

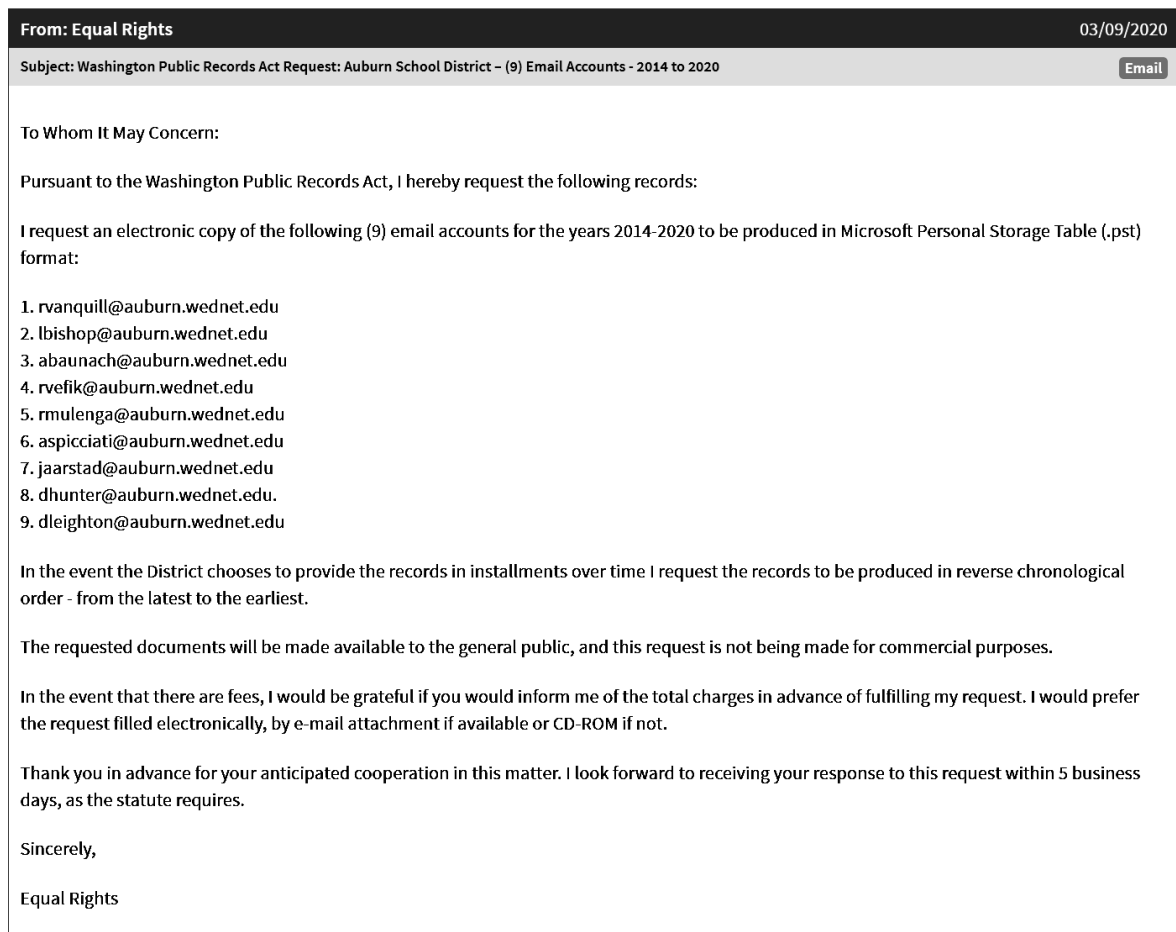
**Date: December 3, 2020**

**To: Public Records Officer, Auburn School District**

**Re: Subject: Washington Public Records Act Request: Auburn School District – (9) Email Accounts - 2014 to 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This Public Records Request [RCW 42.56] was originally made on **March 09, 2020.**



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 13, 2020** you sent an email stating “The estimated number of records will exceed 700,000 documents. According to our board policy 4040P [LINK], the fee that will need to be collected will exceed \$9000. Please reply with your intent to continue to request these records, or modify this request.”

On **July 21, 2020** I replied to your email stating “Please note - the Auburn School Board Policy 4040P is labeled as being "adopted" on 05-21-2020 or 43 days AFTER your receipt of this public records request. The Auburn School District policy in effect on the date of this Public Records Act request (03-09-2020) was ASD Policy 4040P dated 02-09-16 (attached). This District policy in effect on 03-09-2020 does not contain any Public Records Act document fee schedule nor does the policy contain any rules or regulations declaring the reason the District need not calculate the actual costs it charges for providing public records because doing so would be unduly burdensome (RCW 42.56.120 - attached).

