



Navigating Education Records

Education Writers Association

St. Louis, Missouri

May 29, 2025

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Art of Access

Aquiring Educational Records

Education Writers Association
St. Louis, Missouri
May 29, 2025

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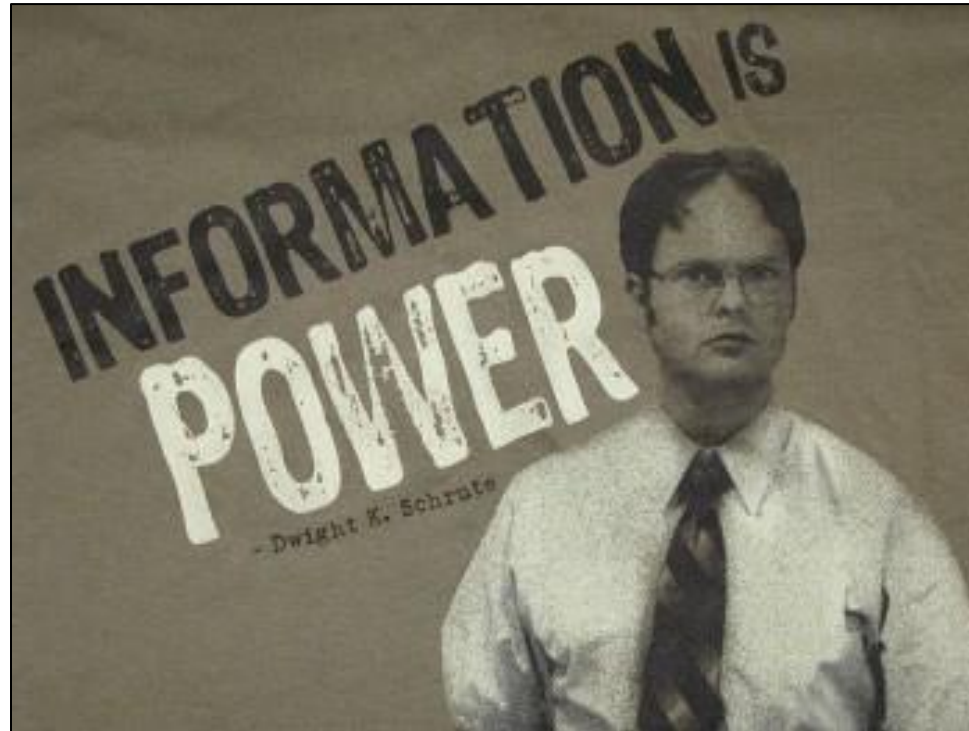
David Cuillier, Ph.D., directs the University of Florida Joseph L. Brechner Freedom of Information Project, which has focused on research and education in freedom of information since 1977. He is a former journalist, taught data journalism and access at the University of Arizona for 17 years, and is former president of the National Freedom of Information Coalition and Society of Professional Journalists. He is co-author of "The Art of Access: Strategies for Acquiring Public Records," has testified three times before Congress regarding FOIA, and serves on the U.S. FOIA Advisory Committee.

Credits: These handouts are the culmination of two decades of FOI training, starting with the SPJ newsroom training program in 2004 with trainers Cuillier, Charles N. Davis and Joel Campbell. Some of this information has been presented at a variety of conferences, but this is all pulled together in one handout. Also, some materials below come from "The Art of Access: Strategies for Acquiring Public Records," by Cuillier and Charles N. Davis (second edition 2020). This handout was last updated (and links checked) on March 24, 2025.



