



September 30, 2022

**VIA Electronic Mail**

Hernando County School District  
919 North Broad Street  
Brooksville, FL 34601  
(352) 797-7009

**Re: Request Pursuant to Florida Public Records Act**

Dear Custodian of Records:

Pursuant to the Florida Public Records Statutes, Fla. Stat. §§119.01-119.15, Democracy Forward Foundation, on behalf of the Florida Freedom to Read Project, submits this request for records.

**Background:**

In response to a public records request submitted by Florida Freedom to Read Project, Angela Shepard, Communication Specialist for the Hernando County School District, sent an email on September 1, 2022, indicating that several books were removed from Hernando School District libraries. In the email, Ms. Shepard stated that as a result of a candidate running for the Hernando County School Board “putting out videos of him reading excerpts from certain books,” several books were “removed in response to those videos.” We seek additional records relating to the decision to remove these books from the library.

**Records Requested:**

Pursuant to the Florida Public Records Statutes, I write to request the following specific records<sup>1</sup> pertaining to books removed from Hernando County School District libraries, beginning May 1, 2022, to present, unless otherwise noted:

1. All records relied upon or considered in reaching the decision to remove books from Hernando County School District libraries for reasons related to the existence of videos posted by Monty Floyd, Hernando County School Board candidate, reading excerpts of books.

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<sup>1</sup> Throughout this request, the term “records” includes but is not limited to any paper or electronic information, reports, policies, procedures, guidance, evaluations, memoranda, correspondence, letters, emails, charts, graphs, flyers, meeting agendas, meeting minutes, training materials, diagrams, forms, DVDs, tapes, CDs, digital records, notes, or other similar materials.

2. All records describing the decision to remove books from Hernando County School District libraries for reasons related to the existence of videos posted by Monty Floyd, a Hernando County School Board candidate, reading excerpts of books.
3. All communication sent to, from, between, and among Hernando County School Board members, School Board staff, Schools superintendent and senior executive staff, principals, librarians, and district media specialists pertaining to videos posted by Monty Floyd, Hernando County School Board candidate reading excerpts of books.
4. All communications to, from, between, and among Monty Floyd, Hernando County School Board District 5 candidate,<sup>2</sup> on the one hand, and Hernando County School Board members, School Board staff, principals, librarians, or district media specialists on the other, related to the contents of the curriculum, library materials, books, or any other media located within Hernando County school libraries.
5. All communications to, from, between, and among Kara Floyd, Moms for Liberty, or a representative or member thereof, on the one hand, and Hernando County School Board members, School Board staff, principals, librarians, or district media specialists on the other, related to the contents of the curriculum, library materials, books, or any other media located within Hernando County school libraries.
6. All communications to, from, between, and Florida Citizens Alliance, or a representative or member thereof, on the one hand, and Hernando County School Board members, School Board staff, principals, librarians, or district media specialists on the other, related to the contents of the curriculum, library materials, books, or any other media located within Hernando County School District libraries.
7. All communications to, from, between, and among No Left Turn in Education, or a representative or member thereof, on the one hand, and Hernando County School Board members, School Board staff, principals, librarians, or district media specialists on the other, related to the contents of the curriculum, library materials, books, or any other media located within Hernando County school libraries.

For purposes 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 news clips that mention otherwise responsive search terms.

The Florida Public Records Statute requires any state, county, district, or municipal agency or department to provide access to state, county, and municipal records. Fla. Stat. § 119.01(1). Only limited exceptions are provided for information that would harm an interest protected by a

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<sup>2</sup> See Monty for Hernando, *Home Page*, <https://www.montyforhernando.com/> (last visited Sept. 30, 2022).

specific exemption or where disclosure is prohibited by law. *Id.* § 119.071. In the event that the Hernando County School District wishes to withhold any documents or portions of documents, it must (1) cite the exact statute which authorizes the denial of records and (2) provide the basis for asserting an exemption is applicable to a record. *Id.* § 119.07(1)(e).

If requested records are located 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 a “reasonable” timeframe. Fla. Stat. § 119.07(1)(a). 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.

### ***Request for Fee Waiver***

Democracy Forward requests a waiver of document search, review, and duplication fees associated with processing records for this request.

