

## Looten, Kathy

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**From:** Embree, Carol L.  
**Sent:** Thursday, March 12, 2015 8:53 AM  
**To:** Looten, Kathy; Pelletier, David  
**Subject:** Fwd: SmartProcure Public Records Request - No response from Springfield Public Schools  
**Attachments:** Preprogrammed Software Reports by Manufacturer.pdf; ATT00001.htm

Kathy-the following represents a records request. I know we can charge the lowest hourly rate of the employee rate for the position capable of doing the job. Dave is out of the office this week. What is our standard protocol for a response? I am accustomed to the board secretary emailing the requester to say that the request has been received and a calculation for costs to pull they data will be provided by X date to see if the requester is interested in moving forward. Is that how you handle these requests? Thanks.

Carol Embree, SFO  
Chief Financial & Operations Officer  
School District of Springfield, R-12  
Kraft Administration Center  
1359 E. St. Louis Street  
Springfield, MO 65802  
Office: 417-523-0159  
Fax: 417-895-2007

Begin forwarded message:

**From:** Ann Marie Corbett <[acorbett@smartprocure.us](mailto:acorbett@smartprocure.us)>  
**Date:** March 12, 2015 at 3:08:16 AM CDT  
**To:** <[cembree@spsmail.org](mailto:cembree@spsmail.org)>  
**Subject:** **SmartProcure Public Records Request - No response from Springfield Public Schools**

Dear Carol or Custodian of Public Records,

SmartProcure submitted a public records request on 2015-03-05 and has not received a response or acknowledgment, therefore the original request is being submitted again. If the original request is located please disregard this request.

SmartProcure is submitting a public records request to the Springfield Public Schools for an electronic record (without scanning or printing) of purchase orders dated 2010-01-01 to current.

The information requested is:

1. Purchase order number or equivalent
2. Purchase order date
3. Line item details
4. Line item quantity
5. Line item price
6. Vendor ID number, name, address, contact person and email address

The attached document may be used as a reference to fulfill this request if the Springfield Public Schools uses any of the listed pre-programmed software reports.

Please email the information or use the following web link. There is no file size limitation:

<http://upload.smartprocure.us/?st=MO&org=SpringfieldPublicSchools>

If this request was misrouted, please forward to the correct contact person and reply to this communication with the appropriate contact information.

If you have any questions, please feel free to respond to this email or I can be reached at 954-692-6960.

Regards,

**Ann Marie Corbett**  
Data Acquisition

## **SmartProcure**

(954) 692-6960

[acorbett@smartprocure.us](mailto:acorbett@smartprocure.us) | [www.smartprocure.us](http://www.smartprocure.us)

700 W. Hillsboro Blvd. Suite 4-100, Deerfield Beach, FL 33441



*Helping today's kids fill tomorrow's promise.*

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**John Jungmann, Ed.D.**  
**Superintendent**

March 17, 2015

Ms. Ann Marie Corbett  
SmartProcure, LLC  
700 West Hillsboro Blvd., Suite 4-100  
Deerfield Beach, FL 33441

Re: School District of Springfield, R-12  
Sunshine Request Dated March 12, 2015

Dear Ms. Corbett:

This letter will respond to your email dated March 12, 2015, which was received by me on that day. Your email states that you sent a previous email to the District to which the District did not respond. We have no record of receiving the previous email. Please note that all requests pursuant to the Missouri Sunshine Law should be directed to me as the District's Custodian of Records.

Your email requests certain public records pursuant to the Missouri Sunshine Statute (see attached explanation).

With this information in mind, the District's Board of Education provides you with the following response concerning your requests for public documents.

**Request:** ".....for an electronic record (without scanning or printing) of purchase orders dated 2010-01-01 to current. The information requested is: (1) Purchase order number or equivalent; (2) Purchase order date; (3) Line item details; (4) Line item quantity; (5) Line item price; and (6) Vendor ID, name, address, contact person and email."

**Response:** There are public records which meet this request. We estimate that the cost of the search and retrieval of these documents will be no more than one hundred and forty five dollars (\$145.00). At the conclusion of the process, the District will provide you with an itemized list of costs. If our estimate is high, the District will return that portion of your payment.