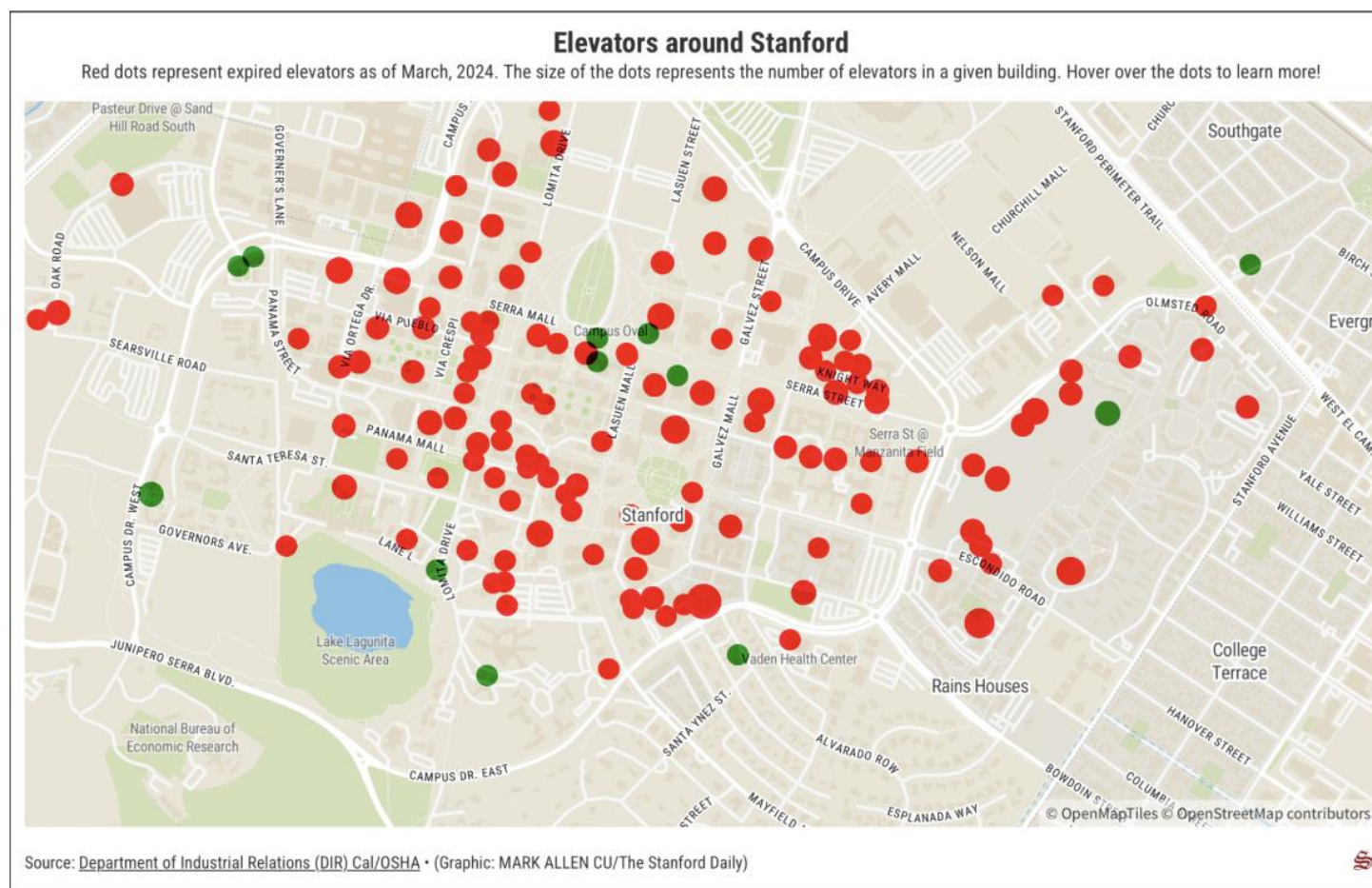
<https://tinyurl.com/EdRecords>

1. Record ideas



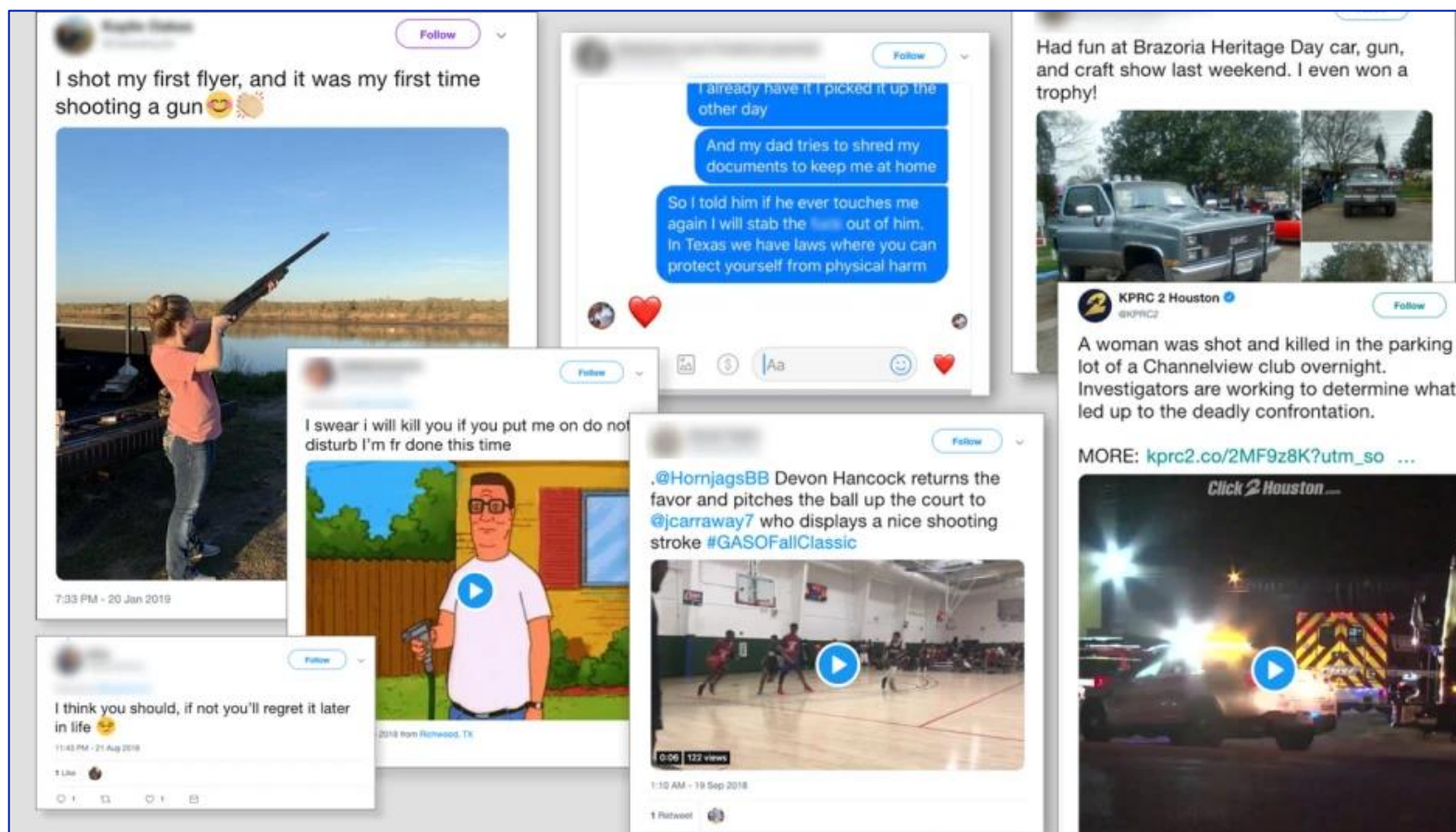
Handout:
Record ideas,
pages 3-8

Expired elevator permits



The Stanford Daily
<https://stanforddaily.com/2024/03/15/94-of-elevators-on-campus-have-expired-permits/>

