

Board of Education

President Ann Marie Horner, **Vice President** Blaik Baird, **Board Members** Jenifer Kelson, Debbie Jones, Wilma Cowley
Superintendent of Schools Terry E. Shoemaker **Business Administrator** Keith Johansen

December 14, 2012

Anissa Wardell
211 Greenfield Circle, #102
Heber City, UT 84032

Re: GRAMA Appeal

Dear Ms. Wardell:

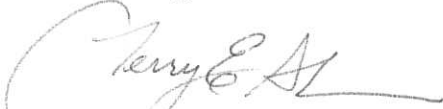
This letter is in response to your GRAMA appeal that I received on December 7, 2012. You have appeal Mr. Keith Johansen's GRAMA response dated November 30, 2012. Your request was for "all work and Board (School Board) Mtg packets emailed to me when the Board is emailed their monthly Mtg packets."

After reviewing Mr. Johansen's letter and your appeal I have carefully considered the relevant statutes and have determined that your appeal should be denied. When the District receives a GRAMA request, it reviews its records that exist as of the date of the GRAMA request and responds accordingly. Public records that are responsive to the request are made available pursuant to the statute. Your request was received on November 15th. As of that date there were no records in existence that were responsive to your request. I do not understand your request to ask for Board meeting packets for meetings that have already been held. I understand your request as asking that you be sent future Board meeting packets at the same time they are sent to the Board. While there is no question that there will be Board Packets sent out in the future for future Board meetings, those documents do not currently exist and did not exist at the time of your request. Thus, under GRAMA there are no public documents that were responsive to your request at the time it was made or at the time that Mr. Johansen responded. GRAMA does not require a governmental agency to create and maintain mailing lists of individuals to whom documents should be sent once they are created.

Even though your request and this appeal have been denied, I hope the efforts of the Board to provide greater information to the public will meet your needs. As Mr. Johansen explained in his response, the District has been working on ways to make available on-line the public portions of Board meeting packets prior to the Board meeting. I recently sent you an email inviting you to meet with me. You responded that you would not meet with me and just wanted a response to your appeal. I requested the meeting because I wanted to personally explain to you that that the public portions of the Board meeting packets are now available on-line. They will be posted within 1 business day of when the information is sent to the Board. You will be able to access them at www.wasatch.edu.

Pursuant to Utah Code Ann. § 63G-2-401 to -403, you have the right to appeal this denial. You must appeal within 30 days to the State Records Committee or you may petition for review by the District Court within 30 days. If you appeal to the State Records Committee you should send your appeal to: Executive Secretary, State Records Committee, 346 S. Rio Grande, Salt Lake City, UT 84101-1106. Your appeal should explain the relief sought. It must include your name, mailing address, and daytime telephone number. You may include a short statement of facts, reasons and legal authority in support of the appeal. Please feel free to contact me should you have questions regarding this response.

Sincerely,

A handwritten signature in cursive script, appearing to read "Terry Shoemaker". The signature is written in dark ink and is positioned above the printed name.

Terry Shoemaker
Superintendent