

Looten, Kathy

From: Riley, Claudette <criley@springfi.gannett.com>
Sent: Tuesday, June 07, 2016 3:22 PM
To: Looten, Kathy
Cc: Bledsoe, Teresa
Subject: Sunshine Law request

Kathy Looten
Kraft Administrative Center
1359 E. St. Louis
Springfield, MO 65802

I am requesting the following information under the Missouri Sunshine Law, Chapter 610, Revised Statutes of Missouri:

- Letters and emails to the Springfield school board since May 1, 2016 regarding transgender students or bathrooms.
- Letters and emails to Superintendent John Jungmann since May 1, 2016 regarding transgender students or bathrooms.

I request that the records be provided in an electronic database or spreadsheet format and that all fees for copies be waived. I ask for this waiver because the information obtained under this request will be used in the public interest and is "likely to contribute significantly to public understanding" of government operations and is not primarily in the commercial interest of myself or the news organization I represent, as defined under RSMo 610.026.1(1).

If costs are involved and are expected to exceed \$50, please contact me before proceeding at one of the phone numbers below.

If portions of the requested records are exempt from disclosure, the state Sunshine Law requires you to segregate those portions and release the remainder of the records. The state law also requires you to justify all deletions in writing by citing specific statutory exemptions.

If you have any questions regarding this request, please do not hesitate to contact me using the addresses or telephone numbers listed below. Thank you for your prompt attention to this request.

Sincerely,

CLAUDETTE RILEY

Education reporter
Office: 417-836-1240
Cell: 417-225-0210
Criley@news-leader.com
@CrileyNL

NEWS-LEADER





Helping today's kids fill tomorrow's promise.

John Jungmann, Ed.D.
Superintendent

June 9, 2016

Ms. Claudette Riley
criley@news-leader.com
c/o The Springfield News-Leader
651 N. Boonville Ave.
Springfield, MO 65806

Dear Ms. Riley:

This letter will respond to your email dated Tuesday, June 7, 2016, which was received by me that day. Your request asks for certain public records pursuant to the Missouri Sunshine Statute as follows:

- Letters and emails to the Springfield school board since May 1, 2016 regarding transgender students or bathrooms.
- Letters and emails to Superintendent John Jungmann since May 1, 2016 regarding transgender students or bathrooms.”

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 governmental body” also includes certain other defined entities, including:

“(e) Any committee appointed by or at the direction of any of the entities and which is authorized to report to any of the above-named entities, any advisory committee appointed by or at the direction of any of the named entities for the specific purpose of recommending, directly to the public governmental body’s governing board or its chief administrative officer, policy or policy revisions or expenditures of public funds . . .”

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*

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]

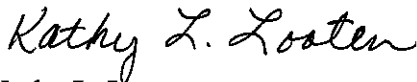
Generally, the District will not provide you with any public documents which may be encompassed by your request and which are closed records under the Sunshine Law, Section 610.021 RSMo.

With this explanation in mind, the Board responds as follows to your request:

Your request is approved. The documents you have requested are attached. We received correspondence from twenty-six different individuals. Please note that several of the documents attached are duplicates addressed to the Superintendent, Board President and Vice President.

Thank you for your request.

Sincerely,



Kathy L. Looten
Executive Office Liaison/District Records Custodian

cc: Ransom A Ellis, III