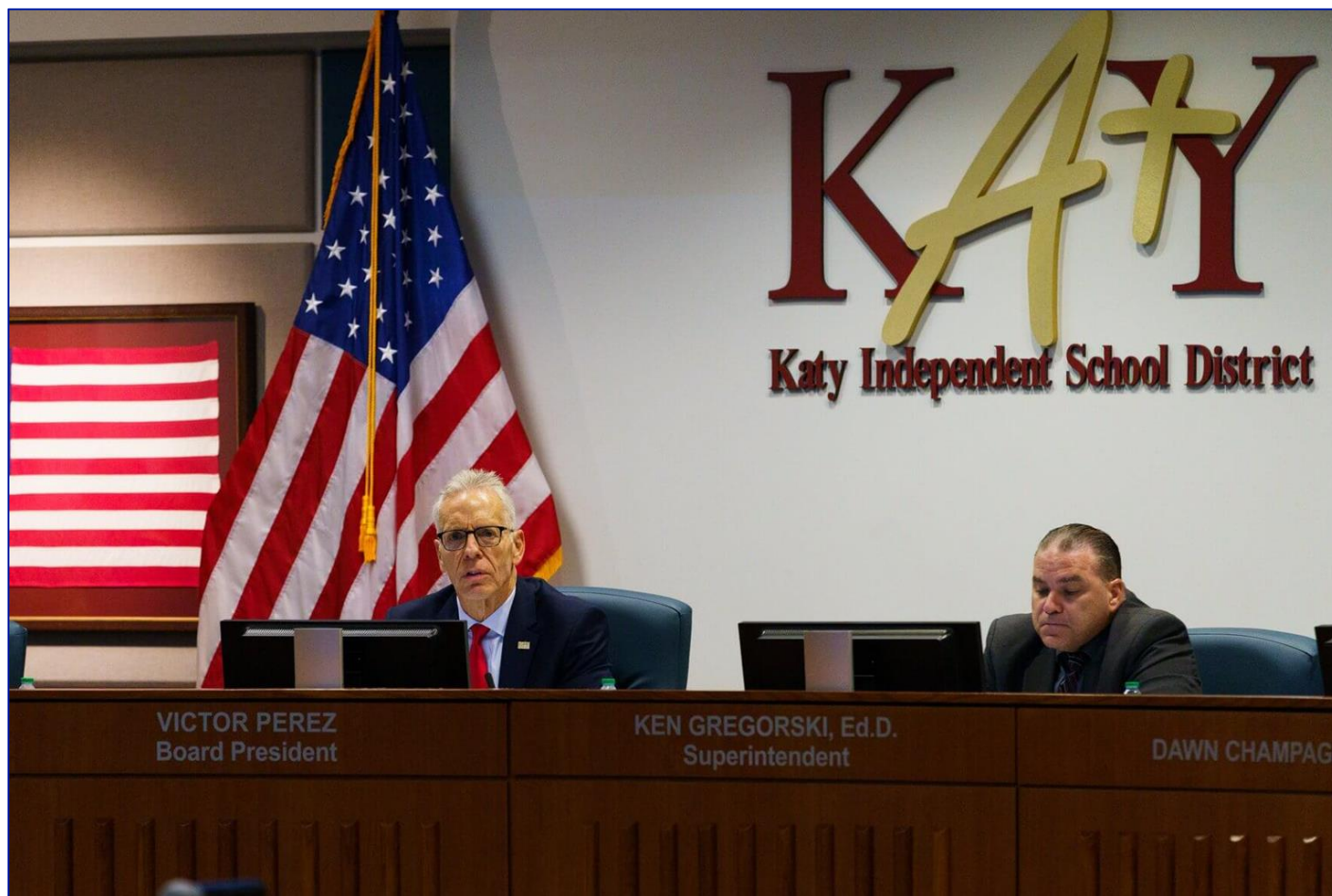
Flawed AI surveillance



EdWeek

<https://www.edweek.org/technology/schools-are-deploying-massive-digital-surveillance-systems-the-results-are-alarming/2019/05>

Student identities exposed



Houston Landing

<https://houstonlanding.org/under-katy-isd-gender-policy-student-identities-disclosed-to-parents-19-times-since-august/>

Declawed assessment



The State News

<https://statenews.com/article/2024/01/lack-of-trust-officers-agencies-refused-to-participate-in-outside-review-of-msu-shooting-response>

Small-group activity:

Three cool records you've used or want to explore

2. Effective orders



Handout:
Order up, pages
30-36















Concept credit: Mark
Weiler, librarian at Wilfrid
Laurier University in
Waterloo, Ontario, Canada

MuckRock

MUCKROCK News Projects Requests Assignments ... Search [File Request](#) Sign Up Log In

File, track, and share public records requests.

[File a Request](#)

[Explore filed requests or learn how it works.](#)

135,255 filed requests	24,287 agencies	44,551 fulfilled requests	9,731,793 released pages
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Recently completed requests

[See all →](#)

Completed 7 files

Anarchist Extremists Likely to Exploit 01 May Events for Violent Activity (Federal Bureau of Investigation)

Emma North-Best sent this request to the Federal Bureau of Investigation of the United States of America

Completed 3 files

Public Records Request for Data on School Policing (Farmington Police Department, Farmington)

Alisha Patel sent this request to the Farmington Police Department, Farmington of Massachusetts

