RECEIVED
MAY 28 2025
DISTRICT OFFICE

Emmett Independent School District #221

COMMUNITY RELATIONS **4260F**

District Record Request Form

Request for Public Records

I request: ☐ to examine ☐ to copy ☒ to receive an electronic copy of

the following records (please be as specific as possible):

All Equipment maintenance records for all district Owned property with an engine

Date Records Requested Were Created:

Beginning: FY 2023

Ending: FY 2024

Equipment maintenance Logs/records
Name (Please Print)

Mailing Address:

N/A 83617

Taxcutter208@gmail.com

5.28.25
Date of Request

N/A
Daytime Phone Number

Name & address were provided prior to the completion of this public records request. The requester asked that personal identifying information not be posted in this public posting. However, the completed information was obtained in accordance with district policy and Idaho code.

Amanda Weers <aweers@isd221.net> Wed, May 28, 2025, 2:47 PM

Hello! I am reaching out regarding the public records request that was dropped off at the Emmett School District office on May 28, 2025. In order to fulfill this request, some additional information is required.

Per district policy and Idaho code, a name and a mailing address is required on all public records requests. Both of these items are currently missing from the completed form. The Public Records request form can be downloaded from our website at the following link:
Public Records Request Form - Policy 4260F

I also need to clarify the scope of your records request. The request is for "All equipment maintenance records for all district-owned property with an engine." Does this include all bus maintenance records? If so, these records may be extensive and time-consuming to gather. Some records are uploaded as required to the state, while others are in physical files organized by individual bus. If your request includes district-owned buses, please be aware that there will be costs associated with the printing and employee work hours needed to fulfill this request. A cost estimate will be provided with payment required in advance.

Your revised request may be emailed back to me or submitted in person. Once the revised form is received, we can prepare a cost estimate associated with fulfilling your request. Please let me know how you would like to proceed and if you have any questions.

District policy regarding public records requests can be viewed HERE.

Idaho code regarding public records requests can be viewed HERE.

Your original submitted request is attached for reference.

Sincerely,
Amanda Weers
Emmett Independent School District #221
Public Information Officer/Community Liaison
(208)365-6301
ext. 1020

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Tr W <taxcutter208@gmail.com> May 29, 2025, 9:38 AM

to me

Subject: RE: Public Records Request – Clarification

Dear Ms. Weers,

Thank you for your response. I'd like to clarify a few points before proceeding.

Per Idaho Code § 74-102(5)(a), "the custodian shall make no inquiry of any person who requests a public record," unless the request concerns exempt records as outlined in § 74-113. My request does not concern any exempt records, and therefore no identifying information such as name or mailing address is required by law.

While I understand the district may have its own policy, local policy does not supersede state or federal law. Accordingly, I will not be providing name or mailing address, in accordance with my rights under the Idaho Public Records Act and US Constitution.

As for the scope: Yes, my request includes all district-owned property with an engine, including but not limited to buses, generators, maintenance equipment, and groundskeeping machinery. If records are extensive, I am willing to receive a cost estimate before fulfillment, as allowed by statute. Please include both digital and physical records in the estimate, and specify which portion applies to what.

Thank you for confirming that my original request is on file. I consider it complete and submitted as of May 28, 2025. I look forward to your timely compliance with the Idaho Code.

Sincerely,

Good citizen

Amanda Weers <aweers@isd221.net> Thu, May 29, 2025, 10:09 AM

Hello! Thank you for clarifying that your request includes district-owned buses.

Please note that when stipulating that public records requests include the requester's name and address, we are following Idaho Code § 74-102(4).

(4) A public agency may require that a request for public records be submitted to it in a writing that specifically describes the subject matter and records sought, including a specific date range for when the records sought were created. The requesting party shall be as specific as possible when requesting records. A request shall describe records sought in sufficient detail to enable the public body to locate such records with reasonable effort. A request shall also provide the requester's name, mailing address, e-mail address and telephone number. A request for public records and delivery of the public records may be made by electronic mail.

Once your request is complete with requester's name, mailing address, email address, and telephone number, we will work to provide an estimate as to the costs associated with its fulfillment.

Have a great day!

Amanda Weers
Emmett Independent School District #221
Public Information Officer/Community Liaison
(208)365-6301
ext. 1020



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Subject: RE: Public Records Request – May 28, 2025

Hi Amanda,

Thank you for your reply. I appreciate the update and your communication so far.

