

From: Evergreen Public Schools District
11/15/2021

Subject: Records Request Acknowledgement

Dear Records Requestor:

Our School District wishes to acknowledge receipt of your recent request for copies of public records, received on Friday, November 5, 2021.

Your records request seems clear in one respect, as to the records you wish to have copied and provided to you by the initial segment of your request. But, the second segment of your request is not clear to us. So, we are in need of clarification from you as to that segment.

First, it is clear by the first segment of your request that you wish to receive a copy of every public records request that has been submitted to our School District, going back historically for more than a decade, to January 1, 2010.

It will be a daunting and time-consuming task to locate all of those records for duplication and production to you. Some of those requests would have been received by us in electronic format only, e.g., such as via email. Those would not have been forwarded to any central electronic file location, nor printed to a paper copy and placed in any particular physical file location. As well, requests of that sort would not necessarily have been received by the person designated as our public records officer at the time the request was received. Rather, any given request could conceivably be received by any other given employee in our District.

For additional reasons, designing a search methodology calculated to locate all such emailed requests would be very difficult, if not impossible. That is because we cannot be required to read every single email received by every employee in our School District over the last ten-plus years, to locate for you those had content qualifying them as public records request. That likely means the next alternative search methodology would be to employ electronic "keyword" searches, of our "inbound" email databases over the last ten years. But those sorts of searches could well be unreliable, to in-fact yield all such requests, as it would be the case that some, if not many, records requestors did not cite our public disclosure law in making their requests, nor even use any particular words or phrasing - such as "public record" - when submitting their requests. In fact, our state's public disclosure law provides that in order for a public agency like our District to be compelled to process a records request under that statute, the records requestor need not submit it to a particular employee of ours, but s/he need not provide a citation to that public disclosure law nor reference it by name or in any other manner, nor use any particular language in submitting the request.

So, to create a list of "keyword" search terms that would likely yield every single records request that our District has received, via email over the last ten-plus years, could indeed be a practical impossibility. However, when faced with such a situation, our public disclosure laws suggest we dialogue with a requestor in your position, toward a cooperative collaboration aimed at generating a mutually agreed-upon list of keyword search terms that can be used to fulfill the request.

So, toward that end, I'd like to initiate that dialogue. Would you please give me a call or email me to dialogue on that point?

Aside from those difficulties with locating all electronic public records requests we've received over the last ten-plus years, we of course have received such requests in the form of physical (i.e., paper). These largely would exist only in files contained in boxes in our School District's archives. To search those files will take an immense amount of staff time.

In any case, because of the number and variety of locations of records requests in need of being located, copied, and produced to you in response to the first segment of your request, we plan to fulfill it in a series of partial-batch-installments. We are now estimating that you should expect to receive the first installment within 60 days of this email, on or before January 14, 2022.

Also, before we provide you that first installment, we likely will need an advance pre-payment from you of the cost-of-production charges that are allowable under our state's public disclosure law. I will advise you if that will be necessary, and of the required amount, within that same 60-day period.

Second, as I said above, we are uncertain of the scope of records you wish us to locate for you, by your language stating you wish to receive: "a complete electronic copy of the District's Responses" to each of the public records requests we'll be providing you. By "Responses," that could be fairly interpreted in many different ways, as to the scope of records you do or do not wish to receive. For instance, it could mean you wish only to receive copies of the actual; records that School District gathered, copied, and provided to each given requestor, in "Response" to his or her request (i.e., because those records had content falling within the descriptive scope of the request). On the other hand, we frequently "Respond" to requestors by directing letters or email communications to them that contain no actual "Responsive" records, but instead communicate with the requestor about any number of points of information or inquiry that arise in the course of processing records requests (in fact, this email is a precise example of that sort of "Response".)

So, we're in need of receiving clarification from you, by way of a reasonably specific description, as to the scope of records that you do wish to receive by that second segment of your request.

Per the above, I will now look forward to engaging in the dialogue I've initiated with you, concerning collaboratively working together toward a mutually-agreeable list of "keyword" searches that we can utilize to locate the emailed public records requests you've requested, and also to receiving the clarification I requested above.

