



RE: [External]Fw: Follow up and ADA accommodation Request

From AGO Ombuds <agoombuds@ATG.WA.GOV>

Date Mon 11/17/2025 1:04 PM

To julie gunter <jgunth@hotmail.com>

 1 attachment (716 KB)

Public-Records-Denials-Brochure.pdf;

Julie,

Your first reading and understanding of a “530 review” was correct. The review is limited to the application of an exemption to a record by a state agency. Other process questions or concerns like whether the search was adequate or whether a request was properly closed are outside of the 530 review. I’ve attached a brochure that provides additional information on the 530 review process.

Take care,
Morgan

MORGAN DAMEROW | ASSISTANT ATTORNEY GENERAL FOR OPEN GOVERNMENT

OFFICE OF THE ATTORNEY GENERAL | 1125 WASHINGTON STREET | MAIL STOP 40100 | OLYMPIA, WASHINGTON 98504
TEL: 360-570-3418 | AGOOMBUDS@ATG.WA.GOV

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From: julie gunter <jgunth@hotmail.com>

Sent: Monday, November 17, 2025 12:39 PM

To: AGO Ombuds <agoombuds@ATG.WA.GOV>

Subject: Re: [External]Fw: Follow up and ADA accommodation Request

[EXTERNAL]

Hi,

Thanks for clarifying.

Sorry, one last general question after reading the case and a few summaries about it.

I originally thought the attached RCW process for a 530 review was only applicable to challenges of redactions of one or more records in part or in full by a state agency.

But after rereading the RCW, it appears the AGO can review actions/communications that caused improperly closed requests that the agency refuses to continue processing even though requestor

responded to the agency with follow-up information and questions (significant to Citizens ruling).

Is this interpretation correct or is the only way to know for sure is to submit a 530 request to review the requests OSPI closed despite PRO director telling requestor previously I could have more time than the deadlines received in writing to consolidate/send payment and wouldn't close them for that reason, and if review of the 530 review request is outside AGO's jurisdiction, I would be told at that time?

Thanks, and have a great week.

Julie

From: AGO Ombuds <agoombuds@ATG.WA.GOV>

Sent: Monday, November 17, 2025 11:58 AM

To: julie gunter <jgunth@hotmail.com>

Subject: RE: [External]Fw: Follow up and ADA accommodation Request

Julie,

Happy to follow up. On your first question about other cases, if you read the *Cousins* case, the court makes mention of a few other cases where they have addressed the need for resolution vs access to record under the PRA. Turning to the ADA, I have not researched the ADA's expectations related to the PRA which is why I am unable to provide you any information from case law or otherwise.

Respectfully,
Morgan

MORGAN DAMEROW | ASSISTANT ATTORNEY GENERAL FOR OPEN GOVERNMENT

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TEL: [360-570-3418](tel:360-570-3418) | AGOOMBUDS@ATG.WA.GOV

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From: julie gunter <jgunth@hotmail.com>

Sent: Monday, November 17, 2025 11:27 AM

To: AGO Ombuds <agoombuds@ATG.WA.GOV>

Subject: Fw: [External]Fw: Follow up and ADA accommodation Request

[EXTERNAL]

Hi Morgan,

Thanks so much for your response, and for getting back to me regarding the remaining questions sent via the other email you let me know during the meeting if was ok to send.

I also want to thank you for taking the time to review the current concerns relating to OSPI and its response or lack thereof to requests for ADA accommodations to mitigate barriers to access to records and communications about same. Aware of your busy schedule, I nonetheless cc'd you as I thought the

subject matter was relevant to your work and it might be good for the ombudsman to be aware especially as concerns are also systemic and statewide.

I do have two follow-up clarifying questions:

- 1) Your suggestions about potentially relevant case law are helpful and appreciated. Below you mentioned “cases,” but I see only Cousins vs State referenced. Were there any other cases you were thinking for background info and context?
- 2) When you stated you have no information about ADA issues I raised as these relate to the PRA and access to records, does this mean you know of no case law that touches on intersection of accommodation requests and protections under the ADA and Section 504 and agency programs and/or activities that include or are specific to the PRA, relevant state statutes, the PRA, and PRO functions?

With gratitude,
Julie

From: AGO Ombuds <agoombuds@ATG.WA.GOV>
Sent: Monday, November 17, 2025 10:30 AM
To: julie gunter <jgunth@hotmail.com>
Subject: RE: [External]Fw: Follow up and ADA accommodation Request

Good morning Julie,

As I know you are aware from our prior conversations, the Office of the Attorney General (AGO) cannot provide private citizens or private organizations legal advice, a legal opinion or legal representation. The Public Records Act (PRA) provides that the AGO may provide information, technical assistance, and training on the PRA. RCW 42.56.155. We try to provide general legal information and resources when we can. I mention this in case you decide to share this message with others so that they are aware of this foundation.

I’m going to start with the PRA information I can share. You are correct that, in general, there is no fee for the inspection of records. RCW 42.56.120(1). The exception to this is body worn camera recordings where law enforcement agencies are authorized, in some circumstances, to assess a fee to redact the records. RCW 42.56.240(14). Agencies are required to provide for inspection for a minimum of thirty hours per week. RCW 42.56.090. The PRA Model Rules address this commenting that the PRA does not specify a particular schedule and further adding that the parties can make mutually agreeable arrangement for the times or inspection and copying. WAC [44-14-03002](#).

Within your email there are a few areas where I am unable to provide you information. From your message I understand that there are number of potentially open and closed requests you have made to the Office of the Superintendent of Public Instruction (OSPI). Our State Supreme Court has strived to balance the interests of certainty and finality for agencies with the PRA’s strong managed for public records. *See e.g. Cousins v. State*, 3 Wn.3d 19, 546 P.3d 415 (2024). I cannot tell you how this may impact your inspection of records for both open and closed requests to OSPI. I mention is only so that you are aware of the inherent tension. Similarly, I don’t have

any resources or information I can share with you conceding the Americans with Disability Act (ADA) issues you raise.

I hope this information and the resources I am able to provide are of some assistance to you. The cases referenced above can be located on the internet. Again, this is general information only and not legal advice or a legal opinion. If you need such advice or an opinion, you will need to consult with private legal counsel.

