

03-23-23

via email to: michelle.terry@highlineschools.org

Hello Ms. Terry,

REQUEST FOR CLAIRIFICATION RCW 42.56

You state "5 cents for every 4 records" but what are the types of electronic records you are referring to?

Are the fees you are calculating based on ACTUAL COSTS?

Can you please explain how you are calculating this request for fees? Specifically \$3,045.50 for 243,640 "records."

Again, I am not sure you understand what I originally requested. I requested a .pst file. Are you stating you have found 243,640 .pst files?

I understand that using your GOVQA software you can export .pst files as well as .PDF "packet" bundles. I am requesting the most cost effective way to receive these electronic records.

Have you closed this public records request? If not, when can I expect to receive the identified documents?

I do need answers to my questions regarding fees to make a threshold determination of whether or not I will modify or narrow my request.

Thank you.

--- Please respond above this line ---

RE: PUBLIC RECORDS REQUEST of December 19, 2022., Reference # P000448-121922.  
Letter Dear 137061,

Discontinue sending responses to email boxes. We correspond with requesters via GovQA. Review our latest letter to you to answer your question about about fees. Also, you will find a fee chart on our website at :

<https://www.highlineschools.org/departments/records/public-records>  
(<https://www.highlineschools.org/departments/records/public-records>) . We charge .05 cents for every 4 uploaded records ( a record is a single document, attachment, email, memo, declaration, letter, note, etc.)

To monitor the progress or update this request please log into the Records Center

([https://highlineschool.mycusthelp.com/WEBAPP/\\_rs/RequestEdit.aspx?rid=448&co id=](https://highlineschool.mycusthelp.com/WEBAPP/_rs/RequestEdit.aspx?rid=448&co id=))

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From: RCPEG

03/03/2023

Subject: RE: Washington Public Records Act Request #P000448-121922

Email

03-03-23

via email to: michelle.terry@highlineschools.org

Public Records Officer Michelle Terry,

I did respond to your email 30 days ago. Please answer my questions regarding your fee request.

Another copy of my 02-01-23 email is attached.

THANK YOU.

Subject: RE: Washington Public Records Act Request #P000448-121922

02-01-23

via email to: michelle.terry@highlineschools.org

Hello Ms. Terry,

You state "5 cents for every 4 records" but what are the types of electronic records you are referring to?

Can you please explain how you are calculating this request for fees? Specifically \$3, 045.50 for 243, 640 "records."

Again, I am not sure you understand what I originally requested. I requested a .pst file. Are you stating you have found 243, 640 .pst files?

Have you closed this public records request? If not, when can I expect to receive the identified documents?

Thank you.

From: RCPEG

03/19/2023

Subject: RE: Washington Public Records Act Request #P000448-121922

Email

03-19-23

via email to: michelle.terry@highlineschools.org

Please answer this my 4th REQUEST FOR CLAIRIFCATION RE: FEES.

Thank you.

03-03-23

via email to: michelle.terry@highlineschools.org

Public Records Officer Michelle Terry,

I did respond to your email 30 days ago. Please answer my questions regarding your fee request.

Another copy of my 02-01-23 email is attached.

THANK YOU.

Subject: RE: Washington Public Records Act Request #P000448-121922

02-01-23

via email to: michelle.terry@highlineschools.org

Hello Ms. Terry,

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Can you please explain how you are calculating this request for fees? Specifically \$3,045.50 for 243,640 "records."

Again, I am not sure you understand what I originally requested. I requested a .pst file. Are you stating you have found 243,640 .pst files?

Have you closed this public records request? If not, when can I expect to receive the identified documents?

Thank you.

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02-01-23

via email to: michelle.terry@highlineschools.org

Hello Ms. Terry,

I understand your personal preference to use a 3rd party company portal, in this case the Granicus corporation. However please take notice, I have the right to refuse to use this 3rd party company portal, and I decline to do so. Side note, I never made any representation as to why I decline to use GOVQA. I am not required to do so. I am willing to say I find it disturbing as well as distasteful that a Washington State agency, in this case Highline Public Schools District transmits all public records requests and records as well as who knows what else to a for profit company such as Granicus corporation with offices outside the State of Washington.

Please see RCW 42.56.080(2) - Identifiable records–Facilities for copying–Availability of public records.

"...Agencies shall honor requests received in person during an agency's normal office hours, or by mail or email, for identifiable public records unless exempted by provisions of this chapter. No official format is required for making a records request; however, agencies may recommend that requestors submit requests using an agency provided form or web page."

Your agency is LEGALLY REQUIRED to honor public records requests such as this one via email.

Your agency "may recommend that requestors submit requests using an agency provided form or web page" however, "No official format is required for making a records request."

A recent case in point:

"Although the requests did not arrive through the City's online PRA submission form, agencies cannot mandate a particular mode of submission. RCW 42.56.080(2) ... No authority limits the context under which a PRA request may be received, so long as the request provides fair notice." - O'Dea v. City of Tacoma, 19 Wn. App.2d 67, 493 P.3d 1245 (2021)

Your agency has been provided fair notice.

Now, please answer my questions in my email of 01-31-23 a copy of which follows. Thank you.

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01-31-23

via email to: michelle.terry@highlineschools.org

Hello Ms. Terry,

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Can you please explain how you are calculating this request for fees? Specifically \$3, 045.50 for 243, 640 "records."

Again, I am not sure you understand what I originally requested. I requested a .pst file. Are you stating you have found 243, 640 .pst files?

Thank you for the link to your "website fee schedule"  
<https://www.highlineschools.org/departments/records/public-records>

Unfortunately that's not what I need. Please send me a copy of or provide a link to the Highline School District PUBLIC POLICY declaring the reason your agency does not calculate actual costs of producing electronic public records in accordance with the statement of factors and manner used to determine the

actual costs.

As you know, any statement of costs may be adopted by an agency only after providing notice and public hearing RCW 42.56.070 (7). Furthermore, An agency need not calculate the actual costs it charges for providing public records if it has rules or regulations declaring the reasons doing so would be unduly burdensome RCW 42.56.120 (2)(b).

I need a copy of the Highline School District PUBLIC POLICY documents establishing actual costs and in the alternative the public policy documents declaring the reasons for not calculating actual costs would be unduly burdensome.

Thank you.