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August 28, 2008

Betsy Hammond
Education Reporter
The Oregonian
1320 SW Broadway
Portland, OR 97201

Re: *Petition for Public Records Disclosure Order*:
Kimberly Horenstein Application materials

Dear Ms. Hammond:

This letter is the Attorney General's order on your petition for a Public Records Order dated and received August 21, 2008. Your petition asks the Attorney General to order the Teachers Standards and Practices Commission (Commission) to provide you with copies of the following documents:

1. Application of Kimberly Horenstein seeking right to re-apply for an Oregon Teaching License;

2. Any supporting materials submitted with the application

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. If a state agency denies a request for disclosure of records, the requestor may petition the Attorney General for review of the denial. ORS 192.450.

The Commission initially denied your request for these documents by email dated July 25, 2008, explaining that the Commission viewed the documents as exempt pursuant to ORS 342.176(4). That decision was reiterated by another email dated August 6, 2008, which further explained the basis for the Commissions decision. However, after consultation with our office, the Commission has agreed to provide you with the documents you have requested. Accordingly, we deny your petition as moot. In providing the documents, the Commission may

determine that some materials are exempt on the basis of other provisions of the Public Records Law, and may make redactions or withhold specific records accordingly.[1] If the Commission redacts portions of records or withholds some, and you disagree with such action, you may thereafter petition our office for review of the Commission's decisions.

Your petition is respectfully denied as moot.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

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[1] The Commission informs us that, as of the date of this order, Ms. Horenstein has not yet filed an application. However, she has provided some materials in support of an application.