Respectfully,

Morgan Damerow
Assistant Attorney General

MORGAN DAMEROW | ASSISTANT ATTORNEY GENERAL FOR OPEN GOVERNMENT

OFFICE OF THE ATTORNEY GENERAL | 1125 WASHINGTON STREET | MAIL STOP 40100 | OLYMPIA, WASHINGTON 98504
TEL: [360-570-3418](tel:360-570-3418) | AGOOMBUDS@ATG.WA.GOV

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From: julie gunter <jgunth@hotmail.com>
Sent: Monday, November 17, 2025 8:56 AM
To: Sarah Albertson <Sarah.Albertson@k12.wa.us>; PublicRecordsRequest <OSPIPRR@k12.wa.us>
Cc: Scott Conger <scott.conger@k12.wa.us>; Roslyn Covais <roslyn.covais@k12.wa.us>; 'Pollet, Rep. Gerry' <gerry.pollet@leg.wa.gov>; Chris Reykdal <chris.reykdal@k12.wa.us>; AGO Ombuds <agoombuds@ATG.WA.GOV>; Scott Raub <scott.raub@k12.wa.us>
Subject: Re: [External]Fw: Follow up and ADA accommodation Request

[EXTERNAL]

Good morning,

Although I am glad to hear OSPI is actively working on a solution to provide online fee payment option for all requestors, I am responding to let OSPI know that its across-the-board denial of the accommodations as requested is not a sufficient or appropriate response as OSPI's denials do not to enable me to mitigate impacts based on disability that have and continue to inhibit my ability to timely and efficiently access and inspect public records of personal and public import. As a result, I have been and continue to be denied the benefits of relevant programs and activities even though requests were reasonable and would seem to decrease "undue burdens" rather than contribute more to such burdens.

I also believe that nothing prevents OSPI from specifically and substantively informing me of the reason(s) OSPI is able or unwilling to grant each request, and in fact has a responsibility to work together through the interactive process under the ADA to explore alternative effective accommodations. I am hereby requesting that OSPI communicate the reason(s) it denied each accommodation request listed below to discern next steps and prevent further delay by the end of the day on 11/17/25. For example, for each accommodation request, please explain how and why the agency appears to believe that granting same would represent an undue burden, or if/how the agency concluded some or all ADA

requests were unreasonable. This information will assist us in exploring what other options beyond denials could be explored specific to these circumstances.

- Extra time (**double, ie. 60 days**) to complete required tasks and permission to submit consolidated payments to cover multiple invoices with one check while check is the only form of payment: **DENIED**
- **Flexible schedule for deadlines: DENIED**
- **Refrain from closing requests when informed more time is needed, refrain from falsely claiming requests were "abandoned" when in reality the requestor stated more time needed: DENIED**
- Questions/directions presented orally and visually/written format when possible (note that this accommodation was repeatedly requested prior to the email being sent without receiving any response): **DENIED**
- Alternate response options, such as permitting consolidation of multiple payments with one check and stamp over two months which enables a more efficient, streamlined, and less costly response option: **PERMITTED BUT DOES NOT BENEFIT PARTICIPANT UNLESS OTHER ACCOMMODATIONS RELATING TO RESPONSE TIMELINE AND ACCESS WERE GRANTED**
- Permitting prepayment option by check via sending a check for \$30 that OSPI can draw from to pay for later invoices that largely total less than \$1, in some cases 5-10 cents: **DENIED FOR NOW**
- Continue to process all requests, including sending new invoices if needed, that OSPI improperly closed despite prior assurance [by PRO DIRECTOR] that I could receive more time to submit consolidated payments and OSPI would not close ANY requests if it was made aware that I needed more time and would be sending check at later date: **DENIED**

For example, I learned from lab results late last Friday that the chronic health condition, which intersects with other disabilities, previously disclosed during the consideration process continues to impact me and its effects will likely continue for some time despite medical care. Does OSPI need an updated letter from my endocrinologist to approve the original request, or what other specific information is needed? This condition can make it difficult at times to get out of bed or sustain essential daily functions, along with other symptoms. I also let OSPI know that the condition was impacting me during the same time frame when OSPI chose to falsely claim requests were "abandoned" to close them, then refuse to continue to process them despite repeated requests to do so and despite the PRO Director's assurance that OSPI would not close requests as long as OSPI was aware more time was needed and a check was coming because it knew I was a "reliable requestor." Instead, OSPI's actions and denial of accommodations requested under the ADA, including asking OSPI to refrain going forward in using the term "abandoned" to claim something about me and my engagement with the agency that is misleading and inaccurate, have resulted in increasing stress, anxiety, and confusion about the process.

In one case, OSPI's response to extend timeline by 15 rather than 30 days to consolidate/send multiple invoices for largely under \$1 via one check was decided on despite OSPI's knowledge from past experiences and communications that extending the timeline by that approximate amount of time was/would not be sufficient to mitigate impacts and barriers to participation and access based on disability. With this and other denials, it further appears that the request for alternate (oral) mode of communication to clarify and support an efficient process when needed did not stop at denial for an accommodation previously granted by OSPI for SECC-related matters, but resulted in OSPI restricting the mode of communication even more in my case when other requestors and community members enjoy the right to communicate via email or phone with PRO staff.

Of particular concern related to this more restrictive action taken by OSPI in the area of communication in response to an accommodation request is the fact that OSPI's PRO employees, cc'd on this email, have at times over the past year requested to speak by phone to orally clarify and streamline their work across requests to ensure shared understanding and more efficiently perform duties. I promptly obliged and it was agreed that the single phone call was more efficient and effective than sending emails back and forth. Now it appears that PRO staff have been likewise restricted in their modes of communication with one requestor while others have not been restricted in the same way and even in situations where a quick phone call could save everyone time and energy. It is concerning that OSPI has made it more difficult for PRO to provide full assistance.

For additional context and consideration, I provided excerpts below (boldfaced for emphasis) that feel relevant to this matter.

Full text can be found here: [eCFR :: 29 CFR Part 32 -- Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance](#)

ADA Title II: State and Local Government Activities:

Title II covers all activities of State and local governments regardless of the government entity's size or receipt of Federal funding. Title II requires that State and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities (e.g. public education, employment, transportation, recreation, health care, social services, courts, voting, and town meetings).

