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April 17, 2026

VIA E-MAIL ONLY: sabacooperative@gmail.com

Shasta Winn
sabacooperative@gmail.com

Re: Petition for Public Records Disclosure Order
Oregon Higher Education Coordinating Commission
DOJ File No.: 525203- GA0070-26

Dear Ms. Winn:

This letter is the Attorney General's response to your petition for disclosure under the Oregon Public Records Law, ORS 192.311 to 192.478. Your petition relates to a public records request submitted by you to the Oregon Higher Education Coordinating Commission (HECC). Your petition challenges several aspects of HECC's response to your records requests. For the reasons that follow, we respectfully deny your petition.

You submitted a multi-part records request to HECC. After a clarification process with HECC, you significantly narrowed its scope. As clarified, your request seeks the current policies, guidance, manuals, criteria, checklists, and similar documents used by HECC in connection with certain regulatory duties. HECC responded by directing you to a specific page of HECC's public facing website.

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Your petition argues that HECC failed to adequately identify the publicly available records. You explain that you requested materials specifically addressing psilocybin facilitator training programs, not the general private career school materials to which HECC directed you. After receiving your petition, HECC clarified its response and informed you that it does not maintain psilocybin-specific materials:

> HECC's documents are not specific to psilocybin facilitator training programs. HECC regulates all private career schools, including but not limited truck driving, tattooing, coding, psilocybin facilitating, and many other private career schools. The documents HECC uses apply to all career schools.

HECC then provided links to the publicly available records it considers responsive to each of your requests and stated that "HECC believes all responsive records are located on our website."

Your petition argues that HECC was required to create psilocybin facilitator programs under its regulatory authority and an interagency agreement between HECC and OHA. The Attorney General, however, has no authority under the Public Records Law to enforce the regulatory statutes or rules governing career schools and psilocybin facilitator training programs. The Legislative Assembly has given the Attorney General authority to review only certain state agency actions under the access provisions of the Public Records Law.[1] The Attorney General cannot order an agency to create records it does not possess.

HECC has directed you to the locations where the responsive records it possesses are already publicly available. Under the Public Records Law, this constitutes a complete response to your request. ORS 192.329(2)(a). For this reason, we respectfully deny your petition.[2]

Sincerely,

BENJAMIN GUTMAN
Deputy Attorney General

DEP/pjn
c via email only: Lisa Grisham (HECC)

[1] Under the Public Records Law, the Attorney General has authority to review a state agency's denial of a public records request. ORS 192.411(1). The Attorney General also has authority to review a state agency's denial of a public records fee reduction or waiver. ORS 192.324(6). And the Attorney General is authorized to review compliance with certain deadlines and procedures applicable specifically to a public body's response to a records request. ORS 192.407(1).

[2] Your petition also challenges a fee estimate that had been provided by HECC. Because HECC indicates that it has provided all records responsive to your clarified request, any issues related to prior fee estimates are now moot, and we respectfully dismiss this portion of your petition.