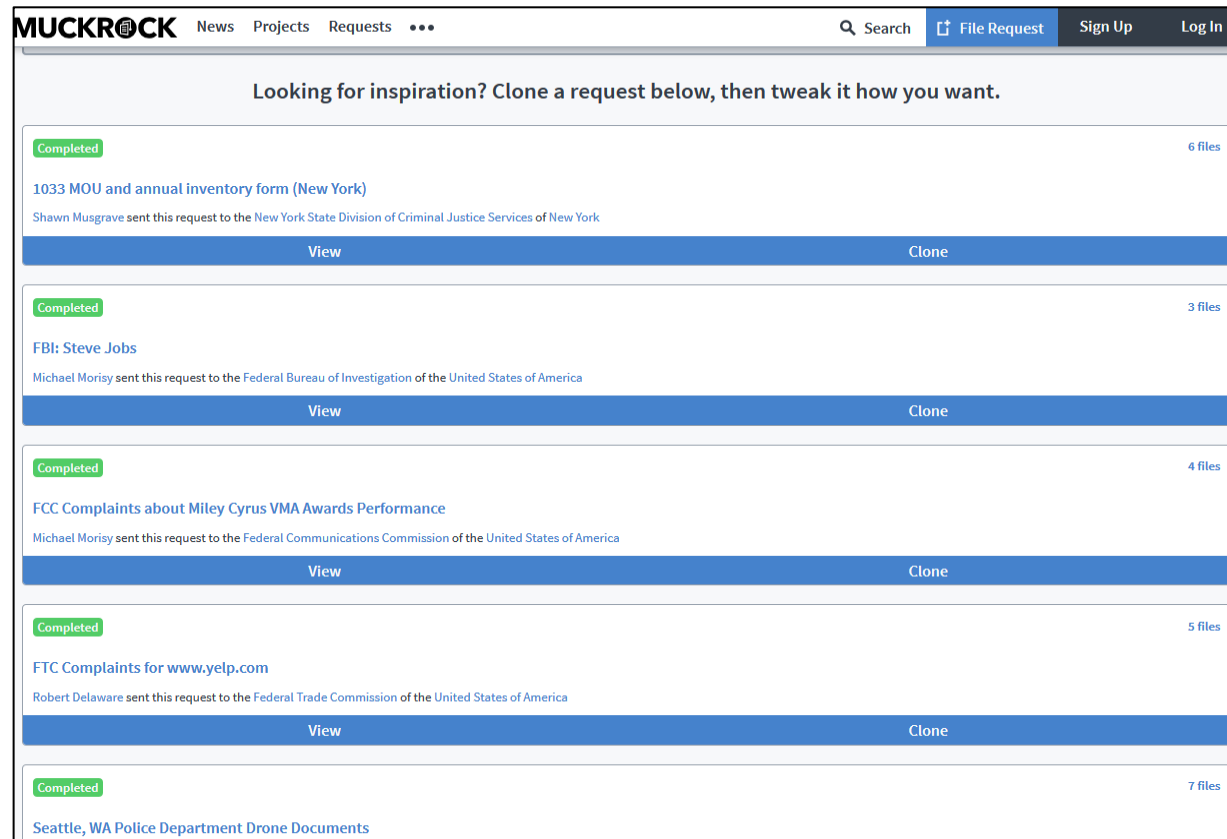
Completed 8 files

Missing Native Americans (Oneida County Sheriff)

Urban Indigenous Collective sent this request to the Oneida County Sheriff of Oneida County, NY