Section 504: **"no qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under" any program or activity that either receives Federal financial assistance or is conducted by any Executive agency or the United States Postal Service...Requirements common to these regulations include reasonable accommodation for employees and participants with disabilities; **program accessibility; effective communication** with people who have hearing or vision disabilities; and accessible new construction and alterations. **Each agency is responsible for enforcing its own regulations. Reasonable Accommodations.** Covered entities must provide reasonable accommodations ... **In addition, covered entities must provide reasonable accommodations to the known physical or mental limitations of an otherwise qualified registrant, eligible registrant, or participant with a disability in order to enable the individual to enjoy the benefits and privileges equal to those of other registrants, eligible registrants, and participants without disabilities. Covered entities are not required to provide any accommodation that would impose an undue hardship on the operation of their organization. See 29 CFR 32.13.****

32.13 Reasonable accommodation:

*(a) A recipient shall make reasonable accommodation to the known physical or mental limitations of an otherwise qualified handicapped applicant, employee or participant **unless the recipient can demonstrate that the accommodation would impose an undue hardship on the operation of its program or activity.***

32.27 Accessibility.

*(a) Purpose. **A recipient shall operate each program or activity to which this part applies so that when each part is viewed in its entirety it is readily accessible to qualified handicapped individuals. This paragraph does not require a recipient to make each of its existing facilities or every part of a facility accessible to and usable by qualified handicapped***

individuals. However, if a particular aid, benefit, service, or training is available in only one location, that site must be made accessible or the aid, benefit, service, or training must be made available at an alternative accessible site or sites... Reasonable accommodations, as defined in § 32.3, are required for particular handicapped individuals in response to the specific limitations of their handicaps.

(c) Methods. A recipient may comply with the requirement of § 32.27(a) through such means as redesign of equipment, reassignment of classes or other services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternate accessible sites, alteration of existing facilities and construction of new facilities in conformance with the requirements of § 32.28, or any other method that results in making its program or activity accessible to handicapped individuals... In choosing among available methods for meeting the requirement of § 32.27(a), a recipient shall give priority to those methods that serve handicapped persons in the most integrated setting appropriate,

32.4 Discrimination prohibited: (a) General. No qualified handicapped individual shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives Federal financial assistance... (2) For purposes of this part, aid, benefits, services or training, to be equally effective, are not required to produce the identical result or level of achievement for handicapped and nonhandicapped individuals, but must afford handicapped individuals equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement, in the most integrated setting appropriate to the person's needs. (3) A recipient may not deny a qualified handicapped individual the opportunity to participate in its regular aid, benefits, services, or training, despite the existence of separate or different aid, benefits, services, or training for the handicapped which are established in accordance with this part.

Some suggestions for accommodations available in appendix and elsewhere to refer to as examples of what agencies are allowed to provide as accommodations under the ADA upon request:

- ***Decrease reliance solely on one form of communication...***
- ***Modify program and work procedures...***
- ***Modify program schedules, for example, by allowing for a flexible schedule...***

Finally, I am informing OSPI that I arranged to drive to Olympia this Wed., 11/19, to inspect records in person.

As it is quite a long distance from my home, resulting in added costs for transportations even more than the added costs of OSPI requiring requestors to pay for stamps to send checks for individual invoices that in many cases are a fraction of the cost of that stamp, I am not able to make the drive frequently. However, in this case, I believe inspecting records in person would benefit the process for efficiency and prevent further delay. I can inspect records anytime between 11 am-1 pm. Please confirm the date and time slot also work for OSPI.

As I do not believe there is any fee to inspect records in person, please also confirm that my understanding is correct or if OSPI is intending to require payment for in-person, onsite inspection of records by the end of day on Tuesday, 11/18/25.

Further, since OSPI cited the reason it could not continue to process the requests that it improperly closed because it had already sent the invoices (and presumably couldn't send the invoices again or send new invoices), I do not think there should be any such barrier to inspecting all installments that OSPI

informed me were completed for production up to this point, including installments that I have been prevented from viewing for months due to OSPI abandoning and closing them although it was aware that I needed more time, that I had been assured OSPI would not close them due to needing more time, and my accommodations history with accommodations granted in the areas of communication and response times going back years (see timeline sent below on — for additional reference). I am further requesting that OSPI confirm that I can inspect all completed installments this Wednesday with list of PRR numbers to include but not be limited to the completed installments associated with the requests OSPI improperly closed and has refused since then to continue processing those requests even after multiple requests with background information and even though it has the ability to do so without that action causing undue burden on agency or requestor--quite the opposite.

Thank you for your time and consideration. I look forward to hearing back promptly.

Sincerely,
Julie

From: Sarah Albertson <Sarah.Albertson@k12.wa.us>
Sent: Friday, November 14, 2025 4:42 PM
To: PublicRecordsRequest <OSPIPRR@k12.wa.us>
Cc: julie gunter <jgunth@hotmail.com>
Subject: RE: [External]Fw: Follow up and ADA accommodation Request

Dear Ms. Gunter,

Thank you for providing information about your disability and its impact. OSPI has reviewed the information and is granting your request for additional time to provide payment for your currently open public records requests. Please note that this accommodation does not extend to requests that were closed before your October 14, 2025, request for an accommodation. You may resubmit any of your closed requests and OSPI will process them as new requests under the Public Records Act.

Extension of Payment Deadline

OSPI is granting you an additional 15 calendar days to provide payment for your open requests. For your requests that were paused during the ADA request process, OSPI is extending the due date to 15 calendar days from the date of this letter.

Request	Amount Due	Payment Due Date	Extended Due Date
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R001094-112023	\$0.35	10/15/2025	11/29/2025
R000625-072424	\$0.50	10/24/2025	11/29/2025
R000251-032324	\$0.70	10/29/2025	11/29/2025
R000659-080224	\$0.30	10/31/2025	11/29/2025
R000968-101424	\$0.05	11/5/2025	11/29/2025
R000593-071524	\$0.20	11/7/2025	11/29/2025
R000604-071824	\$0.15	11/13/2025	11/29/2025
R000530-080125	\$0.25	11/14/2025	11/29/2025
R000545-080725	\$0.40	11/14/2025	11/29/2025
R000531-080125	\$0.20	11/16/2025	12/1/2025
R000547-080725	\$0.65	11/20/2025	12/5/2025
R000548-080725	\$4.75	11/22/2025	12/7/2025
R000623-090625	\$1.95	11/29/2025	12/14/2025

The accommodation for 15 additional calendar days for payment will also apply to any future installments of records for your open requests. If payment is not received within the extended timeline, OSPI will close the request(s) as allowed under [RCW 42.56.130](#) and [WAC 392-105-070](#).

