

Roseville Joint Union High School District  
Press Release  
12/8/11

Over two years ago, the parent of a District student requested a number of records regarding his son through the California Public Records Act. The parent claimed his son had been unfairly excluded from the basketball program.

The District investigated the parent's claim and determined the claim could not be substantiated. In actuality, the son had not even participated in formal tryouts. The District provided all traditional school records to the parent. The parent's request also asked for a number of email records and a copy of a video that the son had produced with some of his friends over the summer. Whenever the District receives an unusual request for electronic records, the District consults with legal counsel. On the advice of counsel, the District made several offers to provide copies of the documents in various formats, none of which satisfied the parent or his attorney. In the end, the matter was decided in court. The court ruled that the District needed to provide the emails in a format that was beyond the capacity of the District's technology department. The District contracted with a private digital forensic company, which compiled the requested records in the format requested. All records were turned over to the parent. None of the documents supported the parent's initial concerns.

Subsequent to the court's decision, the District recognized that it was required to pay the parent's legal expenses. The parent's attorney initially requested reimbursement for 424.5 hours of work, at \$450 per hour, doubled or more as an "enhancement factor." The district felt the request was excessive and unreasonable. The District then employed a second law firm, Meyers Nave, which negotiated a settlement of \$135,000. The District's legal costs in this matter for both law firms are less than \$100,000.

The Roseville Joint Union High School District routinely provides public records when they are requested. In this particular case, the advice the District received from counsel was not supported in court. Based on this experience, new policies and procedures are being put into place to ensure that all future requests for public records are handled appropriately.