



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

July 26, 1996

Mr. Frank R. Lopez  
Lewis & Collins  
1220 Montana Avenue  
El Paso, Texas 79902

OR96-1313

Dear Mr. Lopez:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 100299.

The Ysleta Independent School District (the "district") received a request for a list of the names of professional staff, their home mailing addresses, home telephone numbers, campus assignments, date of employment, and whether these individuals participate in payroll deductions for professional organizations. You assert that the information regarding payroll deductions for professional organizations is excepted from disclosure pursuant to section 552.101 of the Government Code. You have submitted to this office representative samples of information at issue.<sup>1</sup>

We note initially that we are unable to determine if employees cover the entire cost of their participation in professional organizations or if the district pays all or a portion of the deductions. If an employee allocates his or her own salary to an organization, that is a private financial decision excepted from disclosure pursuant to the common-law privacy provision of section 552.101. *Industrial Found. v. Texas Indus. Accident Bd.*, 540 S.W.2d 668 (Tex. 1976), *cert. denied*, 430 U.S. 931 (1977); *Open*

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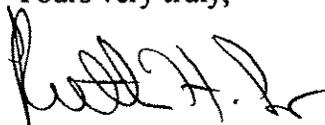
<sup>1</sup>We assume that the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. See *Open Records Decision No. 499* (1988), 497 (1988). Here, we do not address any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

Records Decision No. 600 (1992) at 11 (finding no legitimate public interest in an employee's personal financial decisions). However, if the district pays part or all of an employee's participation in professional organizations, that information is public and must be disclosed. Open Records Decision No. 600 (1992) at 9 (also finding that public has legitimate interest in employee's participation in program funded in part by governmental body).

We also note that sections 552.024 and 552.117 of the Government Code provide that a public employee can opt to keep private his or her home address, home telephone number, social security number, or information that reveals that the individual has family members. You must therefore withhold the home addresses and home telephone numbers of those employees who, as of the time of the request for the information, had elected to keep the information private. Open Records Decision Nos. 530 (1989) at 5, 482 (1987) at 4, 455 (1987).

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Ruth H. Soucy  
Assistant Attorney General  
Open Records Division

RHS/ch

Ref.: ID# 100299

Enclosures: Submitted documents

cc: Ms. Diane Wareham  
TSTA  
6632 Continental Drive  
El Paso, Texas 79925  
(w/o enclosures)