

January 9, 2006

Ms. Des Manttari  
P.O. Box 64563  
Los Angeles, CA 90064

Via E-Mail and U.S. Mail

Dear Ms Manttari:

This letter is in follow up to our meeting on December 20, 2005 held in my office. The purpose of this meeting was to review all of your requests for public documents to determine if there are remaining documents to be produced and to provide you with an opportunity to inspect three files pertaining to grant documents that you had requested, to inspect board of trustee agendas and minutes and to inspect purchasing files maintained in the District's Purchasing Office. As I attempted to review with you each of your requests it was apparent that you were merely interested in engaging in legal argument over the District's position regarding certain documents and to allege that the District had documents that it claims it does not have in its possession. Despite my plea to refrain from argument and to simply review what documents may be outstanding and to arrange for the inspection of the files described, it was apparent that your interest was solely to engage in an argument over whatever your issues may be. The District remains willing to permit you to inspect the files as set forth above if you are willing to be non-confrontational and non-argumentative with District staff as you inspect files. Please be aware that the District offices will be closed as of December 24<sup>th</sup> and will reopen on January 3, 2006. However, I will not be returning to my office until January 9, 2006.

As we have discussed, the District believes that it has complied with your numerous requests for public records. The District has every intent to comply with the requirements of the California Public Records Act and to the extent that your request is for the inspection and copying of District public records that are not privileged, confidential or otherwise exempt under the Public Records Act, and to the extent that an inspection of files would not also reveal and contain confidential and exempt records, the District will permit you to inspect files and copy any such documents.

The following summarizes the District's response to each of the numerous requests for public records that you have served on the District:

**Request Dated July 15, 2005 delivered to Ms. Pat Green (23 requests):**

Request No. 1: The District has provided you with a copy of the entire file of contracts between the District and eCollege. The District will not permit you to inspect the file cabinet in which this file is maintained because the file contains confidential information such as tax identification numbers and social security numbers. The District has further indicated that it does not have a copy of the "Master Services and License Agreement" referred to in your request. Moreover, the District has stated to you that it has no objection if eCollege provides the document to you but that it is a matter between you and eCollege. The District has complied with this request.

Request No. 2: See the response to Request No. 1 above. The District has complied with this request.

Request No. 3: See the response to Request No. 1 above. The District has complied with this request.

Request No. 4: See the response to Request No. 1 above. The District has complied with this request.

Request No. 5: See the response to Request No. 1 above. The District has complied with this request.

Request No. 6: The District has provided you with a copy of the entire file of contracts between Animatics and the District. The District will not permit you to inspect the file cabinet in which this file is maintained because the file contains confidential information such as tax identification numbers and social security numbers. The District has complied with this request.

Request No. 7: The District has provided you with a copy of the entire file of contracts between Animatics and the District. The District will not permit you to inspect the file cabinet in which this file is maintained because the file contains confidential information such as tax identification numbers and social security numbers. The District has complied with this request.

Request No. 8: The District has provided you with a copy of the entire file of contracts between Animatics and the District. The District will not permit you to inspect the file cabinet in which this file is maintained because the file contains confidential information such as tax identification numbers and social security numbers. In addition, to the extent that this request also contains a request for documents pertaining to a Title VI-A grant, during our meeting on December 20, 2005 I produced the file containing this information for your inspection. You stated that you did not want to look at the file and requested that a copy of the file be made for you. I indicated that the file, as well as other files, would be copied for you and available for you to pick-up by 4:00 p.m. on December 21, 2005. The District has complied with this request.

Request No. 9: The District has provided you with a copy of the entire file of contracts between Kapow Inc. and the District. The District will not permit you to inspect the file

cabinet in which this file is maintained because the file contains confidential information such as tax identification numbers and social security numbers. The District has complied with this request.

Request No. 10: The District has provided you with a copy of the entire file of contracts between Carol Kirschner and the District. The District will not permit you to inspect the file cabinet in which this file is maintained because the file contains confidential information such as tax identification numbers and social security numbers. The District has complied with this request.

Request No. 11: The District has provided you with a copy of the entire file of contracts between Barbara Jacobs and the District. The District will not permit you to inspect the file cabinet in which this file is maintained because the file contains confidential information such as tax identification numbers and social security numbers. The District has complied with this request.

Request No. 12: See the response to Request No. 11 above. The District has complied with this request.

Request No. 13: The District has provided you with a copy of the entire file of contracts between Cassidy Companies, Inc (real name Cassidy & Associates) and the District. The District will not permit you to inspect the file cabinet in which this file is maintained because the file contains confidential information such as tax identification numbers and social security numbers. The District has complied with this request.

