



December 1, 2022

State of Texas, Office of the Attorney General  
Attn.: Open Records Division  
P.O. Box 12548  
Austin, TX 78711-2548

*Via Online Complaint Portal and  
First Class Mail*

Subj: Open Records Complaint: Joshua Independent School District

To Whom It May Concern:

I am filing this complaint on behalf of Terrie Chumchal under the Texas Public Information Act, codified at Texas Government Code § 552.001, *et seq.*

Under Texas law, “each person is entitled, unless otherwise expressly provided by law, at all times to complete information about the affairs of government and the official acts of public officials and employees.” Tex. Gov’t Code § 552.001(a).

Also, “[a]n officer for public information of a governmental body shall promptly produce public information for inspection, duplication, or both on application by any person to the officer.” Tex. Gov’t Code § 552.221(a).

On November 4, 2022, Ms. Chumchal submitted a public records request to the Joshua Independent School District (“District”), seeking:

- (1) The total number of verified bullying reports for each school in the Joshua Independent School District between 2015-2022.
- (2) The total number of assault reports for each school in JISD between 2015-2022.
- (3) The total number of police reports for each school in JISD between 2015-2022.
- (4) The total number of incident reports for each school in JISD between 2015-2022.
- (5) The total number of grievances filed for JISD between 2015-2022.

The District responded on November 18, 2022, estimating that the total cost to produce this information would be \$7,111.12, including \$4,927.23 for labor to read and redact the reports, \$656.96 to printout the reports to be redacted, and \$54.74 to scan the redacted reports.

However, Ms. Chumchal specifically noted in her request that she was requesting “only the total number of reports, not the content in those reports.” She did not request to view any of the actual reports. Therefore, there is no need for printing, manual redaction of printouts, or labor time required to “redact confidential information that is mixed with public information.”

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The labor time “to locate/compile responsive reports” is all that is required to inform the public about the number of reports. The records request is narrow, specific, and reasonably describes the public information sought. The requested information is within the District’s possession and should be readily available.

Tex. Gov’t Code § 552.261 dictates that charges for such work must be “reasonable.” “Reasonable” means “Fair, proper, or moderate under the circumstances; sensible.” BLACK’S LAW DICTIONARY (11th ed. 2019).

A charge of \$7,111.12 for the number of reports of bullying, assault, police, incident, and grievances between 2015 and 2022 is unreasonable.

The District’s complete response and the original public records request are attached.

We respectfully request that your Office investigate this matter and order the District to reduce the charges for these public records and promptly produce the information sought.

Should you have any questions regarding this matter, I can be contacted directly at (817) 704-3984 or warren@norredlaw.com.

Sincerely,  
/s/Warren V. Norred  
Warren V. Norred, P.E., Texas Bar No. 24045094  
warren@norredlaw.com  
NORRED LAW, PLLC  
515 East Border Street; Arlington, Texas 76010  
817.704.3984 office; 817.524.6686 fax  
*Attorney for Terrie Chumchal*

**FELICIA WEBB**  
ATTORNEY

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November 18, 2022

Terrie Chumchal

*via email at [terriechumchal@gmail.com](mailto:terriechumchal@gmail.com)*

Re: Cost Estimate for November 7, 2022 Records Request to Joshua ISD

Dear Ms. Chumchal,

Please be advised that this firm represents the Joshua Independent School District ("District") regarding your Public Information Act request. The request dated November 4, 2022 ("Request") is attached herein as Exhibit A.

#### **Notice Related to Personnel Time**

In accordance with Tex. Gov't Code Section 552.275, the District has established a reasonable limit on the amount of time personnel are required to spend producing public information for inspection or copies to a requestor. The established limits apply to all requestors equally as required by law. Board Policy GBAA(LOCAL) provides:

As authorized by law, the District shall charge a requester for additional personnel time spent producing information for the requester after personnel of the District have collectively spent:

1. 36 hours of time during the District's fiscal year; or
2. 15 hours of time during a one-month period.

As of the date of this letter, the District hereby provides you notice that District personnel have collectively spent 16 hours producing public information in response to your Request submitted on November 4, 2022. You have surpassed the established monthly limit of 15 hours. As a result, the District may start recovering costs attributable to the personnel time related to this and any subsequent requests. Because the above limit has been surpassed, you, the requestor, are required to compensate the District for costs incurred in satisfying subsequent requests.

#### **Estimate of Charges**

Because the estimated charges to provide the requested information exceed \$40, we are providing you with an itemized estimate of charges as required by law.

Your Request asks for the following records:

- (1) "The total number of verified bullying reports for each school in the Joshua Independent School District between 2015-2022.
- (2) The total number of assault reports for each school in JISD between 2015-2022.

- (3) The total number of police reports for each school in JISD between 2015-2022.
- (4) The total number of incident reports for each school in JISD between 2015-2022.
- (5) The total number of grievances filed for JISD between 2015-2022.

This is a request only for the total number of reports, not for the content in those reports. Electronic production of records and information is preferable and acceptable.”

