



WEST CHESTER AREA SCHOOL DISTRICT

Educating and inspiring students to achieve their personal best

Dr. James R. Scanlon, Superintendent of Schools

Via email, regular mail, and fax

April 21, 2021

The Honorable Cris Dush
Senate Box 203025
Room: 16 East Wing
Harrisburg, PA 17120-3025

Dear Senator Dush,

As a co-sponsor of SB552: vexatious requesters, I am writing to applaud your efforts in curtailing the egregious right to know requests blanketing Pennsylvania school districts. I would welcome the opportunity to speak in front of your colleagues about our district's Right to Know (RTK) experience. I believe creating a new process for us to petition the OOR for relief from individuals who are using RTKL with malicious intent to intimidate, harass, or punish an agency would give school districts an avenue of relief.

The West Chester Area School District received a huge increase in RTK requests this year ultimately costing taxpayers thousands of dollars in both administrative time and legal review fees as well as an enormous waste of time of district resources. To date this school year (July 1- March 31) we have received 70 requests and spent over \$30,000 in legal fees alone. In the prior three years, we averaged 30 requests for the entire year with an average legal cost of under \$4,000.

Here is a summary of the 2020-21 RTK requests through March:

- We have received 70 RTK requests from July 2020-March 2021.
- In the first three months of 2021 (January-March), we received 57 RTK requests.
- We have had one person make 12 RTK requests in just a three (3) month period.
- Many of the requests are asking for thousands of pages of emails.
- One such request required 12 hours of my time to review 16,200 pages and redact all personal and HIPAA information in order to release 12,800 pages to the RTK requester.
- Six (6) forms were submitted using false names, addresses and phone numbers. We have now started to call and verify that the requesters are legitimate people. Here is a summary of our findings from three of those false requestors:

1. The street address listed did not exist in the municipality listed. When a call was placed to the telephone number listed on the form, it was found to be a disconnected number.

2. The requester was called at the telephone number listed, and the gentlemen who answered was not the requester, nor was he acquainted with the requester. Further research was done to find the homeowner of the address listed on the right-to-know request. When the homeowner of the property was contacted, he had never heard of the requester nor did he submit the request. He expressed extreme concern that his identity had been used for fraudulent purposes.

3. The requester was called at the telephone number listed. The call was not answered, but a message was left that the District needed further clarification of the right-to-know request. The telephone call was never returned. Further research was done to find the homeowner of the address listed on the right-to-know request. When the homeowner's grandson was contacted, he had never heard of the requester nor did he or his grandmother submit the request. He expressed concern that his grandmother's identity had been used for fraudulent purposes.

- To date, we have spent over \$30,000 in legal fees.
- Over 200 hours has been spent in administrator time.

Frankly, these actions are a form of harassment and need to stop. I believe these requests were not submitted in the spirit that the law intended. This bill addresses our concerns and would be a welcomed relief for school districts across the commonwealth.

Sincerely,



James R. Scanlon, EdD
Superintendent of Schools

cc: WCASD Board of School Directors
Governor Tom Wolf
President Pro Tempore Jake Corman
Senator Carolyn Comitta
Senator John Kane
Speaker of the House Bryan Cutler

Representative Dianne Herrin
Representative Kristine C. Howard
Representative John Lawrence
Representative Chris Quinn
Representative Christina Sappey
Representative Craig Williams