Request No. 14: The District has provided you with a copy of the entire file of contracts between Digital Imagination and the District. The District will not permit you to inspect the file cabinet in which this file is maintained because the file contains confidential information such as tax identification numbers and social security numbers. The District has complied with this request.

Request No. 15: The District has provided you with a copy of the entire file of contracts between Acadine Media Group and the District. The District will not permit you to inspect the file cabinet in which this file is maintained because the file contains confidential information such as tax identification numbers and social security numbers. The District has complied with this request.

Request No. 16: The District has provided you with a copy of the entire file of contracts between Brooks Flemming Associates and the District. The District will not permit you to inspect the file cabinet in which this file is maintained because the file contains confidential information such as tax identification numbers and social security numbers. The District has complied with this request.

Request No. 17: The District complied with this request and provided you with a copy of documents pertaining to the Middle College High School grant. Based on the clarification that you provided on December 18, 2005, on December 20, 2005 I presented

you with two files containing information concerning this grant for the year 2000. At our meeting on December 20, 2005 you stated that you did not want to inspect the file and asked that I make a copy of the file for you. As agreed, On December 21, 2005 you were provided this material. The District has complied with this request.

Request No. 18: See response to Request No. 17 above. The District has complied with this request.

Request No. 19: The District has provided you with all documents responsive to this request. The District has complied with this request.

Request No. 20: The District has provided you with all documents responsive to this request. In addition, on December 20, 2005 I presented you with a file containing information concerning the Title VI-A grant. At our meeting on December 20, 2005 you stated that you did not want to inspect the file and asked that I make a copy of the file for you. As agreed, on December 21, 2005 you were provided this material. The District has complied with this request.

Request No. 21: See response to Request No. 20 above. The District has complied with this request.

Request No. 22: The District has provided you with documents responsive to this request. The District has complied with this request.

Request No. 23: The District has provided you with documents responsive to this request. At our meeting on December 20, 2005, I informed you that the District had additional information for you and as agreed, on December 21, 2005 you were provided a copy of this material. The District has complied with this request.

**Request Dated August 14, 2005 delivered to Ms. Julie Yarrish (20 requests):**

Request No. 1: The District does not have any documents relevant to this request. The District has complied with this request.

Request No. 2: The District does not have any documents relevant to this request. The District has complied with this request.

Request No. 3: During our meeting on December 20, 2005 I provided you with a copy of the language in the collective bargaining agreement between the District and the Santa Monica College Faculty Association which states the compensation for faculty teaching classes on-line. The District has complied with this request.

Request No. 4: The District does not have any documents relevant to this request. The District has complied with this request.

Request No. 5: The District does not have any documents relevant to this request. The District has complied with this request.

Request No. 6: The District does not have any documents relevant to this request. The District has complied with this request.

Request No. 7: The District has provided all documents pertaining to this request. The District has complied with this request.

Request No. 8: The District does not have any documents relevant to this request. The District has complied with this request.

Request No. 9: The District does not have any documents relevant to this request. Moreover, the District cannot confirm whether an individual is a student. Information that may pertain to a student is confidential. The District has complied with this request.

Request No. 10: The District has provided all documents pertaining to this request. There are no additional files to inspect. The District has complied with this request.

Request No. 11: The District does not have any documents relevant to this request. The District has complied with this request.

Request No. 12: The District does not have any documents relevant to this request. The District has complied with this request.

Request No. 13: The District does not have any documents relevant to this request. The District has complied with this request.

Request No. 14: The District does not have any documents relevant to this request. The District has complied with this request.

Request No. 15: See response to Request No. 10. Other than the documents provided in response to Request No. 10, the District has no further documents relevant to this request. The District has complied with this request.

Request No. 16: See response to Request No. 10. Other than the documents provided in response to Request No. 10, the District has no further documents relevant to this request. The District has complied with this request.

Request No. 17: The District has provided you with a copy of the entire file of contracts between the District and eCollege. The District will not permit you to inspect the file cabinet in which this file is maintained because the file contains confidential information such as tax identification numbers and social security numbers. The District has further indicated that it does not have a copy of the "Master Services and License Agreement" referred to in your request. Moreover, the District has stated to you that it has no

objection if eCollge provides the document to you but that it is a matter between you and eCollege. The District has complied with this request.

Request No. 18: See response to Request No. 10. Other than the documents provided in response to Request No. 10, the District has no further documents relevant to this request. The District has complied with this request.