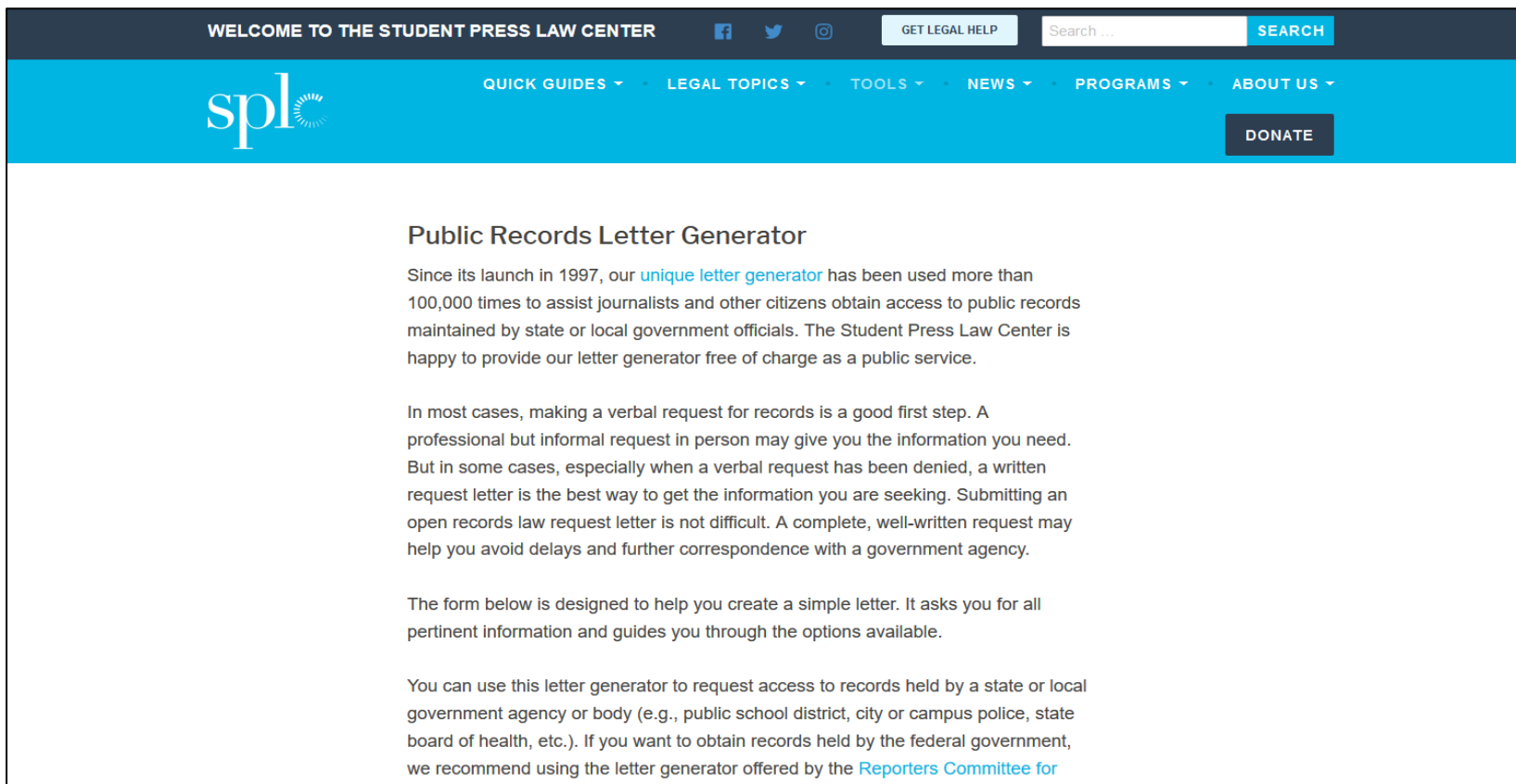
<https://www.muckrock.com/>

MuckRock clone feature



<https://www.muckrock.com/foi/create/>

SPLC letter generator



The screenshot shows the SPLC website's header with a dark blue navigation bar containing the text "WELCOME TO THE STUDENT PRESS LAW CENTER", social media icons, a "GET LEGAL HELP" button, a search bar, and a "SEARCH" button. Below this is a light blue bar with the SPLC logo, a menu of links (QUICK GUIDES, LEGAL TOPICS, TOOLS, NEWS, PROGRAMS, ABOUT US), and a "DONATE" button. The main content area is white and features the title "Public Records Letter Generator". The text explains that the generator has been used over 100,000 times since 1997 to help journalists and citizens obtain public records. It provides advice on making verbal requests and submitting written request letters. It also mentions that the form is designed to help create a simple letter and that the generator is free of charge. The footer of the page recommends using the "Reporters Committee for" link for federal government records.

WELCOME TO THE STUDENT PRESS LAW CENTER

GET LEGAL HELP

Search ...

SEARCH

splc

QUICK GUIDES ▾ • LEGAL TOPICS ▾ • TOOLS ▾ • NEWS ▾ • PROGRAMS ▾ • ABOUT US ▾

DONATE

Public Records Letter Generator

Since its launch in 1997, our [unique letter generator](#) has been used more than 100,000 times to assist journalists and other citizens obtain access to public records maintained by state or local government officials. The Student Press Law Center is happy to provide our letter generator free of charge as a public service.

In most cases, making a verbal request for records is a good first step. A professional but informal request in person may give you the information you need. But in some cases, especially when a verbal request has been denied, a written request letter is the best way to get the information you are seeking. Submitting an open records law request letter is not difficult. A complete, well-written request may help you avoid delays and further correspondence with a government agency.

The form below is designed to help you create a simple letter. It asks you for all pertinent information and guides you through the options available.

