



JOSH GREEN, M.D.
GOVERNOR

STATE OF HAWAII
OFFICE OF INFORMATION PRACTICES

CARLOTTA AMERINO
ACTING DIRECTOR

NO. 1 CAPITOL DISTRICT BUILDING
250 SOUTH HOTEL STREET, SUITE 107
HONOLULU, HAWAII 96813
Telephone: (808) 586-1400 FAX: (808) 586-1412
E-MAIL: oiip@hawaii.gov
www.oiip.hawaii.gov

June 21, 2024

VIA EMAIL

Ms. Vanessa Ott

Re: Request for Assistance to Access Records (U RFA-P 24-100)

Dear Mr. Ott:

The Office of Information Practices (OIP) opened the above referenced file based on the State of Hawaii Department of Education's (DOE) lack of response to your record request dated May 19, 2024. OIP has received a copy of DOE's Notice to Requester dated June 17, 2024, responding to your request for copies of the "Board procedures to address petitions from the public" described in Board of Education Policy 400-1 #10. DOE granted in part and denied in part the request, explaining that the Board of Education (BOE) does not have specific procedures to address petitions from the public, but that BOE "accepts public testimony for its meetings and welcomes information from the public, whether presented to the Board as a whole or to individual members." Because DOE has now responded to you in writing in the manner required by section 2-71-14, Hawaii Administrative Rules (HAR), OIP will close this Request for Assistance file.

You may appeal a denial of access to OIP in accordance with chapter 2-73, HAR. Hawaii Revised Statutes (HRS) § 92F-15.5 (2012). However, OIP is currently operating with a significant backlog of cases, and it could be some time before new appeals are resolved. Record requesters who have appealed a denial of access to OIP need not wait for a ruling by OIP and are entitled to file a lawsuit for within two years of a denial of access to government records. HRS §§ 92F-15, 92F-42(1) (2012). An action for access to records is to be heard by the courts on an expedited basis and, if you are the prevailing party, you are entitled to recover reasonable attorney's fees and costs. HRS §§ 92F-15(d), (f).

If you decide to file a lawsuit, you must notify OIP in writing at the time the action is filed. HRS § 92F-15.3 (2012).

Ms. Vanessa Ott
June 21, 2024
Page 2

Should you have further questions, please do not hesitate to contact OIP.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert Shimizu".

Robert Shimizu
Staff Attorney

RHS:rt

cc The Honorable Keith Hayashi
cc Mr. Justin Takaki