

Subject: Re: Re: Virginia Freedom of Information Act Request (VA-DOE-22-0315)
Date: Monday, April 18, 2022 at 5:20:13 PM Eastern Daylight Time
From: AO Records
To: FOIA, rr
CC: Hart Wood, Rachel Baron, rr DOE - Accounts Receivable

Hi Rebecca,

Thanks for your response. It would be great if we can credit the \$25 towards the amount due for the other two requests.

Best,
Rachel

From: FOIA, rr <foia@doe.virginia.gov>
Sent: Monday, April 18, 2022 4:39 PM
To: AO Records <records@americanoversight.org>
Cc: Hart Wood <hart.wood@americanoversight.org>; Rachel Baron <rachel.baron@americanoversight.org>; rr DOE - Accounts Receivable <accountsreceivable@doe.virginia.gov>
Subject: Re: Re: Virginia Freedom of Information Act Request (VA-DOE-22-0315)

EXTERNAL SENDER

Good afternoon:

I hope this message finds you well. I am writing in response to the Virginia FOIA request that our office received on March 28, 2022 for the following records dated January 15, 2022 through the date the search was conducted (i.e., March 31, 2022):

“All email communications (including any email messages, attachments, or calendar invitations) sent by any of the Department of Education individuals listed below to any school board members or school district officials regarding any tips or complaints received by the Governor’s Office (or any investigations into allegations raised in those tips or complaints) via the helpeducation@governor.virginia.gov email account.

Department of Education Individuals

- a) Superintendent of Public Instruction Jillian Balow
- b) Assistant Superintendent of Public Instruction Elizabeth Schultz
- c) Chief of Staff Richard Shanor
- d) Senior Advisor to the Superintendent Jon Russell
- e) Chief Diversity, Opportunity and Inclusion Officer Dr. Rosa Atkins
- f) Office of Policy Director Dr. Leslie Sale”

Following an extensive email search and subsequent review, please be advised that we do not possess any email communications, to include email messages, attachments, or calendar invitations, responsive to this request.

Please note that the final invoice for processing this first request is \$25 less than the original estimated amount of \$100 (see attached final invoice for reference) that you previously paid in full. Would you prefer for VDOE to issue a refund for \$25 or credit this amount toward any final invoice that may be due for either of the other two requests we are still processing for your office (your ref. numbers: VA-DOE-22-0316 and VA-DOE-22-0317)? If you would prefer that a refund be issued, we will need you to complete some additional paperwork in order for VDOE to process a refund check. I will send the required paperwork and instructions separately, once I confirm that's your preference.

I hope you have a great evening.

Best regards,
Rebecca Westfall

On Mon, Apr 11, 2022 at 3:48 PM AO Records <records@americanoversight.org> wrote:

Thank you so much!

Rachel

From: FOIA, rr <foia@doe.virginia.gov>
Sent: Monday, April 11, 2022 8:58 AM
To: AO Records <records@americanoversight.org>; Rachel Baron <rachel.baron@americanoversight.org>
Cc: Hart Wood <hart.wood@americanoversight.org>
Subject: Re: Re: Virginia Freedom of Information Act Request (VA-DOE-22-0315)

EXTERNAL SENDER

Good morning, Rachel:

I hope you had a nice weekend. I was out of the office on Friday, so I apologize for the delay in acknowledging receipt of this email. I will make our Finance Dept. aware that they should expect to receive a check for this request. Should the final invoice be less than \$100, we will issue a refund for any difference.

Please be advised that due to staff commitments it is not practically possible for us to provide a response within the five (5) working days required under Virginia FOIA. Consequently, we are invoking the additional seven (7) working days permitted by Va. Code § 2.2-3704(B)(4) and a response will be provided by or before next **Wednesday, April 20th.**

I hope you have a good rest of the week.

Best regards,
Rebecca Westfall



FOIA Officer
OFFICE OF POLICY
VIRGINIA DEPARTMENT OF EDUCATION
804.225.2092 | foia@doe.virginia.gov

On Thu, Apr 7, 2022 at 6:04 PM AO Records <records@americanoversight.org> wrote:

Hi Rebecca,

Thanks so much for this information. We approve the fee estimate. I should also note, we have sent you a check for \$100. If the actual amount ends up being less than \$100, would you be able to refund the extra amount? If you are unable to do this, we can cancel the check and wait for the final invoice. Thanks!