To clarify, I've already submitted a valid public records request in full compliance with Idaho Code § 74-102(5)(a), which states:

> (5) The custodian shall make no inquiry of any person who requests a public record, except:
> (a) To verify the identity of the requester in accordance with section 74-113, Idaho Code;

My request does not seek any exempt records under § 74-113, nor does it involve any statutory exemption. Therefore, the name and mailing address requirement you cited does not apply under Idaho law. The information I provided—email and ZIP code—is sufficient to ensure delivery of any records or communications as needed.

Additionally, the statutory 3-business-day response timeline under Idaho Code § 74-103(1) began when the district received the request on May 28, 2025.

With that in mind, I look forward to receiving the records or a status update within the timeframe required by law. I understand from your message that the Transportation Director has confirmed the records are available and the district should be able to fulfill the request without issue or cost. That's great to hear, and I appreciate the cooperation so far.

Please let me know if you need clarification on any part of the original request, but I trust the legal basis is now clear and we can proceed accordingly.

Respectfully,

Good citizen

Amanda Weers <aweers@isd221.net> May 29, 2025, 4:25 PM

to Tr,

This correspondence is to formally advise that the district will require more than three (3) working days to process your request.

Pursuant to Section 74-103(1), we are providing notification that the processing of your request and any potential fulfillment will take more than the three (3) working days identified in the code. We anticipate this request may take the extended ten (10) working days allowed in Idaho Code.

Please be advised of Emmett School District's 4-day work week. We will not be able to process requests outside of normal business operations.

Also, please note that the district will process the request once the request is made as required by Idaho Code s. 74-102(4)

(4) A public agency may require that a request for public records be submitted to it in a writing that specifically describes the subject matter and records sought, including a specific date range for when the records sought were created. The requesting party shall be as specific as possible when requesting records. A request shall describe records sought in sufficient detail to enable the public body to locate such records with reasonable effort. A request shall also provide the requester's name, mailing address, e-mail address and telephone number. A request for public records and delivery of the public records may be made by electronic mail.

Sincerely,

Amanda Weers
Emmett Independent School District #221
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Tr W <taxcutter208@gmail.com>

Jun 2, 2025, 8:39 AM

to me

Subject: Follow-up on Public Records Request and ID Requirement

Hi Amanda,

Thanks for your response and the update on the time needed to process the request—I understand you're on a four-day work week and that things can take a bit longer, which is totally fine.

I wanted to follow up on one part of your message that's still a little confusing to me. You mentioned that the district requires identifying information (name, address, phone number, etc.) before processing the request. But when I was reading the public records law, I noticed that Section 74-102(5)(a) seems to say that requesters don't have to give any personal info unless the records are exempt under Section 74-113. And since my request doesn't involve any exempt records, I thought that meant I didn't need to provide that info.

So, I just want to understand:

- Is that ID requirement something that the district has always done, or is it a new policy?
- Was that interpretation of the law something that came from legal counsel or maybe from Superintendent Woods?
- Or are you just passing along what you've been told to do?

I’m not trying to be difficult—I’m just genuinely trying to understand where this is coming from. It’s important for me to get a clear picture of how these decisions are being made, and who’s involved in setting the policy. If you’re just doing your job based on instructions, I totally get it—but I’d like to know who those instructions are coming from, so I can follow up with the right person.

I really appreciate your time and help with this.

Amanda Weers <aweers@isd221.net> Jun 2, 2025, 1:34 PM

to Tr,

Hi! Public Records law can be confusing! To clarify, the Emmett School District processes all public records requests in accordance with Idaho Code. Our district policies mirror the requirements outlined in state law—we don't ask for anything beyond what the law already requires.

To ensure accuracy for your specific request, we consulted with our legal counsel - Anderson, Julian, & Hull, LLC. They confirmed that Idaho Code 74-102(4) states:

> *"A request shall also provide the requester's name, mailing address, e-mail address and telephone number."*

This requirement applies to all public records requests—not just those involving personnel records under 74-113. The next subsection (74-102(5)) clarifies that no further inquiry into a person's identity or intent is permitted except when needed to fulfill requests covered by 74-113 (i.e., personnel records for the individual requesting them).

In short, subsection 5 does not exempt requests from providing the information required in subsection 4. Rather, it reinforces that the District cannot ask for the purpose behind a request, with limited exceptions.

As for your other questions—yes, I coordinate the fulfillment of public records requests, and I do so in close consultation with our Superintendent and legal counsel. In this case, both have reviewed your request and agree that we're happy to process it once we receive the information required by Idaho Code.

This isn't a new or arbitrary requirement—we strive to be both consistent and correct. You'll notice that all past records requests posted on our website include the information required by law. We would encounter legal and logistical issues if we didn't follow the same requirements for all requests, particularly if they were submitted anonymously or from unverifiable sources.