Request No. 19: See response to Request No. 10. Other than the documents provided in response to Request No. 10, the District has no further documents relevant to this request. The District has complied with this request.

Request No. 20: The District does not have any documents relevant to this request. The District has complied with this request.

**Request Dated September 9, 2005 delivered to Katherine Muller (41 requests):**

Request No. 1: In response to this request, during our meeting on October 25, 2005, I provided you with documents responsive to this request. More specifically, you were provided with a copy of emails between Carl Krueger and Katherine Muller dated September 2, 2005, September 1, 2005, August 26, 2005 and May 26, 2005; A total of five pages. There are no files to inspect relevant to this request. The District has complied with this request.

Request No. 2: See response to Request No. 1 above. The District has complied with this request.

Request No. 3: In response to this request, during our meeting on October 25, 2005, I provided you with a copy of emails between Steve Seabolt and Katherine Muller dated, June 13, 2005, June 1, 2005, July 15, 2005 and July 14, 2005.; a total of two pages. There are no files to inspect relevant to this request. The District has complied with this request.

Request No. 4: In response to this request during our meeting on October 25, 2005, I indicated to you that the District has no documents relating to this request. You stated that you were seeking a flyer that you believe was produced by the District in response to a visit by Electronic Arts at the District's Academy of Entertainment and Technology and for records of any software donated by Electronic Arts to the District. I informed you that the only records the District would retain with respect to donated software would be an item in the agenda for a public meeting of the District's Board of Trustees. I further indicated those minutes of such meetings including the agenda for Board of Trustees meeting are available on line and that hard copies are available in the President's office for inspection. The files pertaining to minutes and agendas of the Board of Trustees are available for your inspection as set forth in the opening paragraph of this letter.

Request No. 5: In response to this request, on October 25, 2005, I indicated to you that to the extent that the District has records of job placements with Activision that does not contain student names, that the District will produce such records. I further explained that the District does not include student names as directory information and, thus, are confidential. Subsequent to our meeting, I located documents indicating back to 1998 all internships and job placements. Some of these documents contain student names. On or about October 31, 2005, the District provided you with a copy of all of these documents with the student name redacted. The District cannot permit you to inspect the file in which these records are contained because they also contain privileged and confidential information or reside in a confidential electronic data base. The District has complied with this request..

Request No. 6: In response to this request, on October 25, 2005, I indicated to you that the District maintains a history file for each full-time employee. On or about October 31, 2005, the District provided you with a copy of the provisions of the collective bargaining agreement with the Faculty regarding rules on assignments and provided you with a detailed listing of Mr. Keeshen's assignment history with the District. You indicated that you did not want to inspect the file from which these records were obtained. The District has complied with this request.

Request No. 7: In addition to the response listed above under Request No. 6, you clarified during our meeting on October 25, 2005, that you are also seeking minutes of meetings of the curriculum committee during the time that Bill Lancaster served on the committee. I informed you that the minutes for all curriculum committee meetings dating back to the 2001-02 academic year are available at the District's web page. These documents are available for your inspection and copying by going to the District's web page [www.smc.edu](http://www.smc.edu). The only minutes for academic senate committees would be those maintained on the web page. In addition, on October 31, 2005, you were provided a copy of the assignment history for Bill Lancaster. You indicated that you did not want to inspect the file from which these documents were obtained. The District has complied with this request

Request No. 8: On October 31, 2005, the District provided you with records indicating Katherine Muller's assignment history with the District. You indicated that you did not want to inspect the file from which these documents were obtained. The District has no further documents relevant to this request. The District has complied with this request.

Request No. 9: On October 31, 2005, the District provided you with a printout from its electronic data base indicating Gloria Mottler's assignment history with the District. The District provided a printout of this information in the only format that it is able to do. The information is maintained in the District's data base and, thus, there are no files for inspection. The District has complied with this request.

Request No. 10: On October 31, 2005, the District provided you with a printout from its electronic data base indicating Stu Seldon's assignment history with the District. The District provided a printout of this information in the only format that it is able to do.

The information is maintained in the District's data base and, thus, there are no files for inspection. The District has complied with this request.

Request No. 11: On October 31, 2005, the District provided you with a printout from its electronic data base indicating Tim Ryan's assignment history with the District. The District provided a printout of this information in the only format that it is able to do. The information is maintained in the District's data base and, thus, there are no files for inspection. The District has complied with this request.

