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December 1, 2004

Marilyn Goldman
5638 Springwood Ave. SE
Salem, OR 97306

Re: *Petition for Public Records Disclosure Order*:
Willamette Educational Service District Records

Dear Mrs. Goldman:

This letter is in response to your petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition, which we received on November 26, 2004, asks the Attorney General to order the Willamette Education Service District and its employees to disclose specified records to you. 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 of a *state agency* may petition the Attorney General to review the record and determine if it may be withheld. ORS 192.450. A person denied the right to inspect or to receive a copy of a public record of a public body other than a state agency may petition the district attorney of the county in which the public body is located, or where the administrative offices of a multi-county public body are located, to review the record and determine if it may be withheld. ORS 192.460.

By statute, an Education Service District is created to provide "regional educational services to component school districts." ORS 334.003(2). Its mission involves "providing equitable, high quality, cost-effective and locally responsive educational services at a regional level." ORS 334.005(1). Previously, this office has

identified Education Service Districts as "popularly elected local government bod[ies]." 42 Op Atty Gen 243, 255 n 9 (1982). Because an Education Service District is a local government body, as opposed to being a state agency, the Attorney General does not have jurisdiction to review its denial of a public records request.[1]

For this reason, we deny your petition.

Sincerely,

Peter D. Shepherd

Deputy Attorney General
PETER D. SHEPHERD

AGS14728

[1] *See* Public Records Order, June 16, 2004, Wilkinson (denying petition to order Union/Baker Educational Service District to disclose records).