



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

January 14, 2010

Ms. Kelly Shook
Schwartz & Eichelbaum
4201 W. Parmer Lane, Suite A-100
Austin, Texas 78727

OR2010-00753

Dear Ms. Shook:

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# 367324.

The Mission Consolidated Independent School District (the "district"), which you represent, received a request for information pertaining to a named teacher. You state you have released some information. You claim that portions of the submitted information are not subject to the Act. We have considered your arguments and reviewed the submitted information.

We note the Act is applicable only to "public information." Gov't Code § 552.021. Section 552.002 of the Act defines public information as information that is collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business:

- (1) by a governmental body; or
- (2) for a governmental body and the governmental body owns the information or has a right of access to it.

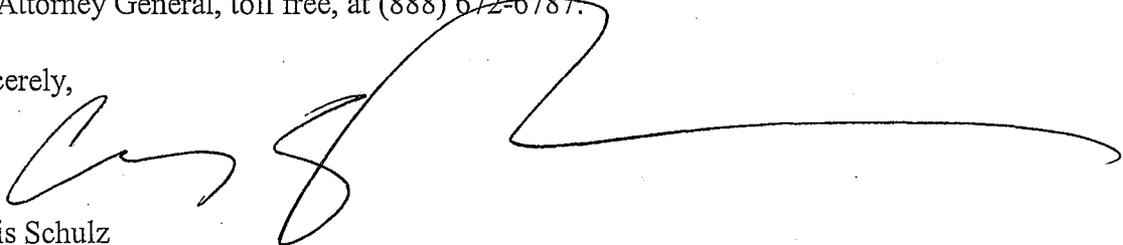
Id. § 552.002: You state the username, password, and school identification number contained in the submitted information are not subject to the Act. In Open Records Decision No. 581 (1990), this office determined certain computer information, such as source codes,

documentation information, and other computer programming, that has no significance other than its use as a tool for the maintenance, manipulation, or protection of public property, is not the kind of information that is made public under section 552.021 of the Act. *See* Open Records Decision No. 581 at 6 (1990) (construing predecessor statute). You state the “username and password that are contained are used solely as tools to maintain, manipulate, or protect public property and have no other significance.” Based on the reasoning in that decision and our review of the information at issue, we find the username and password you have marked are used solely as tools to maintain, manipulate, or protect public property and have no other significance. *Id.* Therefore, the username and password you have marked are not subject to the Act, and the district need not release them in response to this request. However, we find you failed to assert how the school identification number you have marked is used solely as a tool to maintain, manipulate, or protect public property, and that the school identification number has no other significance. Accordingly, we find the school identification number is “public information.” As you raise no exceptions against disclosure of this information, it must be released.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

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 http://www.oag.state.tx.us/open/index_orl.php, or call the Office of the Attorney General’s Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Chris Schulz
Assistant Attorney General
Open Records Division

CS/cc

Ref: ID# 367324

Enc. Submitted documents

cc: Requestor
(w/o enclosures)