Request No. 12: On October 31, 2005, the District provided you with a printout from its electronic data base indicating Brant Looney's assignment history with the District. The District provided a printout of this information in the only format that it is able to do. The information is maintained in the District's data base and, thus, there are no files for inspection. In addition, the District does not have any documents referring to a consultant agreement with this employee. The District has complied with this request.

Request No. 13: On or about October 31, 2005, the District provided you with a copy of documents it maintains responsive to this request. The District redacted all confidential pertaining to students. The District may not permit you to inspect these files because they contain confidential information pertaining to students. The District has complied with this request.

Request No 14: In response to this request at our meeting on October 35, 2005, I indicated that the District's funding source for the Academy is the District's budget and that the District would make available to you a copy of the District's adopted budget for any fiscal year in question. In response, you clarified that you are really seeking all purchase orders, bills, and receipts pertaining to the Academy so you could see how money is spent. You also indicated that you wanted documents to track what happens with software once it is purchased by the District for the Academy. You stated that you want this information back to 1997. In response, I indicated to you that the District does maintain a file of purchase orders but that in response to tracking software once it is purchased, the District does not maintain any such documents. Subsequent to our meeting, I have been informed by our Purchasing Department that they have files concerning purchase orders for the Academy for the current fiscal year and for the 2004-05 fiscal year. However, files prior to the 2004-05 fiscal year have recently been moved to storage and are not currently in any order in which purchase orders for the Academy prior to 2004-05 can be located. As stated in the opening paragraph of this letter, the District is prepared to permit you to inspect the purchasing files maintained in the District's purchasing office.

Request No. 15: In response to this request, On October 31, 2005, you were provided with a copy of a report from the Postsecondary Education Committee. The District has



no additional documents relevant to this request. There is no file to inspect. The District has complied with this request.

Request No 16: See response to Request No. 15 above.

Request No. 17: See response to Request No. 15 above.

Request No. 18: See response to Request No. 15 above.

Request No. 19: Other than the District's adopted budget for the fiscal year 1997-98, the District has no documents relevant to this request. On October 25, 2005, I informed you that if you wanted a copy of the budget, the District would provide you with a copy of the budget. To date, I have not received such a request from you. Please let me know if you would like a copy of the 97-98 budget. The District has complied with this request.

Request No. 20: On October 25, 2005, you clarified that in this request you are seeking written documents setting forth why the particular class was cancelled. In response, I indicated to you that the District is not aware of any documents relevant to this request. The District has no documents relative to this request. The District has complied with this request.

Request No. 21: See the response to Request No. 20 above. The District has complied with this request.

Request No. 22: See the response to Request No. 20 above. The District has complied with this request.

Request No. 23: In response to this request, on or about October 31, 2005, the District provided you with a file labeled "Academy Policies". During the meeting you inspected the file, and a copy of the entire file was made and given to you. You received a copy of 1) Computer Lab Policy dated 10/20/04 and 8/14/01, 2) Academy of Entertainment and Technology Internship Policy dated 7/04, 3) Disruptive Student Policy dated spring 2001, and 4) Appropriate Room Use Policy. The District has complied with this request.

Request No. 24: See the response to Request No. 23 above. The District has complied with this request.

Request No. 25: See the response to Request No. 5 above. The District has complied with this request.

Request No. 26: See the response to Request No. 5 above. The District has complied with this request.

Request No. 27: During our meeting on October 25, 2005, you clarified that you are seeking all brochures and invoices pertaining to the Mary Pickford series. In response, I indicated that to the extent that the District has retained a copy of all such brochures, they

will be provided to you when we meet on October 31, 2005. However, to the extent that your request seeks documents that are not maintained by the District but rather our records of the Santa Monica College Foundation; those records are not documents under the District's jurisdiction. On October the District provide you with a copy of one flyer concerning a Mary Pickford lecture. The District has no further documents relevant to this request. The District has complied with this request.

Request No. 28: The District has no documents relevant to this request. The District has complied with this request.

Request Nos. 29 -41: In response to this request, on October 25, 2005, I informed you that the District retains information as to student enrollment in a data base and in producing reports relating to student numbers, does not isolate the number of students for the Academy. In order to provide you with data setting forth the enrollment of full-time students at the Academy, it will be necessary for the District to write a program to obtain this information from its data base. This will require staff time. I asked you to let me know prior to our meeting on October 31, 2005, as to whether you wanted me to determine the cost to provide you with such information. Too date, you have not responded to this request. Please let me know if you would like me to proceed to determine the cost to retrieve this information for you. The District has complied with this request.

