



Nathan Vasquez, Multnomah County District Attorney

1200 SW 1st Avenue, Suite 5200, Portland, OR 97204-1193
P: (503) 988-3162 | F: (503) 988-3643 | www.mcda.us

August 25, 2025

via email only

Jamie Jevning
shonymatscooby@gmail.com

Re: Petition of Jamie Jevning challenging certain redactions to records produced by Portland Public Schools

Dear Ms. Jevning:

On April 1, 2025 you submitted a public records request to Portland Public Schools (PPS) for all communications between a list of PPS employees involving three specific PPS students during an approximately 6 week period. On May 13, 2025, PPS sent you a batch of records, which included two redactions. On June 16, PPS sent a second batch of records, but this time applied significant redactions. PPS stated in an attached redaction log that it had made redactions made pursuant to “FERPA,^[1] ORS 192.355(8)” and “ORS 40.225, ORS 192.355(9)(a).” As your request specifically included emails involving PPS General Counsel, it would reasonably be expected to turn up attorney-client privileged material, and you have not challenged those redactions. Rather, you have requested that this office review the redactions “for which the stated basis is FERPA and ORS 192.355(8) and ORS 192.355(9)(a)” and order PPS to produce the non-exempt portions.

The way PPS communicated the reasons for its redactions, although legally accurate, may have caused some confusion in two regards. First, the redaction log provided on June 16 included all redactions across both sets of documents, not just the batch produced on that date. Second, ORS 192.355(8) and ORS 192.355(9) are not independent public records exemptions. They are the catch-all exemptions for other provisions of federal law and other provisions of Oregon law respectively. The attorney-client privilege only exempts records under the public records law because ORS 192.355(9) permits it to; FERPA only exempts records because ORS 192.355(8) permits it to. PPS only made two types of redactions to the records it sent you: attorney-client privilege and FERPA.

I have reviewed the unredacted records from the batch containing the FERPA redactions and conferred with counsel for PPS to confirm my understanding of what I saw: PPS has only asserted FERPA as to two redactions, collectively containing three words. Both appear in the first, May 13, batch of records: one on page 10 and one on page 11. Each is the name of a student. Although you likely have the means to access the unredacted information (it appears your student wrote each email containing a redaction), in the possession of PPS the redacted names constitute

¹ The federal “Family Educational Rights and Privacy Act,” 20 USC 1232g and implementing regulations at 34 CFR Part 99.

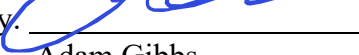
Page 2
August 25, 2025
Petition of Jevning

“personally identifiable information” of a student within the meaning of 34 CFR § 99.3 and thus are exempt from disclosure under ORS 192.355(8).

Accordingly, the petition is denied.

Regards,

NATHAN VASQUEZ
District Attorney
Multnomah County, Oregon

By. 

Adam Gibbs
General Counsel

25-49