



Edmonds
SCHOOL DISTRICT

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Business and Finance

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Lydia Sellie, CPA
Executive Director

Serving the communities and students of Brier, Edmonds, Lynnwood, Mountlake Terrace, Woodway, and portions of Snohomish County

August 23, 2021

To: Janie Jordan, Data Research Partners LLC
Via email to: janie@dataresearchpartners.com

Re: Response to Public Records Request; File No. 21-43


Dear Ms. Jordan:

This letter acknowledges receipt of your request for public records, received August 20, 2021, seeking the following:

“Pursuant to the state open records law, Wash. Rev. Code Secs. 42.56.001 to 42.56.904, I write to request access to and a copy of a listing of all Edmonds School District 15’s employees’ first and last names, e-mail addresses, title/position, and primary campus/department location.”

Washington’s Public Records Act, Chapter 42.56.070(8) RCW, prohibits disclosure of “...lists of individuals requested for commercial purposes...” RCW 42.56.080 authorizes agencies to require a requester to provide information as to the purpose of a request “to establish whether inspection and copying would violate RCW42.56.070(8).” Accordingly, please complete the attached Commercial Purpose Declaration and return by mail. We will consider your request upon receipt of your signed declaration.

Sincerely,

DocuSigned by:

F3BCC6A7E27453...

Lydia Sellie, CPA
Executive Director, Business and Finance
Public Records Officer

Attachment: Commercial Purpose Declaration

August 23, 2021

Public Records Officer
Edmonds School District
20420 68th Ave. W.,
Lynnwood, WA 98036

Re: Ms. Janie Jordan, Data Research Partners LLC, Public Records Act Request dated August 20, 2021 request for "...all Edmonds School District 15's employees' first and last names, e-mail addresses, title/position, and primary campus/department location."

COMMERCIAL PURPOSE DECLARATION

Public Records Request under RCW 42.56 for Lists of Individuals

You or your organization or your business has requested a list of individuals from a public agency.

The Washington State Public Records Act (PRA) at RCW 42.56.070(8) directs that:

"This chapter shall not be construed as giving authority to any agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives to give, sell or provide access to lists of individuals requested for commercial purposes, and agencies, the office of the secretary of the senate, and the office of the chief clerk of the house of representatives shall not do so unless specifically authorized or directed by law: PROVIDED, HOWEVER, That lists of applicants for professional licenses and of professional licensees shall be made available to those professional associations or educational organizations recognized by their professional licensing or examination board, upon payment of a reasonable charge therefor: PROVIDED FURTHER, That such recognition may be refused only for a good cause pursuant to a hearing under the provisions of chapter 34.05 RCW, the administrative procedure act."

The PRA at RCW 42.56.080 authorizes agencies to require a requester to provide information as to the purpose of a request "...to establish whether inspection and copying would violate RCW42.56.070(8)...."

The Washington State Court of Appeals ruled that in responding to a public records request that includes a list of individuals, an agency must investigate if that list might be used for commercial purposes, in order to comply with the obligations of RCW 42.56.070(8). *SEIU Healthcare 775NW v. State*, 193, Wn. App. 377, 377 P.3d 214 (2016). The Court also ruled that information to be provided by a requester to an agency includes the purpose of the request, the identity of the requester, the nature of the records requested, and other information necessary to determine if the list of individuals can be provided under RCW 42.56.070(8).

Instructions:

In order to ensure compliance with this obligation, please complete pages 2 and 3 of this declaration form and return all pages (1, 2 and 3) to the Public Records Officer. If our agency does not receive a completed declaration, we will be unable to process your request for the list and the request for the list will be administratively closed. If we have questions for you after you complete the declaration, we will contact you. This declaration is a public record.

DECLARATION UNDER PENALTY OF PERJURY

1. I have requested a list of individuals from Edmonds School District.
2. I am requesting the list of individuals on behalf of (*specify which one applies*):
 My own personal behalf (*skip to 3*)
 Organization or business (*complete items a – d before proceeding to 3*)
 - a. If an organization or business, the name of the organization or business is:
 - b. If an organization or business, the purpose of the organization or business is:
 - c. If an organization or business, the mailing address and website address are:
 - d. If an organization or business, (i) it is a professional association or educational organization recognized by the professional licensing or examination board, and (ii) the request is for a list of applicants for professional licenses and of professional licensees of the subject area of the association or organization: Yes No
3. The purpose in making this request for list of individuals is:
4. I or the organization/business intend to generate revenue or financial benefit from using the list of individuals: Yes No
5. I or the organization/business intend to solicit money or financial support from any of the individuals on the list: Yes No
6. I or the organization/business intend to make individuals on the list aware of business commercial entities, business/financial enterprises or business/financial opportunities: Yes No
7. I or the organization/business intend to supply or sell the list of individuals to any organization or business, third party individual (someone other than myself or the organization or business listed in paragraph 2), or any other entity: Yes No

If “Yes”, to whom? _____
8. I or the organization/business attest that another law authorizes or directs the agency to provide me or my organization/business the list of individuals request: Yes No

If “Yes”, provide specific citation: _____

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. I certify under penalty of perjury that I have read the first page of this declaration form and I understand that a list of individuals cannot be provided to me or to my organization or business by a

public agency if the list will be used for commercial purpose. I certify under penalty of perjury that any list of individuals I or my organization or business receive pursuant to Ms. Janie Jordan, Data Research Partners LLC, Public Records Act Request dated August 20, 2021 to Edmonds School District will not be used for any commercial purpose in violation of RCW 42.56.070.

Dated this _____ of _____, 2021 in _____.
(day) (month) (city, state)

Signature of Declarant

Printed Name of Declarant