**Request Dated October 24, 2005 delivered to Pat Green (12 requests):**

Request No. 1: On or about October 31, 2005, I informed you that the District does not have a record of any sabbatical report filed by Jim Keeshen. The District has complied with this request.

Request No. 2: As I informed you during our meeting on October 25, 2005 and in writing on October 26, 2005, the information requested if it exists is confidential information contained in the employee's personnel file. The District has complied with this request.

Request No. 3: As I informed you during our meeting on October 25, 2005 and in writing on October 26, 2005, the information requested if it exists is confidential information contained in the employee's personnel file. The District has complied with this request.

Request No. 4: As I informed you during our meeting on October 25, 2005 and in writing on October 26, 2005, the information requested if it exists is confidential information contained in the employee's personnel file. The District has complied with this request.

Request No. 5: As I informed you during our meeting on October 25, 2005 and in writing on October 26, 2005, the information requested if it exists is confidential

information contained in the employee's personnel file. The District has complied with this request.

Request No. 6: On or about October 31, 2005, the District provided you with a copy of the all contracts and invoices pertaining to Joan Abrahamson. Confidential information concerning social security numbers, home phone numbers and home addresses were redacted. The District has complied with this request.

Request No. 7: As I started to you during our meeting on October 25, 2005 and in writing on October 26, 2005, the Santa Monica College Foundation is a separate entity from the District. The District does not maintain any documents relevant to this request. The District has complied with this request.

Request No. 8: As I informed you during our meeting on October 25, 2005 and in writing on October 26, 2005, the information requested if it exists is confidential information contained in the employee's personnel file. The District has complied with this request.

Request No. 9: The District has consistently informed you that it is willing to permit you to inspect all board of trustees' minutes and agendas. This inspection has not occurred as of yet due my extended illness leave and your failure to conduct yourself in a non-confrontational manner. The District has complied with this request.

Request No. 10: The District has consistently informed you that it is willing to permit you to inspect all board of trustees' minutes and agendas. This inspection has not occurred as of yet due my extended illness leave and your failure to conduct yourself in a non-confrontational manner. The District has complied with this request.

Request No. 11: The District has consistently informed you that it is willing to permit you to inspect all board of trustees' minutes and agendas. This inspection has not occurred as of yet due my extended illness leave and your failure to conduct yourself in a non-confrontational manner. The District has complied with this request.

Request No. 12: The District has consistently informed you that it is willing to permit you to inspect all board of trustees' minutes and agendas. This inspection has not occurred as of yet due my extended illness leave and your failure to conduct yourself in a non-confrontational manner. The District has complied with this request.

**Request Dated October 24, 2005 delivered to Julie Yarrish (8 requests):**

Request No. 1: The District has provided you with a copy of the entire file of contracts between the District and eCollege. The District will not permit you to inspect the file cabinet in which this file is maintained because the file contains confidential information

such as tax identification numbers and social security numbers. The District has further indicated that it does not have a copy of the "Master Services and License Agreement" referred to in your request. Moreover, the District has stated to you that it has no objection if eCollege provides the document to you but that it is a matter between you and eCollege. The District has complied with this request.

Request No. 2: The District has no documents relevant to this request. The District has complied with this request.

Request No. 3: On December 21, 2005, you were provided a copy of a printout from the District's data base indicating Julie Yarrish's assignment history with the District. The District inadvertently failed to redact Ms. Yarrish's social security number from this document. As indicated to you via email, the District requests your cooperation in returning this document so that the confidential information may be redacted. Also, I am sure that you can appreciate the sensitivity of the information disclosed and that you will not further disclose this information or use it any manner. The District has no further documents relevant to this request. The District has complied with this request.

Request No. 4: The District has no records relevant to this request. The District has complied with this request.

Request No. 5: The District has no records relevant to this request. The District has complied with this request.

Request No. 6: The District has no records relevant to this request. The District has complied with this request.

Request Nos. 7 and 8: During our meeting on December 20, 2005, I informed you that the information that you request would be in the purchasing files filed by vendor. As I explained to you back in October, 2005, these files have been moved to a new storage area at the Bundy campus and are still wrapped on pallets and not currently accessible. The District may be able to ask the County Office of Education for a special report indicating all computer purchases under this grant. If you would like such a report, I will determine what the cost is to have the report generated. Please let me know how you would like to proceed on this item.

Please contact me at your earliest convenience to schedule a meeting to review any and all outstanding requests and to arrange for you to inspect files as stated above.

Sincerely,

Robert L. Sammis  
Vice President, Planning and Development