Rachel

From: FOIA, rr <foia@doe.virginia.gov>

Sent: Tuesday, April 5, 2022 4:13 PM

To: Rachel Baron <rachel.baron@americanoversight.org>; Hart Wood <hart.wood@americanoversight.org>

Cc: AO Records <records@americanoversight.org>

Subject: Re: Re: Virginia Freedom of Information Act Request (VA-DOE-22-0315)

EXTERNAL SENDER

Good afternoon:

I hope this message finds you well. I am writing in response to your follow-up question regarding the fee estimates for your pending Virginia FOIA requests. In an attempt to keep each of these requests separate, I will respond to each fee estimate inquiry individually. With respect to the first Virginia FOIA request (your reference # VA-DOE-0315), you requested all email communications (including any email messages, attachments, or calendar invitations) sent by any of the Department of Education individuals you identified to any school board members or school district officials regarding any tips or complaints received by the Governor's Office (or any investigations into allegations raised in those tips or complaints) via the helpeducation@governor.virginia.gov email account from January 15, 2022 – through the date the search is conducted.

The five (5) hour time estimate we previously provided for processing this request reflects the estimated time required to complete the search, and review and redact any potentially responsive emails, attachments or invites, as needed. The preliminary search for potentially responsive emails, attachments and/or calendar invitations for this request yielded ~400 records, which will have to be reviewed individually to determine they are in fact responsive to this request, and any necessary redactions to be completed in accordance with Virginia FOIA. Please note that this is a preliminary estimate, which may increase or decrease once the responsive records have been produced. A final invoice will be provided with any responsive records, which will reflect the actual time required to fulfill this request.

As a friendly reminder, please note that the timeline for the period within which VDOE must respond to this FOIA request will be tolled for the amount of time that elapses between notice of the cost estimate and your approval of the estimate (see Va. Code § 2.2-3704(F)). If VDOE does not receive a response within 30 days of providing the cost estimate, the request shall be deemed to be withdrawn.

I hope this helps. Have a good evening.

Best regards,
Rebecca Westfall

|



FOIA Officer
OFFICE OF POLICY
VIRGINIA DEPARTMENT ♥ F EDUCATION
804.225.2092 | foia@doe.virginia.gov

On Fri, Apr 1, 2022 at 4:55 PM FOIA, rr <foia@doe.virginia.gov> wrote:

Good afternoon:

With respect to the first Virginia FOIA request (reference # VA-DOE-22-0315), we are providing you with the requested cost estimate (attached) in advance of further processing. The total estimated cost of processing this request is \$125.00; however, as a matter of department policy, our agency waives the first hour (adjusted estimate total = \$100).

Pursuant to Va. Code § 2.2-3704(F), please be advised that the timeline for the period within which VDOE must respond to this FOIA request will be tolled for the amount of time that elapses between notice of the cost estimate and your response. If VDOE does not receive a response within 30 days of providing the attached cost estimate, this request shall be deemed to be withdrawn.

We look forward to hearing from you. I hope you have a great weekend.

Best regards,
Rebecca Westfall



FOIA Officer
OFFICE OF POLICY
VIRGINIA DEPARTMENT ♥ F EDUCATION
804.225.2092 | foia@doe.virginia.gov

On Tue, Mar 29, 2022 at 10:29 AM Marwah Adhoob <marwah.adhoob@americanoversight.org> wrote:

Good morning,

Thank you for your email. Our complete legal address is:

7480 Birdwood Ave, Apt 1025
Tysons, VA 22102

Best,

--

--

Marwah Adhoob
Pronouns: she/her
Paralegal
American Oversight
records@americanoversight.org
www.americanoversight.org | @weareoversight

From: FOIA, rr <foia@doe.virginia.gov>
Date: Monday, March 28, 2022 at 5:38 PM
To: AO Records <records@americanoversight.org>
Subject: Re: Virginia Freedom of Information Act Request (VA-DOE-22-0315)

EXTERNAL SENDER

Good evening, Mr. Frisch:

I am writing to confirm receipt of your Virginia FOIA request below (VA-DOE-22-0315), as well as the two other FOIA requests labeled VA-DOE-22-0316 and VA-DOE-22-317. As permitted by Va. Code § 2.2-3704(A), we kindly request that you provide your complete legal address. As requested, please be advised that we will notify you in advance should we anticipate a cost associated with producing any responsive records for any of these requests.

Have a good evening.

Best regards,
Rebecca Westfall



FOIA Officer
OFFICE OF POLICY
VIRGINIA DEPARTMENT OF EDUCATION
804.225.2092 | foia@doe.virginia.gov

On Mon, Mar 28, 2022 at 4:32 PM AO Records <records@americanoversight.org> wrote:

Dear FOIA Officer:

Please find attached a request for records under the Virginia Freedom of Information Act.

Sincerely,

--

Sarah Wishingrad, on behalf of Karl Frisch

Pronouns: she/her

Paralegal

American Oversight

records@americanoversight.org

www.americanoversight.org | @weareoversight

VFOIA: VA-DOE-22-0315