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July 12, 2001

Janice M. Brieske
2803 Hoover Avenue NW
Salem, OR 97304

Re: Petition for Public Records Disclosure Order:
Oregon Department of Education

Dear Ms. Brieske:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition, which we received on June 27, 2001,[1] asks the Attorney General to direct the Oregon Department of Education (ODE) to provide a copy of the "recruitment file" related to your application for the position of Project Coordinator with the School Finance/Database Initiative Section. The petition specifies that the records you are seeking include your application and "copies of statements made by references contacted." For the reasons that follow, we respectfully deny your petition.

The Public Records Law confers a right to inspect any public records of a public body in Oregon, subject to certain exemptions and limitations. *See* ORS 192.420. Any person denied the right to inspect or to receive a copy of a public record may petition the Attorney General to determine whether the record may be withheld from inspection. ORS 192.450(1).

Assistant Attorney General Gary Cordy spoke with ODE personnel director, Chris Stewart, regarding your petition. Ms. Stewart has agreed to disclose to you copies of the records

[1] We appreciate your extending the time within which the law would have otherwise obligated us to respond.

related to your application, including the application itself and notes of discussions with references.[2] Because the ODE is going to provide you with copies of the records requested, we deny your petition as moot.

Sincerely,

HARDY MYERS
Attorney General

AGS08134
c: Chris Stewart, ODE
Gary Cordy, AAG

[2] Ms. Stewart informed AAG Cordy that the decision to release records of reference checks was made after confirming that any reference whom had spoken to an ODE representative on condition of confidentiality was willing to waive that condition.