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August 20, 1996

Karen D. Schwartzrock
343 Hunington
Eugene, OR 97405

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

Dear Ms. Schwartzrock:

This 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 August 13, 1996, asks the Attorney General to direct the University of Oregon (UO) to provide copies of records relating to the administrator licensure program.

The Attorney General may order a state agency to disclose records only when the agency has denied a request for the records. ORS 192.450(1). We have been informed by Ken Lehrman, UO Director of the Office of Affirmative Action and Equal Opportunity, that he has not denied your request.[1/] Mr. Lehrman notified you by electronic mail on August 5, 1996, that he would respond to your request after he had an opportunity to consult with the Assistant to the President for Legal Affairs,

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[1/] An agency does not deny a request merely because it has not provided the records within the timeframe set by the requestor. ATTORNEY GENERAL'S PUBLIC RECORDS AND MEETINGS MANUAL (1995) at 7.

who was on vacation at that time. Mr. Lehrman has informed us that he expects to respond to your request within two weeks.

For this reason, we deny your petition as premature.

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel to the
Attorney General

KLK:AV/JGG0E53A
c: Ken Lehrman, Director, Office of Affirmative Action and Equal Opportunity, University of Oregon

Pete Swan, Assistant to the President for Legal Affairs, University of Oregon