Eliza Cornelison
Paralegal | Human Resources
Evergreen Public Schools
360-604-4049 | eliza.cornelison@evergreenps.org<mailto:eliza.cornelison@evergreenps.org>

From: Mead School District
11/16/2021

Subject: Re: Washington Public Records Act Request: Mead School District – Request for a complete electronic copy of all Public Records Requests received by the District including District Responses for the years 2010 - 2021

Dear Records Requestor:

The Mead School District received your public records request on November 9, 2021. This serves as the District's response within five (5) business days, as required by law. You have requested:

"I request a complete electronic copy of all Public Records Requests received by Mead School District and a complete electronic copy of the District's Responses to these Public Records Requests for the time period January 1, 2010 through November 4, 2021."*

Your records request seems clear in one respect, as to the records you wish to have copied and provided to you by the initial segment of your request. But, the second segment of your request is not clear to us. So, we are in need of clarification from you as to that segment.

First, it is clear by the first segment of your request that you wish to receive a copy of every public records request that has been submitted to our School District, going back historically for more than a decade, to January 1, 2010.

It will be a daunting and time-consuming task to locate all of those records for duplication and production to you. Some of those requests would have been received by us in electronic format only, e.g., such as via email. Those would not have been forwarded to any central electronic file location, nor printed to a paper copy and placed in any particular physical file location. As well, requests of that sort would not necessarily have been received by the person designated as our public records officer at the time the request was received. Rather, any given request could conceivably be received by any other given employee in our District.

For additional reasons, designing a search methodology calculated to locate all such emailed requests would be very difficult, if not impossible. That is because we cannot be required to read every single email received by every employee in our School District over the last ten-plus years, to locate for you those had content qualifying them as public records request. That likely means the next alternative search methodology would be to employ electronic "keyword" searches, of our "inbound" email databases over the last ten years. But those sorts of searches could well be unreliable, to in-fact yield all such requests, as it would be the case that some, if not many, records requestors did not cite our public disclosure law in making their requests, nor even use any particular words or phrasing – such as "public record" – when submitting their requests. In fact, our state's public disclosure law provides that in order for a public agency like our District to be compelled to process a records request under that statute, the records requestor need only not submit it to a particular employee of ours, but s/he need not provide a citation to that public disclosure law nor reference it by name or in any other manner, nor use any particular language in submitting the request.

So, to create a list of "keyword" search terms that would likely yield every single records request that our District has received, via email over the last ten-plus years, could indeed be a practical impossibility.

However, when faced with such a situation, our public disclosure laws suggest we dialogue with a requestor in your position, toward a cooperative collaboration aimed at generating a mutually agreed-upon list of keyword search terms that can be used to fulfill the request.

So, toward that end, I'd like to initiate that dialogue. Would you please give me a call, to discuss that point?

Aside from those difficulties with locating all electronic public records requests we've received over the last ten-plus years, we of course have received such requests in the form of physical (i.e., paper). These largely would exist only in files contained in boxes in our School District's archives. To search those files will take an immense amount of staff time.

In any case, because of the number and variety of locations of records requests in need of being located, copied, and produced to you in response to the first segment of your request, we plan to fulfill it in a series of partial-batch-installments. We are now estimating that you should expect to receive the first installment within 90 days of this email (approximately February 14, 2021).

Also, before we provide you that first installment, we likely will need an advance pre-payment from you of the cost-of-production charges that are allowable under our state's public disclosure law. I will advise you if that will be necessary, and of the required amount, within that same 90-day period.

Second, as I said above, we are uncertain of the scope of records you wish us to locate for you, by your language stating you wish to receive: "a complete electronic copy of the District's Responses" to each of the public records requests we'll be providing you. By "Responses," that could be fairly interpreted in many different ways, as to the scope of records you do or do not wish to receive. For instance, it could mean you wish only to receive copies of the actual; records that School District gathered, copied, and provided to each given requestor, in "Response" to his or her request (i.e., because those records had content falling within the descriptive scope of the request). On the other hand, we frequently "Respond" to requestors by directing letters or email communications to them that contain no actual "Responsive" records, but instead communicate with the requestor about any number of points of information or inquiry that arise in the course of processing records requests (in fact, this email is a precise example of that sort of "Response".)

So, we're in need of receiving clarification from you, by way of a reasonably specific description, as to the scope of records that you do wish to receive by that second segment of your request.

Per the above, I will now look forward to the dialogue I've initiated with you concerning collaboratively working together toward a mutually-agreeable list of "keyword" searches that we can utilize to locate the emailed public records requests you've requested, and also to receiving the clarification I also requested above.

Sincerely,

Jill

Jill Therrien

*HR Leaves Specialist *

Mead School District

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