Payment Options

OSPI is able to accept payment for public records in the form of a check or money order or in cash. Payment may be mailed or provided in person at OSPI's business office.

You may provide payment for multiple requests using one check, money order, or cash amount. However, the payment must be for the exact amount due.

As previously noted, OSPI does not have the ability to "run a tab" or provide a refund for overpayment. OSPI's current practice is to return payment amounts that do not align with the invoice total, per individual request.

Payment must be received before OSPI can release records. The records must be prepared and ready for release prior to invoicing the requestor. If full release of records is not possible, the requestor is invoiced by installment. The requestor has 30 days to submit payment for each installment, or the request will be deemed abandoned.

The OSPI Public Records Office (PRO) tracks payments for requests in the GovQA database. The PRO sends a letter to the requestor, including the invoice, and informs them that they have 30 days to submit payment. The PRO updates the timeline in GovQA and checks the spreadsheet to confirm that payment has been received. If a payment has not been received, the PRO will send an abandonment/closing letter.

Additionally, OSPI appreciates your feedback about additional payment options, and we are currently working on obtaining an electronic payment option. Unfortunately, at this time we do not know when the electronic payment option will be available.

Inspection in Person

You also have the option to inspect records in person during OSPI's normal business hours. If you would like to set up a time to inspect records, please contact the Public Records Office to set up a time.

Format of Communications

To ensure that any questions, directions, or other communication is clear and can be referenced at a later date if additional time is needed for processing, OSPI will provide all communications in writing. You are welcome to call OSPI and leave information or questions via voicemail, but any response from OSPI will be in writing.

This completes OSPI's response to your request for accommodations. Please direct any further questions about your public records requests to OSPI's Public Records Office.

Sincerely,



Sarah Albertson *she/her*

Managing Attorney, Equity and Civil Rights

Office of Superintendent of Public Instruction (OSPI)

p: [360-725-6162](tel:360-725-6162) | **c:** [360-764-3408](tel:360-764-3408)



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From: julie gunter <jgunth@hotmail.com>

Sent: Friday, November 14, 2025 12:22 PM

To: Sarah Albertson <Sarah.Albertson@k12.wa.us>

Cc: Chris Reykdal <Chris.Reykdal@k12.wa.us>; equity <equity@k12.wa.us>; 'Pollet, Rep. Gerry' <gerry.pollet@leg.wa.gov>

Subject: Re: [External]Fw: Follow up and ADA accommodation Request

Hello,

While I appreciate the update sent Monday, it is now the end of another week. I want to be clear for the record that I do not agree that the extended delay in OSPI considering and deciding if it will grant requested ADA accommodations that were received one month ago is reasonable or “soon.”

As OSPI is aware, the delay in responding to the requests has further inhibited my ability to be timely and efficiently informed about agency actions/communications relevant to our disabled child, our family, similarly situated children and families, district staff, and other stakeholders statewide. I simply can't understand why it appears that OSPI has indefinitely delayed acknowledgment and response to these repeated accommodation

requests when similar requests relating to OSPI's SECC and OCR processes as excerpted in the timeline below were reviewed and granted within days.

I sincerely hope to hear back no later than end of today with a substantive answer to the accommodations requests and clarification if requests to also provide information in oral format, which has not been acknowledged, was denied.

Thank you,

Julie

From: Sarah Albertson <Sarah.Albertson@k12.wa.us>
Sent: Monday, November 10, 2025 4:43 PM
To: julie gunter <jgunth@hotmail.com>
Cc: Chris Reykdal <Chris.Reykdal@k12.wa.us>
Subject: RE: [External]Fw: Follow up and ADA accommodation Request

Dear Julie,

I apologize for the delay in responding to your email. OSPI is considering your request, and I anticipate we will respond soon.

Sincerely,



Sarah Albertson *she/her*

Managing Attorney, Equity and Civil Rights

Office of Superintendent of Public Instruction (OSPI)

p: [360-725-6162](tel:360-725-6162) | **c:** [360-764-3408](tel:360-764-3408)



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From: julie gunter <jgunth@hotmail.com>
Sent: Monday, November 10, 2025 12:46 PM
To: Sarah Albertson <Sarah.Albertson@k12.wa.us>
Cc: Chris Reykdal <Chris.Reykdal@k12.wa.us>
Subject: Re: [External]Fw: Follow up and ADA accommodation Request

Hello,

I am following up. Can you let me know when I can expect to head back about this important matter? As it stands, my request for accommodations remains in limbo even though previously OSPI granted accommodation requests promptly.

The delay is further delaying the ability to inspect records of public import that are relevant to children with disabilities and their parents, even installments I tried to pay for weeks ago in full with one check that OSPI later sent back to me.

If more information or clarification is needed, I asked to provide such information orally for consideration and still have not received a response to that request either.

On a separate note, I plan to provide input to the AGO as requested relating to amendment proposals for the model rules as I believe the current practice of requiring requestors to submit individual payments by check only within 30 days disproportionately impacts people with disabilities in certain contexts through erection of barriers that prevent efficient access and full assistance. It doesn't have to be this way.

Thanks,

Julie

From: julie gunter <jgunth@hotmail.com>
Sent: Monday, November 3, 2025 11:43 PM
To: Sarah Albertson <Sarah.Albertson@k12.wa.us>
Subject: Re: [External]Fw: Follow up and ADA accommodation Request

Hello,

To clarify again as requested, I have and continue to ask for accommodations under the ADA associated with aspects of communications and required responses (timelines, format of delivery, alternate response options) to help me mitigate impacts of disabilities on these functions. Relevant to this matter, I remind OSPI again that it has institutional historic

knowledge of prior accommodations based on disability-related needs that OSPI granted similar relating to the area of communication over the past years whether accommodations were facilitated by individual offices through normal operations (Dispute Resolution, Equity and Civil Rights) or granted as ADA accommodations to help me organize, access, process, and fully respond to information and communication and enable me to mitigate impacts of disabilities on essential functions.