You can use this letter generator to request access to records held by a state or local government agency or body (e.g., public school district, city or campus police, state board of health, etc.). If you want to obtain records held by the federal government, we recommend using the letter generator offered by the [Reporters Committee for](#)

<https://splc.org/lettergenerator/>

June 20, 2024
Mayor Douglas J. Nicholls
One City Plaza
Brownsburg, IN 46112

Dear Mr. Nichols,

Pursuant to the state open records law, Ind. Code Secs. 5-14-3-1 to 5-14-5-10, I write to request access to and a copy of all expense reports for the city for the past five years. If your agency does not maintain these public records, please let me know who does and include the proper custodian's name and address.

I agree to pay any reasonable copying and postage fees of not more than \$25. If the cost would be greater than this amount, please notify me. Please provide a receipt indicating the charges for each document.

As provided in the open records law, I will expect your response within ten (10) business days.

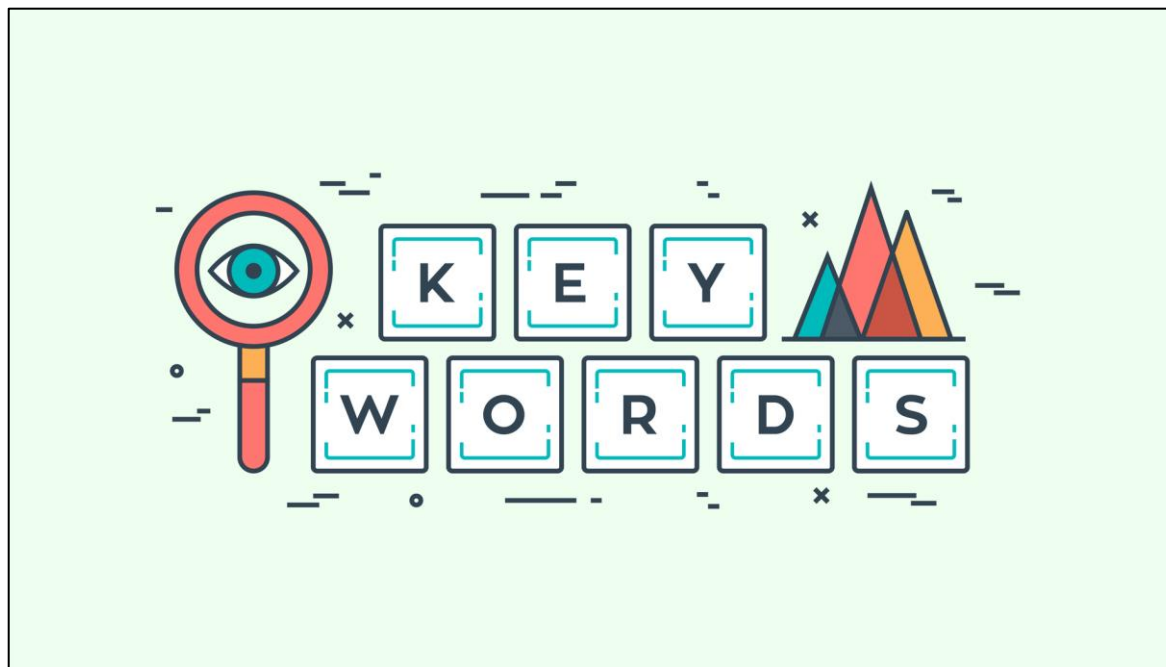
If you choose to deny this request, please provide a written explanation for the denial including a reference to the specific statutory exemption(s) upon which you rely. Also, please provide all segregable portions of otherwise exempt material.

Please be advised that I am prepared to pursue whatever legal remedy necessary to obtain access to the requested records. I would note that willful violation of the open records law can result in the award of court costs and reasonable attorney fees. See Ind. Code Sec. 5-14-3-9(i).

Thank you for your assistance.

Sincerely,
David Cuillier
100 Turnpike Street
Brownsburg, IN 46112, cuillier@star.com

Specific (“perfecting”)



Handout:
Sample letters,
pages 34-36

Expedited review and fee waiver



Specify digital 'native' format



Small-group activity:

