

Looten, Kathy

From: Riley, Claudette <criley@springfi.gannett.com>
Sent: Wednesday, September 06, 2017 4:43 PM
To: Looten, Kathy
Cc: Bledsoe, Teresa
Subject: Sunshine Law request

Sept. 6, 2017

Kathy Looten
Custodian of records
Springfield Public Schools

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

- A list of all Springfield Public Schools employees circa Dec. 31, 2016, including name, job title, total compensation for the 2016 calendar year (such as the total reported on a federal W-2 statement) and status as a contract, full- or part-time employee;
- A list including name, job title, contract/full-/part-time status and hourly rate of pay of all SPS employees circa Sept. 1, 2017.

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: 417-291-7709
Criley@news-leader.com
[@CrileyNL](#)

NEWS-LEADER |  **USATODAY
NETWORK**



*Engaging. Relevant. Personal.
Every Learner – Every Day*

September 11, 2017

Ms. Claudette Riley
Springfield News-Leader
criley@news-leader.com

Dear Ms. Riley:

This letter will respond to your email dated Wednesday, September 6, 2017, which was received by me that day. Your request asks for certain public records pursuant to the Missouri Sunshine Statute as follows:

- A list of all Springfield Public Schools employees circa Dec. 31, 2016, including name, job title, total compensation for the 2016 calendar year (such as the total reported on a federal W-2 statement) and status as a contract, full- or part-time employee;
- A list including name, job title, contract/full-/part-time status and hourly rate of pay of all SPS employees circa Sept. 1, 2017.”

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 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.

"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."

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

The cost for the retrieval and processing of the public records you have requested is twenty-three dollars and fifty cents (\$23.50). We will provide you with the requested records upon receipt of that amount.

Thank you for your request.

Sincerely,

Kathy L. Looten

Kathy L. Looten
Executive Office Liaison/District Records Custodian

cc: Ransom A. Ellis, III