Initially, the District acknowledges you are requesting only the “total number” of reports. However, the District does not have any existing documents reflecting a total number or the resources to run a search for reports automatically. As a result, personnel must manually retrieve all potentially responsive reports, then review, and redact confidential information.

**After receiving your Request on November 7, 2022, the District began searching and compiling all requested records. Responsive records total approximately 6,636 pages. Because the District’s system does not allow for electronic redactions, the District will need to identify and print these documents, manually redact the confidential information, and scan the redacted documents into a file.**

**The District estimates that approximately 99% of the documents contain confidential information that is mixed with public information which must be redacted prior to disclosure. Based on our preliminary review of the information you requested, we estimate that the costs related to the production of the requested documents will be as follows:**

| Itemized Charge  | Qty x Price   | Total             |
|--|---|-------------------|
| Labor (time to locate/compile responsive reports and print responsive reports requiring redaction)         | 27.65 hours at \$15.00 per hour<br>[6,636 pages at 15 secs per page]        | \$414.75          |
| Printouts to be manually redacted and scanned  | 6,569.64 pages @ \$.10/page   | \$656.96          |
| Labor (time to read all records and redact confidential information that is mixed with public information) | 328.482 hours at \$15.00 per hour<br>[6,569.64 pages at 3 minutes per page] | \$4,927.23        |
| Labor (time to scan redacted copies)   | 3.6498 hours at \$15 per hour   | \$54.74           |
| Overhead   | 20% of \$5,287.24   | \$1,057.44        |
|  | <b>TOTAL ESTIMATED COST</b>   | <b>\$7,111.12</b> |

By law, you are required to respond to this itemized statement within ten business days of this letter. You may respond in writing by mail, in person, facsimile, or e-mail. In your response, please notify the District whether you (1) accept these estimated charges, (2) wish to modify your request in response to this itemized statement, or (3) are filing a complaint with the Attorney General’s Office Cost Rules Administrator. If you do not respond to this itemized statement within ten business days, your request for records will be considered withdrawn.

This statement represents an estimate. The District is authorized under law to charge up to 20 percent more than this stated estimate should the actual costs in preparing your request exceed the estimated

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amount. If the District later determines that the estimated charge will exceed the charges detailed in this statement by 20 percent or more, the District will send you an updated itemized statement. By law, you will again have ten business days within which to respond to any updated itemized statement sent to you.

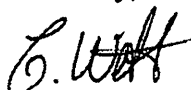
Because the charges are estimated to exceed the \$100.00 limit set by the Attorney General, the District requires a deposit of 50 percent of the estimated costs, or \$3,555.56. Upon receipt of your deposit and confirmation of your agreement to provide the remaining payment, if any, as outlined herein, the District will begin preparing the requested information. Please note: this estimate is subject to revision. If the District does not receive a deposit within 10 business days, it will consider the request withdrawn.

**Please make check or money order out to the Joshua Independent School District in the amount of \$3,555.56 to cover costs identified above. Checks or money orders may be sent to: Joshua ISD, Attn: Business Office, 310 E. 18<sup>th</sup> Street, Joshua, Texas 76058.**

The District is required to alert you to any alternative, less costly methods of viewing the records that may exist. To that end, you may inspect the records at the Joshua ISD Administration Building to eliminate the cost of paper copies. However, since the information must be gathered using technology and confidential student and/or personnel information redacted, there is no less costly method which would eliminate the labor charges. Should you wish to inspect the records, please contact the main number and set up an appointment.

Please contact me in writing within ten business days if you wish to proceed with this request, modify this request, or file a complaint with the Attorney General's Office Cost Rules Administrator.

Sincerely,



Felicia Webb

11/4/22

Joshua Independent School District  
Public Information Request  
310 E. 18<sup>th</sup> Street  
Joshua, Texas 76058  
hassanaliz@joshuaisd.org

Subj: Joshua ISD Bullying, Assault, Police, Incident, and Grievance Reports

Dear Mr. Hassanali:

Pursuant to Texas Government Code § 552.001 et seq., I respectfully request the following public records in your custody:

- (1) The total number of verified bullying reports for each school in the Joshua Independent School District between 2015-2022.
- (2) The total number of assault reports for each school in JISD between 2015-2022.
- (3) The total number of police reports for each school in JISD between 2015-2022.
- (4) The total number of incident reports for each school in JISD between 2015-2022.
- (5) The total number of grievances filed for JISD between 2015-2022.

This is a request only for the total number of reports, not for the content in those reports. Electronic production of records and information is preferable and acceptable.

I request your response as soon as possible. If responsive records cannot be produced within ten (10) business dates, please contact me with your progress and expected completion date.

Additionally, if some records are available prior to the production of other records, please provide on a rolling or continuing basis as the records are available.

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$40. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute to the public's understanding of school district safety.

This request is for a non-commercial purpose, and copies of records will not be used for a commercial purpose.

Should you have any questions regarding this request, please do not hesitate to contact me at [terriechumchal@gmail.com](mailto:terriechumchal@gmail.com).

Thank you for your prompt attention to this matter.

EXHIBIT A

Sincerely,

Terrie Chumchal

EXHIBIT A