As a person with chronic medical conditions and disabilities including hypothyroidism (which is a lifelong condition and has been impacting me for at least the past four months due to still unresolved abnormally high thyroid levels), anxiety, and PTSD, I need the accommodations listed below to help me mitigate and navigate barriers and difficulties in the area of communication and needing more time and alternate format and response options to access, process, and provide required materials to OSPI about various subject matters including but not limited to the content of public record requests, productions related to same, and correspondence and requirements associated with the productions, content, and agencies associated with that content (such as agencies that have caused past and current trauma experienced by both our disabled child and me as her parent as a result of efforts to advocate for her needs based on disability and other children with disabilities and their parents). Anxiety, PTSD, hypothyroidism, and additional health conditions that I am currently impacted by pertaining to the current matter and am receiving medical treatment to treat cause executive functioning difficulties, brain fog, extreme fatigue, and anxiety. In addition, I am being treated for other long-term health issues-, resulting in need for more time and flexibility with deadlines to fully engage with and respond to tasks especially in situations where correspondence is with agencies or individuals

connected to past or current trauma, such as is the case with Seattle Public Schools and its overseeing agency. As a primary caregiver to a child with six disabilities who needs robust academic and emotional support at home and on a private basis, requests for more time to respond to and complete tasks, flexible deadlines, and format accommodations under the ADA are further amplified by my child's needs based on disability.

- Extra time (double, ie. 60 days) to complete required tasks and permission to submit consolidated payments to cover multiple invoices with one check while check is the only form of payment (paying in-person is not accessible presently due to the distance between that location and our home as well as childcare duties I have currently transporting our child with disabilities to school and assisting her outside school).
- Flexible schedule for deadlines, refrain from closing requests when informed more time is needed and falsely claiming requests were "abandoned" when in reality the requestor stated more time needed
- Questions/directions presented orally and visually/written format when possible (note that this accommodation was repeatedly requested prior to the email being sent without receiving any response)
- Alternate response options, such as permitting consolidation of multiple payments with one check and stamp over two months which enables a more efficient, streamlined, and less costly response option
- Permitting prepayment option by check via sending a check for \$30 that OSPI can draw from to pay for later invoices that largely total less than \$1, in some cases 5-10 cents
- Continue to process all requests, including sending new invoices if needed, that OSPI improperly closed despite prior assurance that I could receive more time to submit consolidated payments and OSPI would not close requests due to needing more time, and stop making false claims that requests were "abandoned" in cases where OSPI was informed that more time was need to submit payment via required check.

OSPI has said it will review the request for the following accommodations on a case-by-case basis. With that, I am asking that OSPI also review the number and frequency of invoices largely under \$1 it sent that were consequently improperly closed or remain pending, and review communications about how OSPI's PRO Director initially assured me that OSPI would be flexible with invoice deadlines and would not close requests if I needed more time to consolidate and submit payment, only to later retract that assurance and take the subsequent actions that it had earlier assured me would not happen (OSPI knew that I did not ask for and did not expect requests to be held open "indefinitely," and to suggest such an arrangement would be false and misleading). Being assured by the OSPI PRO Director that requests would not be closed as a result of the new payment system, and I could have more time, such as a few months, if needed to consolidate invoices--and then to later hear that OSPI changed that position with the suggestion that I expected OSPI to leave requests open "indefinitely" (which was false) to close the requests using a term for the rationale that was also false and misleading (ie., that I "abandoned requests when I told OSPI I needed more time but would be paying), then refusing the consolidated payment when it came and sending it back, has been deeply distressing, confusing, and has increased anxiety, stress, and other barriers to communication, shared understanding, and processing/responding to correspondence due to disabilities previously shared. The consequence of OSPI's actions have resulted in unresolved lack of ability to timely and efficiently inspect public records relevant to our disabled child and family and other disabled children and their parents statewide, as well as relevant to school staff, legislators, journalists, disability advocates, and local, state, and national NPA stakeholders.

For accuracy, please also review the timeline below that summarizes past and still relevant requests for accommodations requested, considered, and granted by OSPI to date including but not limited to an extended timeline, flexibility with due dates, and alternate response options. As you can see, requests for and the granting of need-based accommodations to mitigate impacts from disabilities on essential life functions including communication and advocacy based on disability are well-established and extensive. It is inaccurate to suggest that requests/accommodations received were limited to the October 2024 timeframe only or limited to one special education community complaint only or the SECC process generally. Instead, specific accommodations involve varied modes of communication to include needing more time to review and produce materials and responses with flexible timelines for both. The historical record shows that OSPI granted office-based accommodations and accommodations under the ADA to help me mitigate impacts based on disability for varying lengths of time upon request and as needed (that is, until the PRO refused to extend timelines after I repeatedly informed OSPI that I needed more time and instead falsely claimed requests were "abandoned," a false and misleading term that serves to retraumatize because it is a statement that appears to blame the requestor for an action by the agency that was taken despite known facts and expressed need for more time. For example, executive functioning struggles can/have resulted in missing deadlines due to number of individual invoices being sent, not having consistent access to checks, stamps, and envelopes to send individual payments many times each week at scattered times without knowing when future invoices will arrive (since OSPI, unlike requestors, gives itself the right to extend ETAs for months or even years), and believing initial assurances by OSPI in good faith that were later confused and retracted through mixed messaging, penalties, and inaccurate suggestions that falsely claimed requests that OSPI was aware I needed more time to submit consolidated payment for and OSPI had been informed that payment would be sent were "abandoned."

Finally, thank you for clarifying that medical letters are not required as part of the review and consideration process. However, I did attach some for review to further document need. The third attachment references health impacts from hypothyroidism commonly experienced when levels are not in normal range in respect to my child, but the same symptoms have been impacting me for at least the last four months since labwork confirmed my levels are abnormal. It can take weeks or longer for adjusted medication to bring levels back to normal and ease symptoms which can be quite debilitating, and even when hypothyroidism is resolved other chronic health conditions that are more long-term will continue to present additional challenges to be managed and navigated in addition to disability-based impacts. I can share proof of hypothyroidism dated this summer/fall if needed.

