From: Jotform
To: Bruder, Candace L; Cartledge, Wendy B; gillian.rowland@beaufort.k12.sc.us; Godley, Molly D
Subject: Re: Freedom of Information Act (FOIA) Request Form
Date: Thursday, August 8, 2024 1:49:11 PM

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Freedom of Information Act (FOIA) Request Form

Name:	Kelsey Speers
Organization (if applicable):	Democracy Forward Foundation
Address:	[redacted]
E-mail Address:	[redacted]
Public Records Requested (Description of Documents or Information Requested):	August 8, 2024 VIA Electronic Delivery Online Form Re: South Carolina Freedom of Information Act Request Dear Custodian of Records: Pursuant to the South Carolina Freedom of Information Act, S.C. Code Ann, §§ 30-4-10–30-4-165 (2022), Democracy Forward Foundation ("DFF" or "Democracy Forward") submits this request for records. Records Requested Democracy Forward requests that Beaufort County School District produce the following: All electronic communications (including emails, email attachments, complete email chains, calendar invitations, calendar invitation attachments, text messages and messages on any other platforms such as Signal or Whatsapp) between Victor Ney, Elizabeth Hey, Superintendent Frank Rodriguez, Board of Education Vice Chair Richard Geier and anyone acting as their assistants or schedulers and any of the outside groups or individuals below:

Moms for Liberty (M4L) (momsforliberty.org)
State Representative Carla Schuessler (carlaschuessler@schouse.gov)
Parents Defending Education (PDE) (defendinged.org)
Independent Women's Forum (IWF) (iwf.org)
Independent Women's Voice (IWV) (iwv.org)
Independent Women's Network (IWN) (iwnetwork.org)
American Legislative Exchange Council (ALEC) (alec.org)
Civics Alliance (civicsalliance.org)
No Left Turn in Education (noleftturn.us)
Goldwater Institute (goldwaterinstitute.org)
Family Research Council or Palmetto Family Council (frc.org; frcaction.org; palmettofamily.org)
Jordan Adams (jadams@hillsdale.edu; jadams@vermilioneducation.com)
Moms for America (momsforamerica.net, mfaaction.com,momsforamerica.us; mfaaction.com)
Jennifer Hannigan (scmfa@momsforamerica.net)
PragerU (prageru.com)
World Library Association (worldlibraryassociation.org)
South Carolina Parents Involved in Education (scparentsinvolvedineducation.org)
All electronic communications (including emails, email attachments, complete email chains, calendar invitations, calendar invitation attachments, text messages and messages on any other platforms such as Signal or Whatsapp) sent by aforementioned individuals containing any of the following key terms:
"Moms for Libraries"
"Moms for Liberty"
M4L
Porn
Grooming
"Sexually explicit"
"Joyful Warriors"
"Ratedbooks"
"Rated Books"
"BookLooks"
"Civics Alliance"
"Culturally relevant"
"Critical race theory"
CRT
"Gender ideology"
"Social emotional"

In an effort to accommodate the District and reduce the number of potentially responsive records to be processed and produced, Democracy Forward has limited this request to communications sent by specified officials. To be clear, however, Democracy Forward still requests that complete email chains and texts be produced, displaying both sent and received messages. This means, for example, that both an official's response to an email about the "Moms for Libraries" and the initial received message are responsive to this request and should be produced.

The timeframe for this search should be from January 1, 2022 to March 6, 2024.

Scope of Search

In searching for responsive records, please search for records regardless of format, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical materials. This request includes, without limitation, all correspondence, letters, emails, text messages, calendar entries, facsimiles, telephone messages, voice mail messages, and transcripts, notes, minutes, or audio or video recordings of any meetings, telephone conversations, or discussions. However, please exclude publicly available materials such as news clips that mention otherwise responsive search terms, unless the records contain additional discussion or commentary from State employees or contacts at the organizations listed above.

The South Carolina Freedom of Information Act requires public bodies to disclose records "so that citizens shall be advised of the performance of public officials and of the decisions that are reached in public activity and the formulation of public policy." S.C. Code Ann. § 30-4-15. Only limited exceptions are provided for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. Id. § 30-4-40. In the event that the Beaufort County School District Office chooses to deny any or all portions of this request, a written statement must be provided containing the reasons for such a denial. Id. § 30-4-30(C) We also reserve the right to initiate legal proceedings for injunctive or declaratory relief if denied the opportunity to inspect the public records requested.

If requested records are located in, or originated in, another agency, department, office, installation or

bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in a searchable, electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we are willing to accept the best available copy of each such record. Please respond to this request in writing within 10 business days as required by S.C. Code Ann. § 30-4-30(C). If all of the requested documents are not available within thirty days from the date of the final determination, id., we request that you provide us with all requested documents or portions of documents that are available within that time period.

Request for Fee Waiver

Democracy Forward requests a waiver of document search, review, and duplication fees associated with processing records for this request as the information released will "primarily benefit[] the general public." SC. Code Ann. § 30-4-30(B).

The requested waiver is in the public interest because providing the copy of the information sought primarily benefits the general public. Democracy Forward has a demonstrated ability to disseminate information of public interest requested through freedom of information statutes, and based upon responses to this request may assist in publicizing records received to contribute to the public's understanding of K-12 school board policies and practices. Indeed, records received by Democracy Forward have previously formed the basis of news reports.

Democracy Forward is not filing this request to further any commercial interest, and any information obtained by Democracy Forward as a result of this request and disclosed will be disclosed at no cost.

If the request for a waiver is denied, we are willing to pay all reasonable fees incurred for searching and duplicating records in responding to this request, up to $50. If the costs of responding to this request should exceed that amount, please contact us before incurring costs exceeding that amount.

Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any obstacles to issuing a final determination within the 10-day period, please contact me as soon as possible at foia@democracyforward.org.

We appreciate your assistance and look forward to your prompt response.
Sincerely,
/s/ Kelsey Speers
Kelsey Speers
Interim Director of Oversight and Engagement
Democracy Forward Foundation
P.O. Box 34553
Washington, D.C. 20043

You can edit this submission and view all your submissions easily.