Hopefully that helps clear things up! While we can't process your current request as submitted, we absolutely can move forward once the required details are provided. Once received, we anticipate a turnaround time of up to 10 business days, though we'll do our best to complete it sooner.

Please feel free to reach out if you have any more questions—or to resubmit your request with the necessary information. Have a great day!

Amanda Weers
Emmett Independent School District #221
Public Information Officer/Community Liaison
(208)365-6301

ext. 1020

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Tr W <taxcutter208@gmail.com>

Jun 2, 2025, 2:30 PM

to me

Subject: Quick Clarification on Records Policy — Thanks Again

Hi Amanda,

Thanks again for your last response — I really do appreciate the time and care you've taken in explaining the District's position. I know you're just trying to do your job well, and I respect that. I'm just trying to be diligent on my end too.

I do have a few quick follow-ups, just so I can better understand how these decisions are made. If you could clarify the following, I'd be grateful:

1. Was the decision to require my identifying info (name, phone, etc.) made by you personally, or was that something that came from Superintendent Woods or legal counsel?
2. If legal counsel (Anderson, Julian & Hull) advised on this, was their guidance in writing? And is that something you or the District could share?
3. Did you personally review the language in Idaho Code § 74-102(5)(a) before responding to my request, or are you relying primarily on the interpretation given by legal?
4. Do you know if the District has ever delayed or denied a public records request in the past solely because the requester didn't provide contact info?

I’m asking these not to give you a hard time, but just so I have a clear understanding of how these decisions flow — especially when legal interpretations may differ from the plain text of the law. It helps me follow up with the right people and avoid unnecessary back-and-forth.

Thanks again for your time and transparency — I know this probably isn’t the most exciting part of your job!

Respectfully,

Good citizen

Amanda Weers <aweers@isd221.net> Jun 2, 2025, 4:25 PM

to Tr, bcc: Angela, bcc: Craig

Here is the information you requested:

1. Was the decision to require my identifying info (name, phone, etc.) made by you personally, or was that something that came from Superintendent Woods or legal counsel? We are simply following district policy and Idaho Code. However, we did seek clarification from legal counsel.
2. If legal counsel (Anderson, Julian & Hull) advised on this, was their guidance in writing? And is that something you or the District could share? I'm sorry. We don't share correspondence with legal counsel.
3. Did you personally review the language in Idaho Code § 74-102(5)(a) before responding to my request, or are you relying primarily on the interpretation given by legal? I did. When reviewing your request, I saw it was missing some of the required information. I reviewed the code prior to consulting with the superintendent. Seeing that the code matched my memory and possibly rendered the request incomplete, I consulted with him before responding to you initially. I have personally reviewed the Idaho Code multiple other times since then as well, in addition to consulting with legal counsel.
4. Do you know if the District has ever delayed or denied a public records request in the past solely because the requester didn't provide contact info? I cannot answer anything prior to my employment. I started working in my role in July of 2023. Since that time, we have worked to be as consistent as possible with adhering to Idaho Code and District policy 4260 in all instances. In my term here, we have not delayed or denied a request based on missing contact info. On occasion, we have made contact with the requester to ask for clarification on various aspects of the request. We've also asked requesters to revise their request to narrow the scope or fill out a 4260F form. When receiving a request involving a large number of employee hours and resources, we've provided estimates of fees assessed for large requests. I have not fulfilled a records request that did not include contact information. In all instances, we've tried to consistently follow policy and the law.

All of the requests I've handled can be viewed on our website under Transparency - Public Records Requests. On a side note, I have two requests that have come in within the last few weeks and haven't been updated to the website yet. One of them included a partial denial - not because of incomplete information but because the request was for information legally deemed confidential. So, yes, we do sometimes deny requests, but usually, official denials are after a completed records request has been submitted.

Your request will be fulfilled once we receive a completed request. I don't anticipate that anything you have requested will be subject to a denial. It will take some work to gather the bus records, but we will be happy to provide you with any records we possess that match your request.

I hope that information helps!

Amanda Weers

Emmett Independent School District #221

Public Information Officer/Community Liaison

(208)365-6301

ext. 1020



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Tr W <taxcutter208@gmail.com> Tue, Jun 10, 2025, 9:42 AM

to me, Cwoods

(Sender's name and address were provided but have been removed from this public publication.)