One final clarification: I have shared that need for accommodations and impacts from same based on disability is not limited to one context or function but is well-established in the area of communication and timing and production demands associated with same and not limited to one task or division such as needing more time for SECC deadlines only. It is inaccurate therefore to suggest per the below email that the most recent accommodation request was/is limited to only "*seeking accommodation of the payment timeline*" and "*providing payment for invoices within stated timelines.*" More than this, requests have involved and still involve communication modes and alternate response and format options, needing more time to process and send communications, and need for flexible deadlines to help mitigate barriers to engagement and access that can disproportionately impact people with disabilities such as those with mobility, communication, executive functioning, memory deficits, and those suffering from chronic illness or mental health struggles. Finally, I urge OSPI to consider the spirit and mandate of the Public Records Act, which requires and urges agencies to provide all requestors including those facing additional challenges based on disability on a case-by-case basis with full

rather than partial or withheld assistance. Here, this could mean simply providing sufficient time to respond with questions and payment (six weeks was not sufficient as OSPI was aware when I let the PRO know more time was needed), clarifying orally upon request, permitting consolidation of invoices with single payments, and establishing online or other payment option to decrease barriers and streamline logistical backlogs. Far from posing a burden to the agency, such accommodations would appear to incur only added benefit to recipient and agencies by easing logistical and procedural hurdles and red tape that have arisen due to the recent practice of requiring frequent individual payments by check only of invoices largely under \$1 entail rather than less frequent consolidated payments or choosing to only send invoices over \$1 (as other agencies do, of those that charge for copies).

Timeline and Summary of Past Accommodation Requests and Responses with OSPI:

10/19/2023: *"I am reaching out to request ADA accommodations in respect to a pending OSPI community complaint..."*

10/19/23: *"Your email has been shared with me because I coordinate ADA requests for OSPI. Alyssa Fairbanks...has let me know that your requests can be met through her office's existing process, so your need for an ADA accommodation has been resolved. However, please feel welcome to contact me if you have any additional request for an ADA accommodation, and I can assist with the coordination."*

"...if a formal accommodation request is needed under the ADA, please let me know and I can provide that."

6/24/24: *"I am reaching out to make a formal request with OSPI for accommodations based on disability under the ADA...I cut and pasted the [6/20/24] email to OSPI last week with the specific ADA accommodations I am requesting from your office....These accommodations have been recommended to help address impacts by disabilities on life functions including communication."*

Extra time to complete tasks

Flexible schedule

Modified break schedule

Questions/directions presented orally and visually/written format if possible

Alternate response options

Audio recording or captions when available"

8/8/24: Reference to illness and documentation of accommodation to provide oral as well as written communication with zoom meeting: *"I am also experiencing continued health impacts from the illness previously shared..."*

9/23/24:

10/25/24: *"OSPI has approved your ADA accommodation request for a response timeline extension..." "I will connect with the investigator about these questions to see what additional clarification OSPI may provide you."*

2/12/25: *"This is a follow up to the voicemail left today...I am asking this as an accommodation under the ADA that OSPI has granted in the past to help mitigate impact from my disabilities on the process. In addition, I have been ill over the past week as have one of my children..."*

2/13/25: Request for extended response time granted. Equity and Civil Rights Office: *"Please feel welcome to also request any specific ADA accommodations you may need."*

9/4/25: Requestor to PRO office: *"As discussed, I was compiling invoices received to pay in one check, and OSPI let me know that was fine and to disregard the posted "deadlines" for each. Since the last check payment didn't actually process on OSPI's end for approx. 2 weeks after the check was put in the mail, I am asking for the OSPI in good faith to not close the requests by 9/14/25, as I was told that I could compile the payments earlier and because the last time I sent the check it took OSPI so long to acknowledge receipt and process it..."*

9/4/25: PRO office to requestor: *"I apologize if there was any miscommunication. **Our intent was to allow flexibility in processing payments, not to allow requests to be held open indefinitely. If you inform us of your intent to remit payment by placing a check in the mail, as you did on 8/22/2025, we will allow for flexibility if the date of 9/14/2025 does not work..."***

10/7/25: Requestor asked for phone call to discuss PRR matters, request denied then and now as OSPI has not responded to the request or permitted scheduling oral discussion to clarify questions.

10/14/25: *"Second, I am asking for an accommodation under the ADA based on disability...to mitigate impacts from same that are impacting my ability to communicate, be informed, and advocate for my disabled child and other children with disabilities and families in the state. I left voicemails with the general inbox and OCR office yesterday...Can you please let me know when I can expect a call back to communicate the accommodation request for it to be considered?"*

10/15/25: *Can someone please let me know when I can schedule a phone call to communicate my request and need for an accommodation under the ADA for flexibility to extend the 30-day timeline for payment by check and permit me to consolidate payment of invoices largely under \$1 each?"*

10/15/25: Equity and Civil Rights Office: *"Yesterday I sent you the following ADA information, which included ways you might file a complaint regarding the ADA....Please be aware that Sarah is out of the office until Monday, October 30, 2026. Based on your recent communications, at this time I have no additional information to provide regarding ADA accommodations."*

10/15/25: Equity and Civil Rights Office: *"I would (continue to?) work with the Public Records Office on your request for accommodation(s)...If this does not work to your satisfaction, you may reach out to Sarah Albertson regarding your request. You also have the right to file a complaint. I have provided you with information on options to do so,"*

10/17/25: *"I wanted you to know that a check is in the email for invoices sent to date...Not only have I continued to need more time to consolidate payments to send at one time with one check and postage stamp...but I asked more recently for extended time...for medical reasons under the ADA."*

10/17/25 Second consolidated check sent with total payment for all invoices not yet paid to date after having requested and informed OSPI of need for extended time to do so which the PRO Director had initially approved with assurance that OSPI wouldn't close requests if more time was needed to provide consolidated payment for multiple invoices past 30 days

1-21/25: Your request to extend payment due dates does not appear to be a request for an ADA accommodation but appears to be a request for an exception...If we are misunderstanding your request, please provide additional specific information..."

10/21/25: *"It appears per auto notice that Ms. Anderson continues to be out of the office to assist. Is there another employee filling in for her that could help facilitate the process in request to the request under the ADA and request to orally communicate additional information relating to need for same?"*

When I previously requested similar accommodations from OSPI in the past, the request was granted in a more timely manner so I'm also confused why it feels like added barriers to communication and consideration have been put up this time around..."

