

# SILVER VALLEY UNIFIED SCHOOL DISTRICT

35320 Daggett-Yermo Road, P.O. Box 847, Yermo CA 92398

P: (760)254-2916

F: (760)254-2091

www.svusdk12.net

@SilverValleyUSD

August 13, 2018

## Alternative Education Center

P: (760) 254-2715  
F: (760) 254-2194

## Fort Irwin Middle School

P: (760) 386-1133  
F: (760) 386-2448

## Lewis Elementary School

P: (760) 386-1900  
F: (760) 386-1956

## Newberry Springs Elementary School

P: (760) 257-3211  
F: (760) 257-4838

## Silver Valley High School

P: (760) 254-2963  
F: (760) 254-3043

## Tiefert View Intermediate School

P: (760) 386-3123  
F: (760) 386-4535

## Yermo School

P: (760) 254-2931  
F: (760) 254-2932

Via Email Only (recordsrequest@freedomfoundation.com)

Jami Lund  
Senior Policy Analyst  
Freedom Foundation  
P.O. Box 6683  
Fullerton, California 92834

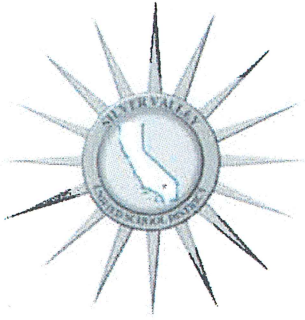
Re: California Public Records Act Request

Dear Mr. Lund:

As you are aware, this correspondence follows the Silver Valley Unified School District's ("District") prior response on July 13, 2018 to your July 3, 2018 request for public records under the California Public Records Act ("PRA"; Gov't Code § 6250 et seq.).

Through our prior correspondence, we informed you that the PRA does not require a public agency to make disclosable documents available within a certain time frame or by a set date established by the requestor. Rather, public agencies are only required to make an initial determination of whether they possesses disclosable public records responsive to the request(s), and set an estimated date and time when the records will be made available to the requestor. (See Gov't. Code § 6253(c).) Along these lines, through our prior correspondence, we informed you that the District expected to provide you with non-privileged, non-exempt public records responsive to your request by August 13, 2018. Please be advised that at this time, the District will need additional time to provide the non-privileged, non-exempt public records responsive to your request.

Be further informed that pursuant to the California Educational Employment Relations Act ("EERA"), the District has received demands to bargain and negotiate the effects of the disclosure of employee information under the PRA. As you may be aware, under the EERA, the District is legally required to bargain (with its employee associations) potential effects on employee terms and conditions of employment. Further, the District has an obligation to attempt to clarify any uncertainty as to what is proposed for bargaining and whether it falls within the scope of representation under the EERA. (Rio Hondo Community College District (2013) PERB Dec. No. 2313-H). Accordingly, the District is in the process of



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reviewing and assessing the issues raised by the employee associations and the public interest in disclosure under the PRA. The District is diligently reviewing this matter, and at this time, it anticipates that it will be able to produce non-privileged, non-exempt public records responsive to your request on or about September 13, 2018. The District will do so earlier if possible. In the interim, please feel free to contact me if you have any questions.

Sincerely,

Marc Lacey

Assistant Superintendent, Administrative Services  
Silver Valley Unified School District