Per RCW 42.56.120(f) Please provide a summary of applicable charges in association with this request. I would estimate 700,000 email records to require no more than 32GB of data which can easily and cost effectively be exported to a 32gb or 64gb USB "flash drive." Export of data from District computers to USB flash drives is common and the most reasonable and cost-efficient method available to the District as part of its normal operations. The cost of a 64gb USB flash drive is under \$10.00 USD (attached). I would be happy to supply the district with USB flash drives to accommodate this Public Records Act request. Thank you.”

I received no response from you or the District to my **July 21, 2020 email**.

On **August 05, 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 05, 2020 email**.

On **August 20, 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 20, 2020 email**.

On **September 01, 2020** I you and the District the following email:

"Hello Mr. Arstad,  
Please see the three (3) attached requests dated 07-21-2020, 08-05-2020, and 08-20-2020 for a response regarding a summary of applicable charges under RCW 42.56.120(f). This is the fourth request. thank you.

Please note - the Auburn School Board Policy 4040P is labeled as being "adopted" on 05-21-2020 or 43 days AFTER your receipt of this public records request. The Auburn School District policy in effect on the date of this Public Records Act request (03-09-2020) was ASD Policy 4040P dated 02-09-16 (attached). This District policy in effect on 03-09-2020 does not contain any Public Records Act document fee schedule nor does the policy contain any rules or regulations declaring the reason the District need not calculate the actual costs it charges for providing public records because doing so would be unduly burdensome (RCW 42.56.120 - attached).

Per RCW 42.56.120(f) Please provide a summary of applicable charges in association with this request. I would estimate 700,000 email records to require no more than 32GB of data which can easily and cost-effectively be exported to a 32gb or 64gb USB "flash drive." Export of data from District computers to

USB flash drives is common and the most reasonable and cost-efficient method available to the District as part of its normal operations. The cost of a 64gb USB flash drive is under \$10.00 USD (attached). I would be happy to supply the district with USB flash drives to accommodate this Public Records Act request. Thank you.

From: Muckrock Staff

Date: 08-05-2020

Subject: RE: Washington Public Records Act Request: Auburn School District – (9) Email Accounts- 2014 to 2020

To Whom It May Concern:

I wanted to follow up on the following Washington Public Records Act request, copied below, and originally submitted on March 9, 2020. Please let me know when I can expect to receive a response.

Thanks for your help, and let me know if further clarification is needed.

From: Muckrock Staff

Date: 08-20-2020

Subject: RE: Washington Public Records Act Request: Auburn School District – (9) Email Accounts - 2014 to 2020

To Whom It May Concern:

I wanted to follow up on the following Washington Public Records Act request, copied below, and originally submitted on March 9, 2020. Please let me know when I can expect to receive a response.

Thanks for your help, and let me know if further clarification is needed.

On **September 3, 2020** you sent an email stating “Thank On you for following up on your previous emails. The district received your emails. We are in the process of reviewing your statements and preparing a response. Your patience in this matter is appreciated.

Your **September 3, 2020** email contained no installment of records.

On **September 11, 2020** you sent an email stating “Thank you for your patience as we reviewed your statements. We apologize for the oversight; we will process the public records request without a charge. Due to the scope and size of your request, we will provide you with installments. You can expect an update or installment within thirty (30) business days from today, September 11, 2020.

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

On **October 4, 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 4, 2020 email**.

On **October 14, 2020** you sent an email stating “Thank you for the email. Your request is being processed. The district will provide the response documents in installments. You can expect the first installment within thirty (30) business days from today, October 14, 2020.”

Your **October 14, 2020** email contained no installment of records.

On **October 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 **October 29, 2020 email**.

On **November 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 **November 13, 2020 email**.

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."

Your **November 25, 2020** email contained no installment of records.

Mr. Aarstad, you emailed on **March 10, 2020** "the District estimates that it may be able to provide you with documents responsive to your request within forty-five (45) business days..." **however no documents were ever provided.**

You emailed on **July, 13, 2020** "...the fee that will need to be collected will exceed \$9000. Please reply with your intent to continue to request these records, or modify this request." However then on **September 11, 2020** you reversed this decision and stated that the first installment of documents would be provided free of charge within 30 business days of September 11, 2020:

"... we will process the public records request without a charge. Due to the scope and size of your request, we will provide you with installments. You can expect an update or installment within thirty (30) business days from today, September 11, 2020."

More than 30 business days have elapsed since September 11, 2020 yet no first installment of records were produced. As of today eighty-three (83) days have elapsed since September 11, 2020 however still no documents or installments have been produced by the District.

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 a first installment 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.

Why has the first installment of records not been produced?

Respectfully, I request per [WAC 44-14-04003 (3)] the District provide this requestor "fullest assistance" and "most timely possible action." Please begin providing responsive records requested across each of the (9) email accounts in REVERSE CHRONOLOGICAL ORDER in INSTALLMENTS as soon as possible.

Thank you.