10/21/25: *"I am also asking for an extension for health reasons to provide additional information..."*

10/23/25: *"Can you please inform me on best practice for the amount of time it typically takes for an agency to respond after the agency receives a formal ADA accommodation request and requestor further asked to communication additional relevant information orally...?"*

10/24/25: Formal request for ADA Accommodations sent to OSPI Equity office with 10/20/25 list of accommodations

10/27/25: *"OSPI's public record office has shared your correspondence requesting an accommodation under the ADA with me in my role as OSPI's ADA coordinator...As I understand it, you have now provided a payment check ,which OSPI received on October 22, 2025. If you are no longer seeking an accommodation, please let me know."*

10/29/25: *"I also want to confirm that the PRO will not be closing any requests noted in the portal...following my requests for extended time to send OSPI consolidated payments as an accommodation..."*

10/29/25: Excerpted response to email containing repeated accommodations request: *"Your questions relating to your public records request will be answered by the Public Records Office."* Clarifying questions emailed back pertaining to content of PRO response have not yet been responded to in writing or orally.

Sincerely,

Julie

From: Sarah Albertson <Sarah.Albertson@k12.wa.us>
Sent: Wednesday, October 29, 2025 3:49 PM
To: julie gunter <jgunth@hotmail.com>
Cc: PublicRecordsRequest <OSPIPRR@k12.wa.us>
Subject: RE: [External]Fw: Follow up and ADA accommodation Request

Dear Julie,

We have reviewed records related to your past accommodation requests. Our records show that, in October 2024, you were granted an ADA accommodation related to the special education community complaint (SECC) process. The SECC process typically allows parent complainants 10 calendar days to reply to a school district's response to allegations of special education law violations, unless parents are granted an extension by OSPI. OSPI initially granted you an extension of 3 additional days, but you requested a further extension of the timeline as an ADA accommodation. OSPI then reviewed your ADA request and granted you an additional 11 calendar days, allowing a total of 24 calendar days to submit your reply. In granting your request, OSPI considered the information you had previously provided to the Special Education Division about the impact of your disability and that the SECC process required you to review the school district's response, as well as numerous documents, and to organize and prepare a reply.

In this case with the public records requests, the timeline to pay a public records invoice is 30 calendar days. It is unclear to us how your disability impacts your ability to pay an invoice within that time frame. If you are continuing to seek accommodation of the payment timeline, please explain in detail how you currently have an ADA disability and specifically how the disability necessitates a reasonable accommodation to providing payment for invoices within stated timelines. OSPI is not requiring that you provide medical letters.

In regard to your question about the portal, the portal allows you to upload information to a secure link and not to provide information in or attached to an email.

Your questions relating to your public records request will be answered by the Public Records Office.

Sincerely,



Sarah Albertson *she/her*

Managing Attorney, Equity and Civil Rights

Office of Superintendent of Public Instruction (OSPI)

p: [360-725-6162](tel:360-725-6162) | **c:** [360-764-3408](tel:360-764-3408)



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From: julie gunter <jgunth@hotmail.com>
Sent: Tuesday, October 28, 2025 10:53 AM
To: Sarah Albertson <Sarah.Albertson@k12.wa.us>
Cc: PublicRecordsRequest <OSPIPRR@k12.wa.us>
Subject: Re: [External]Fw: Follow up and ADA accommodation Request

Hello,

Thanks for letting me know you will be assisting now that you are back in office.

I do have some clarifying questions to help move forward and to ensure shared understanding about the process. I am asking to receive substantive answers to all boldfaced questions by tomorrow due to the time-sensitive nature of this matter.

1) Can you please clarify what correspondence you are referring to in email below dated 10/27? I'm asking because based on the email sent yesterday it appears there's a misconception that I only asked for an accommodation for extra time when that was not the case upon review of same and requests sent via email going back weeks. **You were also cc'd on some of the prior correspondence, were those emails reviewed? If so, can you please clarify what OSPI's current understanding is in respect to specific accommodations that were requested and OSPI will be reviewing and considering?**

- 2) **Related to above, is OSPI denying my earlier request as an ADA accommodation to provide certain information about my disabilities to OSPI orally, something that OSPI has permitted in past to help me impact impacts from disabilities? If not, why does the 10/27 email below appear to limit my ability to communicate information to written mode only (with use of portal) and no oral communication option?**
- 3) **How does the offered portal provide additional confidentiality and access protections that regular email delivery does not?**
- 4) **Can you clarify if the OSPI will not be reviewing past confirmation of need based on disabilities even though such needs and impacts have not disappeared and relate to the current matter as well as past matters? Are established historical needs and the fact that OSPI granted accommodations in the past based on disabilities that are not in the "past" but continue to impact certain contexts and functions not factored into the review and consideration process on a "case-by-case" basis if still relevant?**
- 5) **Please explain the level of specificity required as referenced below. For example, is OSPI needing proof of diagnoses and letters from health care providers?** I am asking this because, per review of internal emails through public record requests that show OSPI legal counsel has advised employees to not ask for or require citizens to disclose and send sensitive health care information as prerequisite for being considered for ADA accommodations as requested. **Has OSPI's policy changed so that diagnoses and medical letters are now required, or are these only required for some people (like me) and not for others on a "case-by-case" basis?**
- 6) **No one to my knowledge with the PRO let me know that a check was received on 10/22 even after I reached out with multiple status update requests. Why did the PRO not communicate that a check was received and processed? Further, did OSPI cash the second check consolidating total for all requests up to that time in full to provide me with access to them (not including prior requests paid for with an earlier check that I received extended time to send after communications that I needed more time) and continue to process all requests that it inaccurately claimed were "abandoned" despite assurance by OSPI's PRO Director that OSPI would be flexible with deadlines and would not close them if more time was needed to consolidate and pay by check without any online payment option available.**
- 7) **As it appears that OSPI needs until after Nov 3 to review the earlier requests for ADA accommodations, will the PRO office be halting its practice of falsely claiming requests were "abandoned" and closing them even though I communicated that I needed more time until OSPI has fully considered information and responded to the pending request for accommodations under the ADA sent a number of weeks ago?**

Sincerely,

Julie

From: Sarah Albertson <Sarah.Albertson@k12.wa.us>
Sent: Monday, October 27, 2025 1:07 PM
To: julie gunter <jgunth@hotmail.com>
Cc: PublicRecordsRequest <OSPIPRR@k12.wa.us>
Subject: RE: [External]Fw: Follow up and ADA accommodation Request

Dear Julie Gunter,

OSPI's Public Records Office has shared your correspondence requesting an accommodation under the Americans with Disabilities Act (ADA) with me in my role as OSPI's ADA coordinator.

