



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

April 19, 2012

Ms. Neera Chatterjee
Office of General Counsel
University of Texas System
201 West Seventh Street
Austin, Texas 78701-2902

OR2012-05621

Dear Ms. Chatterjee:

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# 451190 (OGC# 141884).

The University of Texas at San Antonio (the "university") received a request for correspondence between certain named individuals and for specific employment information related to two named individuals. You state the university will release some of the information.¹ You claim portions of the submitted information are either not subject to release under the Act or are excepted from disclosure under section 552.102 of the Government Code. We have considered your arguments and reviewed the submitted information.

Initially, you assert the marked university Electronic Identification Number ("EID") is 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, which 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 made public under section 552.021 of the Government Code. You inform our office that when combined

¹We note the university states it will redact information subject to section 552.117 of the Government Code pursuant to section 552.024 of the Government Code, which permits a governmental body to redact personal information without requesting a decision from this office. See Gov't Code §§ 552.024(c), .117.

with an individual's password, the EID serves as "the required log on protocol to access the computer mainframe, the [u]niversity's centralized hub that runs all its high-level electronic functions." You further indicate the EID is used solely to access the university's computer mainframe and has no other significance other than its use as a tool for the maintenance, manipulation, or protection of public information. Based on your representations and our review, we determine the EID you have marked does not constitute public information under the Act. *See* Gov't Code § 552.002. Accordingly, this information is not subject to the Act and need not be released.

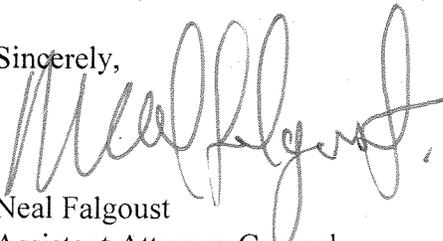
Section 552.102(a) exempts from disclosure "information in a personnel file, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." *Id.* § 552.102(a). The Texas Supreme Court held section 552.102(a) exempts from disclosure the dates of birth of state employees in the payroll database of the Texas Comptroller of Public Accounts. *Tex. Comptroller of Pub. Accounts v. Attorney Gen. of Tex.*, 354 S.W.3d 336 (Tex. 2010). Accordingly, the university must withhold the dates of birth you have marked under section 552.102(a) of the Government Code.

In summary, the EID you have marked is not subject to the Act and need not be released to the requestor. The university must withhold the dates of birth you have marked under section 552.102 of the Government Code. The remaining information 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,



Neal Falgoust
Assistant Attorney General
Open Records Division

NF/ag

Ref: ID# 451190

Enc. Submitted documents

c: Requestor
(w/o enclosures)