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via email only

Kiesha Locklear
prokeesh@gmail.com

Andrea L. Schiers
Senior Legal Counsel
aschiers@pps.net

Re: Petition of Kiesha Lockler seeking relief from unreasonable delay in receiving records from Portland Public Schools.

Dear Ms. Locklear and Ms. Schiers:

On December 2, 2025, Ms. Locklear petitioned this office seeking relief from unreasonable delay in the production of records from Portland Public Schools (PPS). The request was submitted on September 26, 2025, for the following records:

- 1. All emails ever sent from anyone with an '@procedeogroup.com' email address to anyone with an '@pps.net' email address.**
- 2. All emails ever sent from anyone with an '@pps.net' email address to anyone with an '@procedeogroup.com' email address.**
- 3. All emails ever sent to and from snorman@pps.net.**

On October 3, 2025, petitioner inquired about the status of her request. PPS responded that same day, asking petitioner if she would consider narrowing her request, as the initial search returned 4,311 emails. PPS informed petitioner that they would prepare a fee estimate. A fee estimate was provided the same day, and the petitioner paid the fee on October 6, 2025.

On October 9, 2025, PPS informed petitioner that, due to the current workload, records would be provided on or before October 27, 2025. Petitioner confirmed on October 14, 2025, and state that the first two items were the priority.

On October 27, 2025, PPS provided a new date of completion of November 26, 2025, as PPS was reviewing records for "confidential information." PPS further stated that if more time was needed, PPS would inform petitioner. Petitioner responded on October 27, 2025, that it was unexpected that PPS needed more time to complete the request. Petitioner asked PPS to "work in batches."

On October 28, 2025, PPS responded that the entire request involved more than 4,000 emails, that PPS was actively working on the request, that there were additional matters involving more than sixty other requesters, and that PPS was balancing their time with the other requests.

On November 17, 2025, petitioner inquired about the status of the request. On November 18, 2025, PPS stated that they were actively working on the request but may need time beyond November 26, 2025.

On November 26, 2025, PPS stated that more time was needed to complete the request of September 26, 2025, which involved a total of 289 emails, after the removal of duplicates and calendar invites, for items 1 and 2, which totaled 891 pages of records. Item 3 involved 2,888 emails that was reduce to 1,061 emails after the removal of calendar invites and e-builder notifications. PPS forecasted that some records would be released the following week, but that the request would not be completed until December 19, 2025.

For the reasons discussed below, we deny the petition.

DISCUSSION

A. Timeliness of response – ORS 192.329(5)

ORS 192.329(5) provides that,

As soon as reasonably possible but not later than 10 business days after the date by which a public body is required to acknowledge receipt of the request under ORS 192.324, a public body shall:

- (a) Complete its response to the public records request; or
- (b) Provide a written statement that the public body is still processing the request and a reasonable estimated date by which the public body expects to complete its response based on the information currently available.

ORS 192.329(6) further provides,

The time periods established by ORS 192.324 and subsection (5) of this section do not apply to a public body if compliance would be impracticable because:

- (a) The staff or volunteers necessary to complete a response to the public records request are unavailable;
- (b) Compliance would demonstrably impede the public body's ability to perform other necessary services; or
- (c) Of the volume of public records requests being simultaneously processed by the public body.

In sum, ORS 192.329(5) requires a public body to complete its response to a records request, or provide an estimate of when it will do so, within 15 business days of receipt of the request, unless one of the exceptions in ORS 192.329(6) applies.

If the timeline in ORS 192.329(5) does not apply, an agency is then bound to complete its response to a public records request “as soon as practicable and without unreasonable delay.” ORS 192.329(1). This is a fact-specific standard, but in its application, we have previously found that a delay of over a month did not constitute unreasonable delay. *Petition of Sordyl*, MCDA PRO 16-24 (2016). The Attorney General has concluded that a delay of two months was likewise insufficient to establish denial. *Petition of Kellington*, Att’y General PRO (3/23/2009).

In reviewing the communications between petitioner and PPS, PPS has provided updates throughout the process and has given new potential completion dates when their timeline has changed “based on the information currently available,” as required by ORS 192.239(5)(b). Counsel for PPS has further informed us that the reason for the extended period of time to complete this request is due to the volume of several thousand records that have required thorough review before release. Counsel further stated that PPS has released responsive records for both items 1 and 2, and that PPS is confident that the remaining records will be provided by December 19, 2025, which will be the 41st business day from the date that petitioner paid the fee to PPS. In reviewing the communications between PPS and the petitioner, PPS has stated repeatedly that they are processing the requests of at least 60 other parties in tandem to this request.

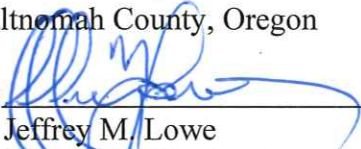
Given the number of records involved by petitioner’s request, and the number of simultaneously processed requests, we find that the 15-business day timeline in ORS 192.329(5) inapplicable to this request due to ORS 192.329(6)(c). Further, on these facts we do not find that a delay of 41 business days in processing this request constitutes “unreasonable delay” as that term is used in ORS 192.329(1).

ORDER

Accordingly, the petition is denied.

Regards,

NATHAN VASQUEZ
District Attorney
Multnomah County, Oregon

By: 
Jeffrey M. Lowe
Sr. Deputy District Attorney