

Monday, March 25, 2024 at 12:15:54 Eastern Daylight Time

**Subject:** Freedom of Information Act Request :: V003582-022924  
**Date:** Wednesday, March 20, 2024 at 5:04:07 PM Eastern Daylight Time  
**From:** University of Virginia FOIA  
**To:** AO Records

EXTERNAL SENDER

--- Please respond above this line ---

Dear Requestor:

I am writing in response to your request for records under the Virginia Freedom of Information Act (FOIA), Va. Code § 2.2-3700 et seq., for the following records:

*February 29, 2024*

*VIA ONLINE PORTAL*

*Office of the University Counsel*

*Attn: FOIA Officer*

*P.O. Box 400225*

*Charlottesville, VA 22904*

*Via Online Portal*

*Re: Virginia Freedom of Information Act Request*

*Dear FOIA Officer:*

*Pursuant to the Virginia Freedom of Information Act, Va. Code Ann. § 2.2-3700, I, Anisha Hindocha, a resident of Virginia, make the following request for records.*

*Requested Records*

*I request that your office produce the following records within five working days:*

- 1. All formal or informal final assessments, reports, or analyses (including memoranda and other written products) prepared by University of Virginia Health (UVA Health), or otherwise provided to UVA Health, concerning the provision of gender-affirming medical care.*
- 2. All records reflecting any formal or informal final guidance, recommendations, or directives created by or issued to UVA Health regarding state restrictions on gender-affirming medical care, including, but not limited to, policies related to the treatment of transgender students.*

*1 For further identifying information, see Sarah Rankin, Virginia Finalizes Guidance on Transgender Students, Including Rolling Back Some*

Accommodations, Associated Press (July 18, 2023, 6:45 PM), <https://apnews.com/article/virginia-transgender-students-schools-youngkin-ba073a1e8a9286456a7509688f40115b>.

3. All official and unofficial dissent memoranda and complaints (such as formal memoranda, ethics complaints, or informal email communications) submitted to UVA Health regarding state legislation, regulations, policies, and guidance related to restrictions on gender-affirming medical care.

For part 3 of this request, American Oversight requests all such memoranda and complaints received from employees, appointees, board members, or contractors of UVA Health. To be clear, American Oversight is not seeking the release of the names of any individuals who have submitted responsive documents and does not object to withholding the name of any individual expressing dissent.

For all parts of this request, please provide all responsive records from June 1, 2023, through the date the search is conducted.

Please notify me of any anticipated fees or costs in excess of \$100 prior to incurring such costs or fee.

#### Guidance Regarding the Search & Processing of Requested Records

In connection with its request for records, I provide the following guidance regarding the scope of the records sought and the search and processing of records:

§ Please search all locations and systems likely to have responsive records, regardless of format, medium, or physical characteristics.

§ In conducting your search, please understand the terms “record,” “document,” and “information” in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind.

§ My request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to this request, this request includes all prior messages sent or received in that email chain, as well as any attachments to the email.

§ Please search all relevant records or systems containing records regarding agency business. Do not exclude records regarding agency business contained in files, email accounts, or devices in the personal custody of your officials, such as personal email accounts or text messages.

§ In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If a request is denied in whole, please state specifically why it is not reasonable to segregate portions of the record for release.

§ Please take appropriate steps to ensure that records responsive to this request are not deleted by the agency before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to me, please do not hesitate to reach out to my representative at the contact information listed below to discuss this request. I welcome an opportunity to discuss this request with you before you undertake your search or incur search or duplication costs. By working together at the outset, we can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email to the address listed below. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. If it will accelerate release of responsive records, please also provide responsive material on a rolling basis.

#### Conclusion

We share a common mission to promote transparency in government. I look forward to working with your agency on this request. If you do not understand any part of this request, please contact Anisha Hindocha at [records@americanoversight.org](mailto:records@americanoversight.org) or (202) 897-2465.

Sincerely,

/s/ Anisha Hindocha Anisha Hindocha

Regarding the portion of your request which seeks “All formal or informal final assessments, reports, or analyses (including memoranda and other written products) prepared by University of Virginia Health (UVA Health), or otherwise provided to UVA Health, concerning the provision of gender-affirming medical care.”, the University has no assessments, reports or analyses responsive to your request. Va. Code §2.2-3704(B)(3). Please note, under Virginia FOIA, a request shall identify requested records with reasonable specificity. Va. Code § 2.2-3704(B). As currently worded, the portion of this request seeking “other written products” lacks reasonable specificity and does not provide me with sufficient detail to know which records you are seeking.

Regarding the portion of your request which seeks “All records reflecting any formal or informal final guidance, recommendations, or directives created by or issued to UVA Health regarding state restrictions on gender-affirming medical care, including, but not limited to, policies related to the treatment of transgender students.” The requested records do not exist. The University has no records responsive to your request. Va. Code §2.2-3704(B)(3).

Regarding the portion of your request which seeks “All official and unofficial dissent memoranda and complaints (such as formal memoranda, ethics complaints, or informal email communications) submitted to UVA Health regarding state legislation, regulations, policies, and guidance related to restrictions on gender-affirming medical care,” the University has no records responsive to this portion of your request seeking memoranda or complaints. Va. Code §2.2-3704(B)(3). Please note, under Virginia FOIA, a request shall identify requested records with reasonable specificity. Va. Code § 2.2-3704(B). As currently worded, the portion of this request seeking “informal email communications” lacks reasonable specificity and does not provide me with sufficient detail to know which records you are seeking. The University of Virginia employs tens of thousands of employees and a search across all employees would produce an excessive amount of records. If you are seeking an email search, you will need to specify whose emails you are seeking, a date range and possible keywords for us to provide you with a cost estimate. We would also note that you have another active request which has specified dates, custodians and keywords related to this same topic (V003583-022924), for which we have already provided an estimate of costs.

Sincerely,

Freedom of Information Act Officer

University of Virginia  
[www.virginia.edu/foia](http://www.virginia.edu/foia)

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To monitor the progress or update this request please log into the [Public Records Center](#).