VIA EMAIL

Amanda Weers

Records Custodian

Emmett School District No. 221

aweers@isd221.net

cc: Superintendent Craig Woods

cwoods@isd221.net

NOTICE OF INTENT TO FILE FEDERAL CIVIL RIGHTS ACTION UNDER 42 U.S.C. § 1983

REGARDING ONGOING VIOLATIONS OF CONSTITUTIONAL RIGHTS IN PUBLIC RECORDS REQUEST POLICY AND PRACTICE

Dear Ms. Weers, Superintendent Woods, and Counsel:

I write to formally place you on notice that I intend to pursue legal action under 42 U.S.C. § 1983 for ongoing violations of my constitutional rights resulting from Emmett School District No. 221's improper policies and practices concerning public records requests, specifically the unlawful demand for personal identifying information as a condition of access to public records.

FACTUAL BACKGROUND

On May 28, 2025, I submitted a valid public records request under the Idaho Public Records Act (IPRA), Idaho Code § 74-102 et seq. I provided sufficient contact information (email and ZIP code) to enable delivery of any records and communications, as explicitly permitted by § 74-102(5)(a).

At no point did my request seek any exempt records under § 74-113. Accordingly, the District is not authorized to require additional identifying information as a condition of processing the request.

Despite this, your office demanded identifying information (name, mailing address, phone number) not required by law, and explicitly refused to process my request absent such information—amounting to an unlawful prior restraint on access to public records.

You further acknowledged in writing that this position was approved and directed based on advice from the District's legal counsel, thereby confirming the policy's deliberate and knowing adoption.

LEGAL GROUNDS FOR ACTION

1. First Amendment Violations

The demand for identifying information as a condition to exercise the right to access public records impermissibly burdens rights protected under the First Amendment, including:

- The right to receive information from the government.
- The right to petition the government for redress of grievances.
- The right to engage in anonymous speech and requests.

Compelling personal identity information from citizens who seek public records chills these fundamental rights and constitutes an unconstitutional barrier to civic participation.

2. Fourth Amendment Violations

The District's policy further constitutes an unreasonable demand for personal information without lawful justification or individualized suspicion, violating the Fourth Amendment's guarantee of privacy and freedom from unreasonable searches or seizures.

3. Fourteenth Amendment Violations

The policy, as implemented, deprives me of liberty interests secured by the Fourteenth Amendment's Due Process Clause by imposing conditions on a state statutory right in a manner unauthorized by law and without adequate procedural safeguards.

Additionally, the Equal Protection Clause prohibits arbitrary discrimination among citizens seeking access to public records. The District's imposition of unlawful hurdles not authorized by Idaho law violates this guarantee.

4. Ninth Amendment Principle

Finally, even if the right to request public records anonymously or free of compelled disclosure were not fully enumerated elsewhere, such a right is among those "retained by the people" within the meaning of the Ninth Amendment. The Constitution explicitly forbids construing enumerated rights to disparage other fundamental liberties.

By seeking to compel identifying information absent statutory authority and in violation of the clear structure of Idaho Code § 74-102, the District unlawfully infringes upon rights of privacy, civic participation, and anonymous inquiry retained by the people and protected by the Ninth Amendment.

DEMANDS AND NEXT STEPS

In light of the foregoing:

1. I demand that the District immediately rescind its policy and practice of requiring identifying information as a precondition to processing public

records requests, except as expressly permitted by Idaho Code § 74-113.

2. I demand that the District process my May 28, 2025 request in full, without delay or further unlawful demands.
3. I demand written confirmation that the District will comply with Idaho Code and the Constitution in all future records requests, without imposing unlawful or chilling conditions.

NOTICE OF LITIGATION

If these demands are not fully met within 10 calendar days of your receipt of this notice, I will proceed to file a civil rights action in U.S. District Court without further notice, seeking full injunctive relief, declaratory relief, compensatory damages, punitive damages where appropriate, and an award of attorney's fees under 42 U.S.C. § 1988.

Please govern yourselves accordingly.

Respectfully,

(Name Provided but Removed for this public posting)

Amanda Weers <aweers@isd221.net> Jun 19, 2025, 2:48 PM

to Tr, bcc: Angela, bcc: Craig

Dear Mr. Name Removed

I am writing to let you know that we have completed your public records request and compiled all matching records on a USB drive. You are welcome to pick up the records at our district office at your convenience. We are available today (Thursday, June 19) until 4:30 this afternoon, or we are available next week, beginning when our office opens Monday at 7:00 AM.

Emmett School District
119 S. Wardwell
Emmett, ID 83617

Thank you for your patience as we completed your request.

Have a wonderful day!

Amanda Weers

Emmett Independent School District #221
Public Information Officer/Community Liaison
(208)365-6301
ext. 1020

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