AMERICAN OVERSIGHT

February 19, 2025

VIA EMAIL
Arizona Department of Education
1535 W. Jefferson
Phoenix, AZ 85007
DataRequestMailbox@azed.gov

Re: Public Records Request

Dear Public Records Officer:

Pursuant to the Arizona Public Records Law, A.R.S. §§ 39-121 et seq., American Oversight makes the following request for records.

Requested Records

American Oversight requests that your agency promptly produce the following records:

For all parts of this request, please provide all responsive records from January 13, 2025, through the date the search is conducted.

1. All formal or informal final guidance, recommendations, or directives created by or issued to the Arizona Department of Education (ADE) related to any federal or state regulation on gender identity, including, but not limited to, Executive Order 14168, "Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government."[1]

2. All formal or informal final guidance, recommendations, or directives created by or issued to ADE related to any federal or state regulation on diversity, equity, and inclusion initiatives, including, but not limited to, Executive Order 14151, "Ending Radical and Wasteful Government DEI Programs and Preferencing."[2]

3. All formal or informal final impact assessments, reports, or analyses (including memoranda and other written products) prepared by or otherwise provided to

[1] For further identifying information, see *Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government*, The White House (Jan. 20, 2025), https://www.whitehouse.gov/presidential-actions/2025/01/defending-women-from-gender-ideology-extremism-and-restoring-biological-truth-to-the-federal-government/; Exec. Order 14168, 90 Fed. Reg. § 8615 (2025).
[2] For further identifying information, see *Ending Radical and Wasteful Government DEI Programs and Preferencing*, The White House (Jan. 20, 2025), https://www.whitehouse.gov/presidential-actions/2025/01/ending-radical-and-wasteful-government-dei-programs-and-preferencing/; Exec. Order 14151, 90 Fed. Reg. § 8339 (2025).

your agency regarding any termination of diversity, equity, and inclusion initiatives such as those mentioned above in part 2.

4. All formal or informal final guidance, recommendations, or directives created by or issued to ADE related to any federal or state regulation on gender-affirming care, including, but not limited to, Executive Order 14187, "Protecting Children from Chemical and Surgical Mutilation."[3]

5. All formal or informal final impact assessments, reports, or analyses (including memoranda and other written products) prepared by or otherwise provided to your agency regarding the provision of gender-affirming care as mentioned above in part 4.

Statement of Noncommercial Purpose

This request is made for noncommercial purposes. American Oversight seeks records regarding recent federal regulations related to gender identity and diversity, equity, and inclusion.[4] Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including how and to what extent these federal regulations affect the operations of key state agencies.

Because American Oversight is a 501(c)(3) nonprofit, this request is not in American Oversight's financial interest and is not made for a commercial purpose. American Oversight's mission is to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and X (formerly Twitter).[5]

Because this request is made for noncommercial purposes, American Oversight requests that any fees charged in connection with processing this request be limited to copying

[3] For further identifying information, see *Protecting Children from Chemical and Surgical Mutilation*, The White House (Jan. 28, 2025), https://www.whitehouse.gov/presidential-actions/2025/01/protecting-children-from-chemical-and-surgical-mutilation/; Exec. Order 14187, 90 Fed. Reg. § 8771 (2025).
[4] Martin Pengelly, *Trump Rolls Back Trans and Gender-Identity Rights and Takes Aim at DEI*, The Guardian (Jan. 20, 2025, 9:01 PM), https://www.theguardian.com/us-news/2025/jan/20/trump-executive-order-gender-sex.
[5] American Oversight currently has approximately 16,000 followers on Facebook and 95,700 followers on X (formerly Twitter). American Oversight, Facebook, https://www.facebook.com/weareoversight/ (last visited Feb. 17, 2025); American Oversight (@weareoversight), X (formerly Twitter), https://x.com/weareoversight (last visited Feb. 17, 2025).

and postage charges, if applicable.[6] Please notify American Oversight of any anticipated fees or costs in excess of $100 prior to incurring such costs or fees.

Guidance Regarding the Search & Processing of Requested Records

In connection with its request for records, American Oversight provides 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. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions.

- Our 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 our request, our 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.

- If any records are withheld in full or in part, pursuant to A.R.S. § 39-121.01(D)(2), please provide an index of records or categories of records that have been withheld and the reasons the records or categories of records have been withheld.

- 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

[6] A.R.S. § 39-121.01(D)(1); *see also Hanania v. City of Tucson*,128 Ariz. 135, 624 P.2d 332 (Ct. App. 1980). Furthermore, because this request is for noncommercial purposes, additional fees provided for under A.R.S. § 39-121.03(A) are not applicable and should not be assessed.

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.

Conclusion

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 American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency 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. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Elizabeth Haddix at records@americanoversight.org or (252) 359-7424 ext. 1031.

Sincerely,

/s/ Elizabeth Haddix
Elizabeth Haddix
on behalf of
American Oversight