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 and intends to publicize records Democracy Forward receives that contribute significantly to the public’s understanding of the Hernando County School District’s decision to remove books as a result of a Hernando County School Board candidate’s activities. Indeed, records received by Democracy Forward have often formed the basis of news reports.<sup>3</sup>

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<sup>3</sup> See, e.g., Alexander Nazaryan, *Why did right-wing troll Charles C. Johnson meet with Commerce Secretary Wilbur Ross?*, Yahoo News (May 14, 2019), <https://news.yahoo.com/why-did-rightwing-troll-charles-c-johnson-want-to-meet-with-commerce-secretary-wilbur-ross-090000636.html>; Derek Kravitz & Jack Gillum, “Happy to Do It”: *Emails Show Current FAA Chief Coordinated With Ex-Lobbyist Colleagues on Policy*, ProPublica (Mar. 27, 2019), <https://www.propublica.org/article/dan-elwell-current-faa-chief-coordinated-with-ex-lobbyist-colleagues-on-policy>; Hamid Aleaziz, *Emails Show US Border Officials Didn’t Receive “Zero Tolerance” Guidance Until After the Policy Was Enacted*, BuzzFeed News (Feb. 25, 2019), <https://www.buzzfeednews.com/article/hamedaleaziz/zero-tolerance-policy-guidance-dhs-family-separation>; Jonathan Cohn & Jeffrey Young, *Emails Show Trump Administration Was Told Obamacare Ad Cuts Could Hurt Enrollment*, Huffpost (Dec. 17, 2018), [https://www.huffingtonpost.com/entry/trump-verma-obamacare-advertising-cut\\_us\\_5c115061e4b084b082ff8dba](https://www.huffingtonpost.com/entry/trump-verma-obamacare-advertising-cut_us_5c115061e4b084b082ff8dba); Madison Pauly, *When the Biggest Prison Company Complained About a California Sanctuary Law, ICE Listened*, Mother Jones (Dec. 7, 2018), <https://www.motherjones.com/politics/2018/12/geo-memo-private-prison-california-immigration/>; Eliza Rellman,

Democracy Forward is not filing this request to further any commercial interest, and 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. *See* Fla. Stat. § 119.11.

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 a reasonable timeframe, please contact JoAnn Kintz at [jkintz@democracyforward.org](mailto:jkintz@democracyforward.org) or (202) 517-6600 or Brooke Menschel at [bmenschel@democracyforward.org](mailto:bmenschel@democracyforward.org) or (202) 773-0918.

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

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*'Just Answer the Question and Kill This Story': In Internal Emails, Heather Nauert Criticized Rex Tillerson's Refusal to Deny Reports That He Called Trump a 'Moron,'* Bus. Insider (Nov. 2, 2018), <https://www.businessinsider.com/heather-nauert-rex-tillerson-trump-moron-2018-11>; Rebecca Klein, *Lawsuit Accuses Betsy DeVos And Her Deputies Of Being Motivated By Sexism*, HuffPost (Oct. 31, 2018), [https://m.huffpost.com/us/entry/us\\_5bd9ff6ee4b01abe6a1ad4a9](https://m.huffpost.com/us/entry/us_5bd9ff6ee4b01abe6a1ad4a9); Nick Penzenstadler, *A Year after Vegas Shooting, ATF Emails Reveal Blame, Alarm over Bump Stocks*, USA Today (Oct. 1, 2018), <https://www.usatoday.com/story/news/2018/10/01/year-after-vegas-shooting-atf-emails-reveal-blame-alarm-over-bump-stocks/1432137002/>; Jessica Kwong, *Ivanka Trump Was More Than Complicit in Obama Equal Pay Rollback She Had a Hand in It, Watchdog Alleges*, Newsweek (Aug. 29, 2018), <https://www.newsweek.com/ivanka-trump-equal-pay-complicit-obama-1093833>; Vera Bergengruen, *New Emails Show What Happens When The Pentagon Has To Scramble To Catch Up To Trump*, BuzzFeed News (July 25, 2018), <https://www.buzzfeednews.com/article/verabergengruen/these-emails-show-what-happens-when-the-white-house-keeps>; Erin Dooley, *Exclusive: Former For-Profit College Executive Shaped Education Department Policy That Could Benefit Former Employers: Documents*, ABC News (May 15, 2017), <https://abcnews.go.com/US/exclusive-profit%20college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, Emails Reveal Trump Appointees' War to End HHS Teen Pregnancy Program*, NBC News (Mar. 20, 2018), <https://www.nbcnews.com/politics/politics-news/notes-emails-reveal-trump-appointees-war-end-hhs-teen%20pregnancy-n857686>; Dominic Holden, *Documents Show The Trump Administration Approved Bump Stocks Before It Opposed Them*, BuzzFeed News (Mar. 22, 2018), <https://www.buzzfeednews.com/article/dominicholden/trump-administration-bump-stocks>; Bernard Condon, *Trump Advisor Denies He Cheered End of Tunnel Funding Deal*, Associated Press (Feb. 13, 2018), available at <https://apnews.com/article/aab79ba7af7e474db353621746aa60bd>; Celeste Katz, *Interior Department Tapped Wildfire Preparedness Funds for Ryan Zinke Helicopter Tour*, Newsweek (Dec. 29, 2017), <https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.

Sincerely,

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