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Long Beach

September 28, 2022

VIA EMAIL



Re: Carmel Unified School District
Response to California Public Records Act Request No. 2223-28
Our file no. 1885.210001

Dear Sir or Madam:

On behalf of our client, Carmel Unified School District ("District"), this letter responds to your recent request, received September 16, 2022 (Request No. 2223_28), for records under the California Public Records Act ("CPRA"), Gov. Code, § 6250 et seq.

To the extent the District understands your request, the District interprets your request as seeking a single category of records, as follows:

- Request: Records from 2018 to present related to "Carmel Middle School, athletic improvements, permits, encroachments, tennis courts, designs, planning, fields, facilities master plan, football, environmental report, sports, schedule, stadium lights."

Your request notes that it extends to "records, files, reports, investigations, e-mails, texts, phone call records, internal meeting minutes and memos." Your request also notes that it includes records of "any CUSD employee or volunteer, including but not limited to, Ted Knight, Dan Paul, Sharon Ofek, Golden Anderson, Mike Kelley, Kimberley Woltman, Yvonne Perez."

Pursuant to Government Code section 6253.1, this letter serves as the District's good faith attempt to elicit additional clarifying information to assist you in making "a focused and effective request that reasonably describes an identifiable record or records." The current request is confusing, overbroad, and unreasonable in a number of respects. As such, it is unclear what records you are seeking. The District is unable to respond until you provide clarification.

First, your request does not specify which campus and projects you are seeking records for. Elsewhere, your request refers to "athletic improvements" and "CMS Plans." Therefore, the District interprets your request as limited to athletic

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improvement construction projects at Carmel Middle School from 2018 to the present. If this is not the intended scope of your request, please let us know.

Second, the District must also clarify the scope of any email search for responsive records. The District can only, and is only required to, search for records in its possession. (See Gov. Code, § 6253, subd. (c).) This excludes outside persons whose emails the District does not possess within the meaning of the CPRA (e.g., Kimberley Woltman of Whitson Engineers). The District also cannot reasonably search every District employee, and must limit the scope of the search to those persons identified in the request. Based on your clarification in response to the first issue listed above, and to the extent there are additional responsive records not contained in project files, the District will search emails for the following persons that you have identified:

- Ted Knight, Superintendent;
- Dan Paul, Chief Operating Officer;
- Sharon Ofek, Deputy Superintendent of Educational Services;
- Golden Anderson, Athletic Director;
- Mike Kelley, Carmel High School Baseball Coach; and
- Yvonne Perez, Chief Business Official.

Additionally, while the District awaits your clarification, the District has determined that it must also extend the time to respond to the request by fourteen (14) days, such that the District will respond further by **October 10, 2022**. (See Gov. Code, § 6253, subd. (c).) The circumstances warranting this extension include the need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records in response to your request. (See *id.*) Upon completion of the District's search, collection, and examination of records, only those documents that meet the definitions contained in the CPRA and are not otherwise exempt from disclosure will be produced. The District reserves all objections at this time.

Please provide the clarification requested herein so that the District can prepare its response to your CPRA request. Further clarification may be requested as the District undertakes its search for responsive records. In the meantime, if you have any questions, please contact this office.

Sincerely,

DANNIS WOLIVER KELLEY



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cc: Jessika K. Johnson, Esq.