



September 12, 2022

VIA Electronic Mail

ATTN: Kelley Brown
Granbury Independent School District
217 N. Jones Street
Granbury, TX 76048
(817) 408-4123
kelley.brown@granburyisd.org

Re: Request Pursuant to Texas Public Information Act

Dear Public Information Officer,

Pursuant to the Texas Public Information Act, Tex. Gov't Code § 552.001 et seq., Democracy Forward Foundation, submits this request for records.

Records Requested

Please provide the following records:

- All records relating to comments made during the public comment period¹ at the August 22, 2022 Granbury Independent School District (“ISD”) Board meeting concerning the removal of books from library or classroom shelves or the curriculum recommendations being considered by the State Board of Education;
- All records of challenges submitted or complaints made to any book located in any school library within the Granbury ISD, including the 32 challenges (including the 17 completed challenges) to books described by Leah Dawson, the new district student services coordinator, during the August 22, 2022 Granbury ISD Board meeting.²
- All records relating to the complaint about, challenge to, consideration of, reconsideration of, or removal of any book located in any school library within the Granbury Independent School District; and
- Any record of a communication to, from, between, and among any member of the Board:
 - About, responding to, or following up on comments made during the August 22, 2022 Granbury ISD Board meeting concerning the removal of books from library or classroom shelves;
 - About, responding to, or following up on comments made during the August 22, 2022 Granbury ISD Board meeting concerning the curriculum recommendations being considered by the State Board of Education;
 - Regarding the process for reviewing a challenge to a book available in a Granbury ISD library;

¹ Granbury Indep. Sch. Dist., *Granbury ISD School Board Meeting - August 22, 2022*, YouTube (Aug. 22, 2022), at 2:59:19-4:10:00, https://www.youtube.com/watch?v=F96J_HjN51M.

² *Id.* at 1:53:19-1:54:00.

- o Suggesting, opposing, or commenting on consideration or reconsideration of any books previously reviewed that have not been removed from a library; or
- o Related to the Granbury Independent School District curriculum or book collection with Moms for Liberty or No Left Turn in Education.

Scope of Search

Unless otherwise specified, this request seeks records dated August 23, 2021 to and including the date of the final response to this request. Please note that, under Texas Local Government Code § 202.002, “a local government record subject to a request under [the Texas Public Information Act], may not be destroyed until the request is resolved.” We therefore ask that you take steps to ensure that no responsive records are destroyed immediately following receipt of this request.

Please search for records regardless of format, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical materials. This request includes, without limitation, all correspondence, letters, emails, text messages, calendar entries, facsimiles, telephone messages, voice mail messages, and transcripts, notes, minutes, or audio or video recordings of any meetings, telephone conversations, or discussions. In searching for responsive records, however, please exclude publicly available materials such as news clips that mention otherwise responsive search terms.

The Public Information Act requires agencies to disclose information, with limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. Tex. Gov’t Code § 552.022. In the event that Granbury ISD wishes to withhold any documents or portions of documents, it must generally ask for a decision from the Attorney General about whether that information is within the exception. Tex. Gov’t Code § 552.301(a), *Thomas v. Cornyn*, 71 S.W.3d 473, 480 (Tex. App. – Austin 2002, no pet.).

However, we agree to the redaction of information that is subject to mandatory or discretionary exceptions, provided such redactions are clearly labeled on the information we receive, and provided that doing so will not prejudice our ability to request the redacted information in a subsequent request and/or to challenge the appropriateness of the redactions. If Granbury ISD wishes to withhold any documents in full, it must nonetheless request a decision from the Attorney General; should the Attorney General find that the documents ought to be withheld, we further request a written statement from Granbury ISD asserting its wishes to withhold the requested information and a copy of the written communication to the Attorney General asking for a decision on the issue. Tex. Gov’t Code § 552.301(d). If requested records are located in, or originated in, another agency, department, office, installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in a searchable, electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we are willing to accept the best available copy of each such record.

Please respond to this request in writing within 10 business days as required by under the Texas Government Code. Tex. Gov’t Code § 552.301(b). If all of the requested documents are not

available within that time period, we request that you provide us with all requested documents or portions of documents that are available within that time period. If no decision from the Attorney General is requested and the information required by § 552.301(d)(e-1) is not provided to us within 10 business days, the information we requested is presumed to be subject to public disclosure and must be released. Tex. Gov't Code § 552.302.

Request for Fee Waiver

We request a waiver of document search, review, and duplication fees associated with processing records for this request, in accordance with Texas Government Code Section 552.267.

The requested waiver is in the public interest because providing the copy of the information sought primarily benefits the general public. Records received in response to this request will contribute to the public's understanding of how Granbury ISD officials conduct official business. The disclosure of the records sought here will contribute significantly to understanding of an issue of profound public importance. Democracy Forward also has a demonstrated ability to disseminate information of public interest requested through freedom of information statutes.

Democracy Forward is not filing this request to further any commercial interest. Any information obtained by Democracy Forward as a result of this request will be disclosed at no cost.

If the request for a waiver is denied, we are willing to pay all reasonable fees incurred for searching and duplicating records in responding to this request, up to \$100. If the costs of responding to this request should exceed that amount, please contact us before incurring costs exceeding that amount.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify us of the appeal procedures available to us under the law. We reserve the right to initiate legal proceedings for injunctive or declaratory relief if denied the opportunity to inspect the public records requested.

If you need clarification as to the scope of the request, have any questions, or foresee any obstacles to releasing fully the requested records within the three-day period, please contact me at muzzell@democracyforward.org

We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/ Megan J. Uzzell

Megan J. Uzzell

Strategic Initiatives & External Affairs Director

Democracy Forward Foundation

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