Craft an order using SPLC

<https://splc.org/lettergenerator/>

3. Overcoming denials



**Handout:
Overcoming
denials, pages
37-47**



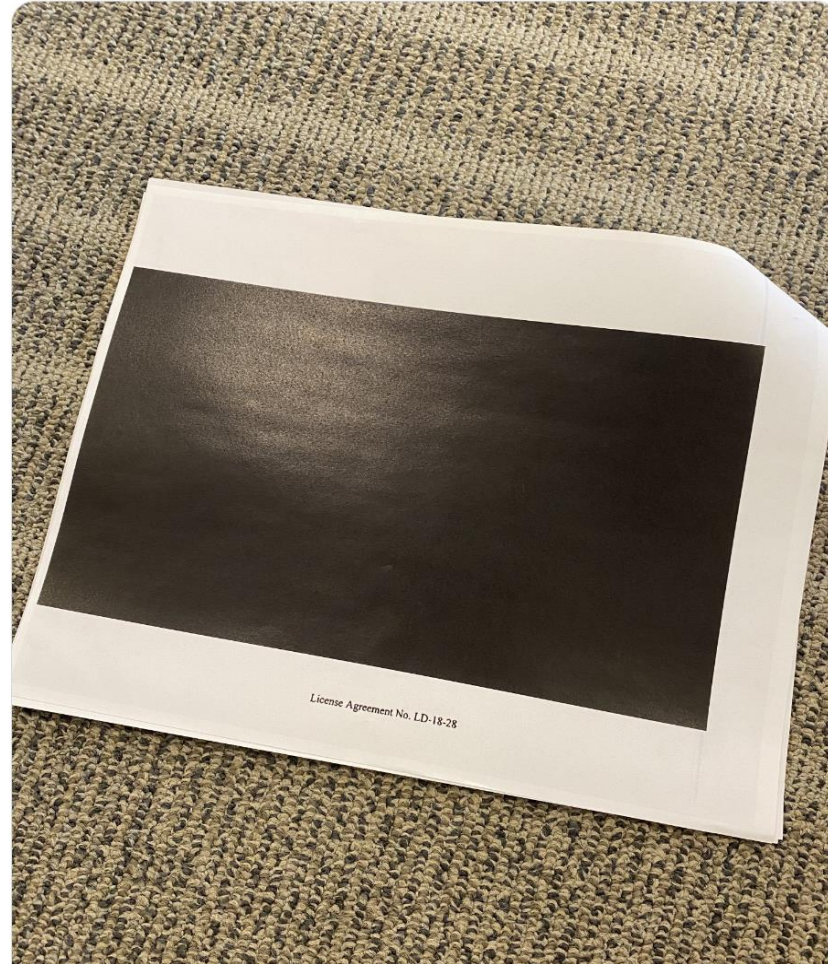




lori aratani
@loriara

...

Good news: very quick response to my [#FOIA](#) request. Bad news:
response 📄 😞



January 11, 2016

New Jersey rejects request for dolphin necropsy results, citing “medical privacy”

When it comes to OPRA exemptions, the Garden State doesn’t discriminate between aquatic and land mammals

Written by [JPat Brown](#)

Edited by [Michael Morisy](#)

When a [dolphin died in New Jersey’s South River last year](#), MuckRock’s [Carly Sitrin](#) - a Garden State native herself - wanted to know what killed it. So she filed [a public record request](#) to the NJ Department of Agriculture for the necropsy results. Just this last week, the DOA finally responded, and to make an already weird story even weirder, barred the release of the record on grounds of medical privacy.

Social exchange theory

- **Increase rewards:** Show respect, validation, agency benefits
- **Decrease costs:** Avoid subordinating language, simplify, make “yes” easier than “no”
- **Build trust:** Face-to-face interaction



Principled negotiation



“Getting to yes:
Negotiating
agreement
without giving in,”
by Roger Fisher
and William L. Ury

**Handout:
Soft tactics,
Page 32**

Weapons of influence



“Influence: The Psychology of Persuasion,” Robert B. Cialdini

Taking off the gloves



1. Go up the ladder
2. Mediator/AG/OGIS
3. Try another agency
4. Order emails about your order
5. Bury them
6. Heads on pikes
7. Write about it
8. Days of denial

Handout:
Hard tactics,
pages 44-47

Develop quote machines



Jodi Rave Spotted Bear
SPJ FOI Committee chair
@JodiRave



David Cuillier
Brechtner FOI Project
cuillierd@ufl.edu



Gunita Singh
RCFP Staff Attorney
gsingh@rcfp.org



Mike Hiestand
SPLC counsel
(Lives in Ferndale, WA)
mhiestand@splc.org

... and your state experts!

Eliminate fees

- Waiver in public interest
- Narrow the request (ratcheting)
- Inspect for free (camera, photocopier)
- Get digital files
- Challenge costs – itemized breakdown
- Survey of agencies in county/state
- Fight for NO fees!

**Handout:
Eliminate fees,
Page 41**

Small-group activity:

Workshop a denial

4. The law



Question and answer

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