assigned ID# 24636.

The City of Dallas (the "city") received a request for the educational records and employment histories of two named police officers. You urge that these records² be withheld under section 552.026, which provides:

This chapter does not require the release of information contained in education records of an educational agency or institution, except in conformity with the Family Educational Rights and Privacy Act of 1974

The records at issue are not held by an educational agency or institution and may not be withheld under section 552.026. Open Records Decision No. 157 (1977). We note, however, that the education records contain home addresses for the officers. The home addresses of these police officers are excepted from disclosure under section 552.117(1)(B). See Open Records Decision No. 622 (1994) at 5-6 (former addresses).

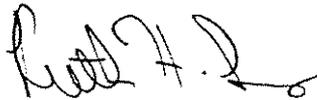
¹We note that the Seventy-third Legislature repealed V.T.C.S. article 6252-17a. Acts 1993, 73d Leg., ch. 268, § 46. The Open Records Act is now codified in the Government Code at chapter 552. *Id.* § 1. The codification of the Open Records Act in the Government Code is a nonsubstantive revision. *Id.* § 47.

²The requestor asked for the records of both officers, and you submitted records of both officers for review by this office. However, your letter mentions the records of only one officer. We assume that you are seeking a decision with respect to the records of both officers.

The employment histories also contain social security numbers, which may be confidential. Prior to releasing any social security number, the city should be sure that this information was not obtained or maintained by the city pursuant to any provision of law enacted on or after October 1, 1990. Open Records Decision No. 622 at 4; 42 U.S.C. § 405(c)(2)(C)(vii).³ You must release the other information in the educational records and employment histories.

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 contact our office.

Yours very truly,



Ruth H. Soucy
Assistant Attorney General
Open Government Section

RHS/mrc

Ref.: ID# 24636
ID# 24955
ID# 25097

Enclosures: Submitted documents

cc: Ms. Nancy Moffett
3114 Mapleleaf Lane
Dallas, Texas 75233
(w/o enclosures)

³It is a felony to disclose a social security number in violation of federal law. 42 U.S.C. § 408(a)(8). Section 552.352 of the Government Code also imposes criminal penalties for release of confidential information.