

Date: December 3, 2020
To: Public Records Officer, Auburn School District
Re: **Subject: Washington Public Records Act Request: Auburn School District – Misconduct - 2014-2020 (Auburn School District) March 09, 2020**

Your email dated **November 25, 2020** has been reviewed. Your email contained no installment of records or partial records. As of this date (December 3, 2020) 269 days have elapsed and the District has produced no records or installments of any kind responsive to this public records request.

This Public Records Request [RCW 42.56] was originally made on **March 09, 2020**.

From: Equal Rights 03/09/2020

Subject: Washington Public Records Act Request: Auburn School District – Misconduct - 2014-2020 (Auburn School District) Email

To Whom It May Concern:

Pursuant to the Washington Public Records Act, I hereby request the following records:

EMPLOYEE OR VOLUNTEER

1. I request an electronic copy of all RECORDS and WRITING (including all investigative materials) regarding any allegation or complaint of misconduct (in any form) brought against any Auburn School District employee or volunteer for the years 2014 – 2020.

PARENT

2 I request an electronic copy of all RECORDS and WRITING (including all investigative materials) regarding any allegation or complaint of misconduct (in any form) brought against any parent of an Auburn School District student for the years 2014 – 2020.

RCW 42.56.010(4) Definition of "Writing"

(4) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.
<https://app.leg.wa.gov/rcw/default.aspx?cite=42.56.010>

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 5 business days, as the statute requires.

Sincerely,
Equal Rights

As an agency [RCW 42.56.010] the District has a responsibility to provide a reasonable estimate of time needed to respond to this public records request.

“...An estimate can be revised when appropriate, but unwarranted serial extensions have the effect of denying a requestor access to public records” [WAC 44-14-04003(7)].

After receiving this original public records request on March 9, 2020, the next day on March, 10, 2020 (1 day later) you stated via email, “the District estimates that it may be able to provide you

with documents responsive to your request within forty-five (45) business days from the above date to determine the need to clarify the intent of the request, to locate and assemble the information requested, to notify third persons or agencies affected by the request, and/or to determine whether any of the information contained in such documents is exempt from public disclosure.”

On **May 27, 2020** I sent the District an email inquiring about the status of this public records request.

On **May 28, 2020** you responded via email stating “You can expect an installment or update on or before September 15, 2020.”

Your **May 28, 2020** email contained no installment of records.

On **June 12, 2020** I sent the District an email inquiring about the status of this public records request.

I received no response from you or the District to my **June 12, 2020 email**.

On **June 29, 2020** I sent the District an email inquiring about the status of this public records request.

I received no response from you or the District to my **June 29, 2020 email**.

On **July 14, 2020** I sent the District an email inquiring about the status of this public records request.

I received no response from you or the District to my **July 14, 2020 email**.

On **July 29, 2020** I sent the District an email inquiring about the status of this public records request.

I received no response from you or the District to my **July 29, 2020 email**.

On **August 13, 2020** I sent the District an email inquiring about the status of this public records request.

I received no response from you or the District to my **August 13, 2020 email**.

On **August 28, 2020** I sent the District an email inquiring about the status of this public records request.

On **September 11, 2020** you sent an email stating, “We are in the process of reviewing the documents requested and need additional time. We estimate that we will be able to provide the requested information in installments. You can expect an update or an installment within the next thirty (30) business days from today, September 11, 2020.”

Your **September 11, 2020** email contained no installment of records.

On **September 28, 2020** I sent the District an email inquiring about the status of this public records request.

On **September 29, 2020** you sent an email stating "You can expect an update or installment by October 23, 2020."

Your **September 29, 2020** email contained no installment of records.

On **October 16, 2020** you sent an email stating "This email is to provide you with an update on your public records request dated March 9, 2020. This district needs additional time to process your request. You can expect an update or installment within thirty (30) business days of this email."

Your **October 16, 2020** email contained no installment of records.

On **October 23, 2020** I sent the District an email inquiring about the status of this public records request.

I received no response from you or the District to my **October 23, 2020 email**.

On **November 9, 2020** I sent the District an email inquiring about the status of this public records request.

I received no response from you or the District to my **November 9, 2020 email**.

On **November 24, 2020** I sent the District an email inquiring about the status of this public records request.

On **November 25, 2020** you sent an email stating "Based on the size and scope of your request, the District estimates that your request may take up to five (5) years to complete. If you would like to narrow your request parameters, the District may be able to provide the records earlier than expected. The District will provide another update in sixty business days from today, November 25, 2020."

Sir, your email messages appear designed to convey no meaningful information other than to repeatedly extend the date of production of a first initial installment of records responsive to this public records request. The purpose of doing this I could only speculate would possibly be to improperly deny the production of responsive records, or to avoid expending any effort required to search and gather responsive records, or both.

As of today, December 3, 2020 - 269 days have elapsed from the time of the original public records request without the District providing a single record or a reasonable estimate of time it will take to produce installments of records.

According to your latest November 25, 2020 email, the District will provide another "update" within 60 business days, however presumably the District will not provide the first installment of records?

If this is correct, three hundred and thirty-three (333) days will have elapsed from the time of the original public records request without a single responsive record or installment of records produced by the District.

Respectfully, I request per [WAC 44-14-04003 (3)] the District provide this requestor "fullest assistance" and "most timely possible action." Please begin providing the public records requested for the years 2014-2020 in REVERSE CHRONOLOGICAL ORDER in INSTALLMENTS over a reasonable time period as allowed by law.

Thank you.