

June 26, 2024

VIA EMAIL

Virginia Beach City Public Schools
2512 George Mason Drive
P.O. Box 6038
Virginia Beach, VA 23456
laurabeth.mattson@vbschools.com

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 Virginia Beach City Public Schools produce the following records within five working days:

All email communications (including emails, complete email chains, calendar invitations, and attachments thereto) sent by any of the officials listed below or anyone communicating on their behalf, such as an assistant or scheduler, and containing any of the following key terms, also listed below:

Virginia Beach City Public Schools Officials:

- i. Donald Robertson, Superintendent
- ii. Eugene Soltner, Chief of Staff
- iii. Danielle Colucci, Chief Academic Officer
- iv. Walter Brower, Jr., Senior Executive Director of High Schools
- v. Melanie Hamblin, Senior Executive Director of Elementary Schools
- vi. James Smith, Senior Executive Director of Middle Schools

Key Terms:

- i. "Executive Order 1"
- ii. "EO 1"
- iii. EO1
- iv. "Youngkin's Executive Order"
- v. "Governor's Executive Order"
- vi. "Youngkin's Order"
- vii. "Governor's Order"
- viii. "Critical Race Theory"
- ix. CRT
- x. "Divisive concept"
- xi. Indoctrination

- xii. Indoctrinating
- xiii. Indoctrinate

In an effort to accommodate Virginia Beach City Public Schools and reduce the number of potentially responsive records to be processed and produced, I have limited this request to emails sent by any of the officials listed above or anyone communicating on their behalf and containing any of the above key terms. To be clear, however, I request that complete email chains be produced, displaying both sent and received messages. This means that both a listed official's response to an email and the initial received message are responsive to this request and should be produced.

Please provide all responsive records from January 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:

- 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 authorized legal representative, David Kronig, at the contact information listed below. We 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 my authorized legal representative, David Kronig, at records@americanoversight.org or (202) 897-3915.

Sincerely,

/s/ Anisha Hindocha

Anisha Hindocha