

## Looten, Kathy

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**From:** Morey Mechlin <moreymechlin@me.com>  
**Sent:** Monday, February 06, 2017 8:26 PM  
**To:** Looten, Kathy  
**Subject:** Request for records

Hi Kathy,

> This is a request for records pursuant to the Missouri Sunshine Law, Chapter 610, Revised Statutes of Missouri. I request that you make available to me the following records and a digital format will be acceptable:

>

> A listing of vendors of the district including Vendors name Phone  
> number(s) Address Representative name Email address Type of product or  
> service provided Amount paid by the Distirct in either the previous  
> calendar or fiscal year.

>

> Please contact me at 417-880-9247 with any questions.

Thank you.

Sincerely,  
Morey Mechlin  
4624 East Bittersweet Way  
Springfield, MO 65809  
417-880-9247  
moreymechlin@me.com



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Every Learner – Every Day*

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February 7, 2017

Ms. Morey Mechlin  
moreymechlin@me.com

*Sent By Electronic Mail*

Dear Ms. Mechlin:

This email will respond to your email dated February 6, 2017, and received by me on February 7, 2017.

Your email requests certain public records pursuant to the Missouri Sunshine Statute. Your email requests the following:

“I request that you make available to me the following records and a digital format will be acceptable:

A listing of vendors of the district including Vendors name Phone number(s)  
Address Representative name Email address Type of product or service  
provided Amount paid by the District in either the previous calendar or fiscal  
year.”

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 (“District”), the “public governmental body” is the Board of Education for the District.

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, including records created or maintained by private contractors under an agreement with a public governmental body or on behalf of a public governmental body; 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. Any document or study prepared for a public governmental body by a consultant or other professional service as describe in this subdivision shall be retained by the public governmental body in the same manner as any other public record.” [emphasis added]

Generally, the District will not provide you with any public documents which may be encompassed by your requests and which are closed records under the Sunshine Law. Included in these closed public documents, but not in limitation thereof, 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 Sections 610.021(1) and (14) 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 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.

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

The public records you have requested are available and will be provided to you upon payment of a reasonable retrieval and processing fee which is set out below.

**Retrieval, Processing and Copying 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.

The cost for the retrieval and processing of the public records you have requested is twenty two dollars and forty six cents (\$22.46). We will provide you with the requested records upon receipt of that amount.

Thank you for your request.

Sincerely,



Kathy Looten  
Executive Office Liaison/Records Custodian

cc: Ransom A. Ellis, III