KRAFT ADMINISTRATIVE CENTER

1359 E. SAINT LOUIS STREET - SPRINGFIELD, MISSOURI 65802-3409 - TELEPHONE 417/523-0026

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If you wish to have the District engage in a search for your request of purchase orders, then the District will need a check prior to starting the search and retrieval process. Once the check is processed, the search and retrieval process will begin and should take no more than seven business days.

Thank you for your request.

Sincerely,

*Kathy L. Looten*

Kathy Looten  
Executive Office Liaison/Records Custodian

cc: Ransom A Ellis, III

attachment

**Missouri Sunshine Statute**  
**The School District of Springfield R-12**

Initially it is noted that in order to be subject to disclosure under the Missouri Sunshine Law, documents must constitute "public records" of the "public governmental body." In the case of the School District of Springfield, R-12, the "public governmental body" is the Board of Education for the School District of Springfield R-12. The term "public records" is defined in Section 610.010(6) RSMo. as follows:

(6) "Public record", *any record*, whether written or electronically stored, *retained by or of any public governmental body* including any report, survey, memorandum, or other document or study *prepared and presented to the public governmental body* by a consultant or other professional service paid for in whole or in part by public funds; provided, however, that personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years. The term "public record" shall not include any internal memorandum or letter received or prepared by or on behalf of a member of a public governmental body consisting of advice, opinions and recommendations in connection with the deliberative decision-making process of said body, unless such records are retained by the public governmental body or presented at a public meeting." [emphasis added]

Generally, the District will not provide you with any public documents which may be encompassed by your request and which are closed records under the Sunshine Law. Included in these closed public documents are the following:

- The minutes of closed meetings of the Board of Education which were closed pursuant to Section 610.021 RSMo, and not otherwise required to be revealed;
- Privileged communications between the Board of Education or its representatives and its attorneys pursuant to Section 610.021(1) RSMo;
- Records involving the hiring, firing, disciplining or promoting of particular employees by the Board of Education when personal information about the employee is discussed or recorded, except those public records which have been made public pursuant to Section 610.021(3) RSMo;
- Records involving software codes for electronic data processing and documentation thereof pursuant to Section 610.021(10) RSMo;
- Documents related to a negotiated contract until a contract is executed, pursuant to Section 610.021(12) RSMo;
- Documents which constitute individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, pursuant to Section 610.021(13) RSMo;

- Records which are protected from disclosure by law pursuant to Section 610.021(14) RSMo, including but not limited to information covered by the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g;
- Confidential or privileged communications between a public governmental body and its auditors, including all auditor work product pursuant to Section 610.021(17) RSMo;
- Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between the Board of Education and a person or entity doing business with the Board pursuant to Section 610.021(21) RSMo.
- Other "closed public records" as specified in Section 610.021 RSMo.

### **Fees**

In matters such as these, the District charges the reasonable fees allowed by the Missouri Sunshine Statute, Section 610.026 RSMo. Duplication fees include a per copy cost, not to exceed ten cents per regular sized page and an hourly fee for the time spent duplicating the documents. Retrieval and processing fees are based on the average hourly rate of pay for the staff involved in the retrieval and processing process. Section 610.026 RSMo provides a rather specific description of the allowable fees. Pertinent portions of that statute follow:

**"610.026. Fees for copying public records, limitations--fee money remitted to whom--tax, license or fee as used in Missouri Constitution Article X section 22 not to include copying fees**

1. Except as otherwise provided by law, each public governmental body shall provide access to and, upon request, furnish copies of public records subject to the following:

...

(2) Fees for providing access to public records maintained on computer facilities, recording tapes or disks, videotapes or films, pictures, maps, slides, graphics, illustrations or similar audio or visual items or devices, and for paper copies larger than nine by fourteen inches shall include only the cost of copies, staff time, which shall not exceed the average hourly rate of pay for staff of the public governmental body required for making copies and programming, if necessary, and the cost of the disk, tape, or other medium used for the duplication. Fees for maps, blueprints, or plats that require special expertise to duplicate may include the actual rate of compensation for the trained personnel required to duplicate such maps, blueprints, or plats. If programming is required beyond the customary and usual level to comply with a request for records or information, the fees for compliance may include the actual costs of such programming."

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