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July 11, 2000

Karen Ritenour
1625 ½ S.W. 53rd St.
Corvallis, OR 97333

Re: *Petition for Public Records Disclosure Order: Oregon State University Records*

Dear Ms. Ritenour:

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 July 7, 2000, asks the Attorney General to direct Oregon State University (OSU) to make available the following records:[1]

1. All summaries, public records or writings, recommendations, reports, and votes of committee members on the English department's 1999-00 personnel committees, specifically those committees composed of:
    a. Professors Lewis, Sandor, Davison, Helle, and student Cindy Van Handel
    b. Professors Anderson, Barbour, Campbell, Kesler, and student Karen Ritenour
    c. Professors Ede, Collins, Copek, Daniels, and student Wayne Robertson.
2. All formal complaints regarding Professor Michael Oriard, Professor Robert Schwartz, and Professor Chris Anderson.
3. All English Department WR 121 Graduate Teaching Assistant student assessments of teaching since the teaching program began at this University [provided with confidential information separated, as required by ORS 192.505].

[1] Your original public records request to OSU, addressed to Professor Robert Schwartz, undated, is not identical to the description you provided in your petition. However, we do not regard the differences in wording as significant in determining the scope of your petition.

4. Spring 2000 grade records for the following WR 121 courses: CRN 30995, section 005 and CRN 35627, section 23 [provided with confidential information separated, as required by ORS 192.505].

For the reasons set out below, we respectfully deny your petition.

On July 7, 2000, OSU, through a letter from Professor Robert Schwartz, responded to your request to inspect the above records. As to items 1, 3 and 4, above, OSU estimated the cost required to locate the records and to redact exempt material. As to item 2, above, OSU denied your request on the grounds that the records were faculty personnel records exempt from disclosure under ORS 192.502(9) and ORS 351.065, and might also be student records exempt from disclosure under ORS 192.502(8) and (9) and ORS 351.070(6).

By your response to Professor Schwartz, "putting aside" your request for faculty records denied by OSU and your request for "the WR 121 Graduate Teaching Assistant student assessments of teaching" records, you withdrew your request for items 2 and 3 as stated in your petition for disclosure submitted to the Attorney General. Therefore, your petition with respect to those records is moot.

In the same letter to Professor Schwartz, you agreed to pay the fees estimated by OSU to receive all records responsive to item 4 and a portion of the records responsive to item 1, and enclosed payment of $78.58. Therefore, OSU has not denied your request for items 1 or 4.

Sincerely,

DAVID SCHUMAN
Deputy Attorney General

c: Caroline Kerl, Legal Adviser, OSU

WAR:KBC:AV/AGS05144