



## Nathan Vasquez, Multnomah County District Attorney

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June 9, 2026

*via email only*

Paul Haugland  
[paulhaugland@gmail.com](mailto:paulhaugland@gmail.com)

Andrea Schiers  
Senior Legal Counsel  
Portland Public Schools  
[aschiers@pps.net](mailto:aschiers@pps.net)

Re: Petition of Paul Haugland concerning the timeliness of Portland Public Schools' response to a public records request

Dear Mr. Haugland and Ms. Schiers:

Paul Haugland submitted a public records request to Portland Public Schools (PPS) on April 10, 2026 (PPS tracking no. PRR 2526-309), seeking three categories of records concerning two named supervisors: staff complaints received by Human Resources, the supervisors' personnel files (including discipline, corrective action, and management-training records), and PPS's internal records relating to complaints Mr. Haugland himself had made. PPS acknowledged the request on April 14, provided a cost estimate of 11.3 hours on April 29 (covering more than 600 emails and two personnel files) together with a 50% fee waiver, and received Mr. Haugland's payment of \$230.43 on May 1.

On May 5, PPS confirmed payment and estimated completion on or before June 1. On June 1, in a one-line message that did not explain what had changed, PPS revised that estimate to June 26. Mr. Haugland petitioned this office the same day under ORS 192.407, contending that the estimate was unreasonably long and would result in undue delay, and expressing his concern, based on prior experience with the District, that the date would continue to recede.

On June 5, PPS produced the responsive emails (approximately 91 pages, with redaction charts) and advised that its review of the requested personnel files remains in progress.

This order addresses only the timeliness of PPS's response to PRR 2526-309. Petitioner also included in his petition to this office information about a request made under Article 4 of the Portland Federation of School Professionals collective bargaining agreement. I have no authority over the collective bargaining matter, and do not address it further.

For the reasons below, I conclude that PPS's estimated completion date is unreasonably long as to the records that remain, and I grant the petition.

## DISCUSSION

### A. Reasonableness of Estimated Completion Date – ORS 192.407(1)(b)

The Oregon Public Records Law sets a sequence of deadlines for a public body's response to a records request. A public body must acknowledge a request, or complete its response, within five business days of receiving it. ORS 192.324(2). It must then, as soon as reasonably possible, but not later than ten business days after that acknowledgment is due, either complete its response or provide a written statement that it is still processing the request together with "a reasonable estimated date by which the public body expects to complete its response." ORS 192.329(5).

After receiving an estimated completion date, a requester may petition this office if they "believe[] that the estimated time frame for the response is unreasonably long and will result in undue delay of disclosure." ORS 192.407(1)(b). That is the petition before me. PPS timely provided an estimated completion date, which satisfied its 15-business-day deadline under ORS 192.329(5)(b).

The reasonableness of an estimate depends on the request. A request for tens of thousands of pages may reasonably take many months, and the body's burden in that situation is to show that it is "incrementally and steadily working on a request with a projected completion date that makes sense under the circumstances." *Petition of Buchal*, MCDA PRO 18-38 (2018) (request for more than 17,200 emails, estimated at 190 hours).

Once a public body has addressed the statutory 15-day deadline with an estimated completion date, the governing standard is "reasonableness." This is variously stated in ORS 192.329(1), 192.329(8), and 192.407(1)(b) depending on the precise procedural path of the records request.

This office construed that general standard in *Petition of Monahan*, MCDA PRO 16-23 (2016). *Monahan* predates ORS 192.407, but its holding remains relevant for the higher-level obligation to respond without unreasonable delay, which the 2017 amendments carried forward. *Monahan* holds that a body must devote sufficient resources to the routine flow of public records requests to respond in a timely way, may not "backburner" a particular request because it is burdensome, and may not claim the benefit of a delay that is "the result of policy decisions" to under-resource the records function.

That principle coexists with ORS 192.329(6) "safety valve" provisions. A body is excused from the fixed statutory deadlines when compliance is impracticable because of the volume of requests being processed at once, or because the staff necessary to respond are "unavailable," a term the statute defines as staff who are "on leave or are not scheduled to work." ORS 192.329(6) (a), (c), (7).

PPS offers two reasons for the additional time. The first is an unusual increase in the volume and complexity of records requests. That is the kind of constraint ORS 192.329(6)(c) accommodates. An unexpected surge may make the fixed deadlines impracticable and justify some additional time. The second is a budget reduction that eliminated a central office position supporting the records function. That is different.

A surge in request volume, and the absence of assigned staff, are constraints the Legislature chose to accommodate. A standing decision to staff the records function below what its ordinary workload requires is not one of them. Staff that a body has chosen to eliminate to meet a budget constraint are not staff who are “on leave or . . . not scheduled to work,” such a shortfall does not become statutory “unavailability.” As to that kind of shortfall, *Monahan’s* reasoning is undisturbed.

Applying these provisions, I conclude that the June 26 estimate is unreasonably long as to the balance of the request. This is not an extraordinary request. PPS’s own estimate is 11.3 hours of work across roughly 600 emails and two personnel files, far short of the scale that justified months of processing in *Buchal*. PPS first committed to completing it by June 1 and produced the responsive emails on June 5. What remains is a discrete and identified task: the review and production of two employees’ personnel files; petitioner paid the estimated fee for that work on May 1.

Responding to public records requests is a statutory duty, not a discretionary service, and a position the District chose to eliminate is not staff who are “on leave or . . . not scheduled to work.” ORS 192.329(7). This was a decision about how much capacity to devote to that duty. A body may not fund its other priorities while cutting the staff its routine records flow requires and then invoke the resulting shortage as the reason a requester must wait. *Petition of Monahan*, MCDA PRO 16-23 (2016). I credit the volume increase and decline to credit the self-imposed staffing reduction.

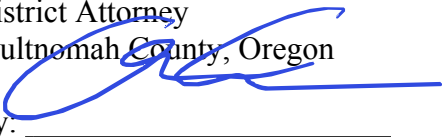
Measured against the “without unreasonable delay” floor that survives ORS 192.329(6) by force of ORS 192.329(8), and crediting PPS only for the constraint the statute recognizes, a further three weeks to review two personnel files, after the bulk of the request has already been produced, is longer than is reasonable.

### ORDER

The petition is granted. I find that PPS’s estimated completion date is unreasonably long as to the records that remain responsive to PRR 2526-309. Pursuant to ORS 192.407(3)(a), PPS shall complete its response and produce all remaining responsive records, or assert in writing any exemption it claims as to those records, no later than seven business days from the date of this order. This release is subject to the payment of fees, if any, not to exceed those authorized by ORS 192.324(4).

Regards,

NATHAN VASQUEZ  
District Attorney  
Multnomah County, Oregon

By:   
Adam Gibbs  
General Counsel

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Petition of Haugland

**Notice to Public Agency.** Pursuant to ORS 192.411, 192.415, and 192.431(3), your agency may become liable to pay petitioner's attorney fees in any court action arising from this public records petition (regardless of whether petitioner prevails on the merits of disclosure in court) if you do not comply with this order and also fail to issue, within seven days, formal notice of your intent to initiate court action to contest this order, or fail to file such court action within seven additional days thereafter.

**26-40**