

February 12, 2019

Via E-mail

Jennifer Anderson-Rosse
Bullis Mountain View
102 W. Portola Ave.
Los Altos, CA 94022

Email: jrosse@bullismountainview.com

Re: California Public Records Act Request

Dear Ms. Anderson-Rosse:

This correspondence responds to your California Public Records Act ("CPRA") request, dated February 2, 2019 and received on February 3, 2019, to the Mountain View Whisman School District ("District"), in which you request records relating to Mariano Castro Elementary, Theuerkauf Elementary, Vargas Elementary, Edith Landels Elementary, Frank Huff Elementary, Monta Loma Elementary, Benjamin Bubb Elementary, Gabriela Mistral Elementary, and Stevenson Elementary Schools ("Comparison Schools").

As a preliminary matter, we write to explain that only those writings which meet the definitions contained in the CPRA, are in the District's care, custody and control, and which are not otherwise exempt from disclosure by the CPRA, will be produced. (Gov. Code, §§ 6252–6255.) Moreover, the CPRA only requires the production of records which exist at the time of the request, and the District is not required to create records in order to respond to requests for public records. (Gov. Code, §§ 6252, 6253.)

We must also note that your request, as stated, seeks a broad range of records. Therefore, the District will not disclose records that are not subject to disclosure because they are exempt pursuant to Government Code sections 6254, subdivisions (a), (c), and/or (k) and 6255; and are protected from disclosure by the Brown Act and any applicable privilege, including but not limited to the attorney-client privilege, the attorney work product doctrine, the legislative process privilege, the official information privilege, and/or the deliberative process privilege. Additionally, the District will not disclose records to the extent that they

encompass information contained within student/pupil records that are protected from disclosure under Education Code sections 49073 et seq. and the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g).

With these standards in mind, subject to the foregoing understanding, the District responds to each of your individual requests as follows:

1. *Campus maps and any other map-like documents which identify the rooms and other spaces on the Comparison Schools sites.*

This request seeks records exempt from disclosure pursuant to Government Code section 6255 on the grounds that disclosure would compromise the safety and security of the students and staff, except the maps available to the public at school sites.

2. *Any and all records regarding the capacity of the Comparison Schools' facilities.*

The District has determined that this request seeks copies of disclosable public records.

3. *Any and all records regarding the 2017-2018 and 2018-19 enrollment and ADA as well as 2019-2020 enrollment and ADA projections for the Comparison Schools. We request that the data be individually set out for each school for each year listed and broken down by grade level. These records should include any records related to the projections of ungraded ADA at the Schools for these years. This request does not seek any data regarding charter school ADA.*

The District has determined that this request seeks copies of disclosable public records.

4. *Any and all records related to and including Master Schedules and room assignment documents for the 2017-2018 and 2018-2019 school years for the Comparison Schools.*

This request seeks records exempt from disclosure pursuant to Government Code section 6255 on the grounds that disclosure would compromise the safety and security of the students and staff.

5. *Any and all records regarding the current and projected use of each room and/or space at Comparison Schools including, but not limited to the designated use for each room and space during the 2017-2018 and 2018-19 school years.*

The District has determined that this request seeks copies of disclosable public records with respect to records regarding the current use of each room and/or space at Comparison Schools.

6. *Any and all records describing the physical school site of the Comparison Schools, including, but not limited to, the square footage of the site, the square footage of each room,*



the types and amounts of space at the site, and the facilities at the site.

The District has determined that this request seeks copies of disclosable public records; however, to the degree the request seeks campus maps and like documents, the request seeks records exempt from disclosure pursuant to Government Code section 6255 on the grounds that disclosure would compromise the safety and security of the students and staff.

7. Any and all records related to the types and amounts of teaching station, specialized classroom and non-teaching station space available for, provided to, and/or accessible by students in the Comparison Schools.

The District has determined that this request seeks copies of disclosable public records; however, to the degree the request seeks campus maps and like documents, the request seeks records exempt from disclosure pursuant to Government Code section 6255 on the grounds that disclosure would compromise the safety and security of the students and staff.

8. The number of current full-time teachers and their room assignments at the Comparison Schools, and any lists, rosters, reports, memoranda, or other records identifying such number.

The District has determined that this request seeks copies of disclosable public records; however, to the degree the request seeks campus maps and like documents, the request seeks records exempt from disclosure pursuant to Government Code section 6255 on the grounds that disclosure would compromise the safety and security of the students and staff, except for the maps available to the public at school sites.

The District estimates providing responsive, non-exempt, and non-privileged documents that exist at the time of your request, by March 15, 2019. The District will make copies available to you upon payment of duplication costs at a rate of \$0.05 cents per page, except for copies of oversized documents for which additional costs shall be provided. The District will provide an estimate for the costs of duplicating the records. Please note that the records will not be released before payment is received.

We appreciate your understanding. Please let me know if you have any questions or concerns.

Sincerely,

Shelly Hausman
Public Information Officer