



OFFICE OF THE  
UTAH STATE AUDITOR

October 6, 2014

Kristina L. Kindl  
Director of Legal Services  
Salt Lake City School District  
440 East 100 South  
Salt Lake City, Utah 84111

Dear Ms. Kindl:

This letter is in response to your GRAMA request dated September 18, 2014 in which you requested the following records:

... all documents, including but not limited to books, letters, papers, maps, plans, photographs, film, cards, tapes, recordings, electronic data, or other material regardless of physical form or characteristics, that your agency has received or sent to Mr. J. Michael Clara, member of the Salt Lake City School District Board of Education, regarding the Salt Lake City School District, its superintendent, or its business administrator, including communications between, but not limited to:

- John Dougall, State Auditor.

This request is for the time period January 1, 2013 to present.

In the fall of 2013, Amanda Jex, acting as legal counsel for the Office of the State Auditor (OSA), worked with John Robson, acting as legal counsel for the Board of Education of the Salt Lake City School District (District), to release records in response to a GRAMA request submitted by Mr. Robson on June 18, 2013. The GRAMA request was for records pertaining to complaints against the District. Part of the information released at that time to Mr. Robson, and thus to the District, involved correspondence from Michael Clara. Because those records have already been provided to the District, there is no reason for the OSA to provide duplicative information.

As far as providing the District with any other records or correspondence that the OSA *might* have received from or sent to Michael Clara, *if* we had any such records they would most likely have been received through our hotline program. Any records received through our hotline program are considered “protected” by the following sections of the Utah Code:

- § 63G-2-305(10): “records created or maintained for ... audit purposes, ... if release of the records: ... (d) reasonably could be expected to disclose the identity of a source who is not generally known outside of government and, in the case of a record compiled in the course of an investigation, disclose information furnished by a source not generally known outside of government if disclosure would compromise the source.”

In regards to your request that we “share any private, controlled, or protected records as these records are necessary to the performance of the District’s duties and functions,” you have provided no basis to show that any records we may have would satisfy this need.

As such, we have no records in response to your request.

Pursuant to Utah Code § 63G-2-401, you have the right to appeal this response to your request to the chief administrative officer, John Dougall, Utah State Auditor. Your notice of appeal must be submitted within 30 days of the above date and must include your name, mailing address, daytime telephone number, and an explanation of the relief sought. You may also include any supporting information with your notice of appeal. Your appeal may be submitted to:

John Dougall, Utah State Auditor  
Utah State Capitol Complex, East Building  
Suite E310  
Salt Lake City, Utah 84114-2310

Please be aware that all GRAMA requests are posted on our website as a matter of office practice (with personal information redacted). We do this to provide transparency and accountability to the public at large.

Sincerely,

Linda Siebenhaar, Record Officer  
Office of the Utah State Auditor