OSPI will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. The ADA does not require OSPI to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

As I have shared with you in previous correspondence, OSPI considers modifications to its policies and programs on a case-by-case basis, so requests need to be specific and relevant to the individual's immediate engagement with the agency.

Your correspondence with the Public Records Office does not provide information about your disability or how it impacts your ability to pay public records request invoices within stated timelines (~30-days). In order for OSPI to assess whether a reasonable accommodation to public records payment deadlines will be permitted, OSPI will need you to explain in detail how you currently have an ADA disability, and specifically how the disability necessitates a reasonable accommodation to providing payment for invoices within stated timelines. Please provide this information by November 3, 2025, so we can expedite the review process. If you are concerned about privacy, OSPI can send you a secure upload link to provide information.

As I understand it, you have now provided a payment check, which OSPI received on October 22, 2025. If you are no longer seeking an accommodation, please let me know.

Sincerely,



Sarah Albertson *she/her*

Managing Attorney, Equity and Civil Rights

Office of Superintendent of Public Instruction (OSPI)

p: [360-725-6162](tel:360-725-6162) | **c:** [360-764-3408](tel:360-764-3408)



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From: julie gunter <jgunth@hotmail.com>

Sent: Monday, October 27, 2025 9:11 AM

To: Kristin Hennessey <Kristin.Hennessey@k12.wa.us>

Cc: Roslyn Covais <roslyn.covais@k12.wa.us>; Scott Conger <scott.conger@k12.wa.us>; Sarah Albertson <Sarah.Albertson@k12.wa.us>

Subject: Re: [External]Fw: Follow up and ADA accommodation Request

Hello,

To clarify for the record, the questions and requests that you were cc'd on including the referenced email below pertain to still-unacknowledged accommodation requests under the ADA based on disability. It would be inaccurate to refer to recent correspondence with OSPI and your office as simply "questions regarding your public documents" or other PRA matters, when these clearly were and are ADA requests and a matter of civil rights. As such, I reached out to your office for guidance:next steps after requests went unanswered.

Could OSPI please clarify the directive below for shared understanding since you let me know earlier to continue attempting to work with the PRO to communicate the ADA request but reach out to Ms.

Anderson if that effort was not successful? I ultimately did reach out to Ms. Anderson and received two auto notices that she was out of the office.

1) Why am I now being directed to communicate only with the PRO about communications that the PRO has not yet substantively acknowledged or replied to specific to the prior ADA/requests for accommodations including the ability to communicate some additional information orally?

2) Are you letting me know that the PRO will be reaching out today to assist with reviewing/processing the request after weeks-long delay and despite continuing to send me communications that per language in letters are functionally denying new ADA requests that are not unlike some that OSPI previously granted based on disability and need?

3) Will Ms. Anderson be responding once she is in the office? How will communicating with Ms Anderson assist? Will Ms Anderson or the PRO clarify the above questions?

Thank you,

Julie

From: Kristin Hennessey <Kristin.Hennessey@k12.wa.us>
Sent: Monday, October 27, 2025 8:12 AM
To: julie gunter <jgunth@hotmail.com>
Cc: Roslyn Covais <roslyn.covais@k12.wa.us>; Scott Conger <scott.conger@k12.wa.us>
Subject: RE: [External]Fw: Follow up and ADA accommodation Request

Julie,

Please direct any questions regarding your public documents request to Roslyn Covais, copied on this email. There is no need to copy me on such emails moving forward.

Best regards,

Kristin

**Kristin Hennessey, MPA** ([she/her](#))

Equity and Civil Rights Office

Office of Superintendent of Public Instruction (OSPI)

p: [360-725-6162](tel:360-725-6162)*All students prepared for postsecondary pathways, careers, and civic engagement.***Legal disclaimer**

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From: julie gunter <jgunth@hotmail.com>**Sent:** Thursday, October 23, 2025 11:29 AM**To:** Kristin Hennessey <Kristin.Hennessey@k12.wa.us>**Cc:** Roslyn Covais <roslyn.covais@k12.wa.us>; Scott Conger <scott.conger@k12.wa.us>**Subject:** Re: [External]Fw: Follow up and ADA accommodation Request

Good morning,

Can you please inform me on best practice for the amount of time it typically takes for an agency to respond after the agency receives a formal ADA accommodation request and requestor further asked to communicate additional relevant information orally as the request involves health matters and needs based on disability that raise privacy concerns if required to send via email? For example, is it best practice to respond within 2 days or a week?

Clarifying what a member of the public who has asked for accommodations under the ADA should expect in respect to the timeline to hear back to communicate all information needed for full consideration would be helpful so I know when it would be appropriate to file a complaint should I continue to not receive a direct answer to my request or any opportunity to share additional relevant information orally to support communication process and ensure understanding.

As previously shared, similar accommodation requests were responded to and granted promptly in the past and I was also able to communicate information about the request orally, so I'm confused why there continues to be a delay with almost another week having gone by without hearing back to acknowledge the request and connect to have the request fully considered (the PRO's suggestion that my ADA accommodation request was not a request when it clearly was cannot be considered a response but is the opposite).

At the same time as I wait for a response to my request even after communicating again that I in fact did ask and continue to ask for accommodations under the ADA based on disability, other types of communications by OSPI's PRO have been sent such as its under \$1 invoices with 30-day deadline for payment by check only. I am very concerned that barriers put in place to prevent full and timely review and consideration of my ADA accommodation request, which I am facing despite request for accommodations having been previously granted based on disability, will cause further harm. I hope that is not the intention, and I also hope that this matter can be resolved directly rather than needing to file a complaint as the next step.

Finally, as the employee you advised me to reach out to appears to be out of the office all week, can you please let me know if there anyone else who can assist?

Thank you for letting me know when you can.

Sincerely,

Julie

From: julie gunter <jgunth@hotmail.com>

Sent: Tuesday, October 21, 2025 2:28 PM

To: Kristin Hennessey <kristin.hennessey@k12.wa.us>

Subject: Re: [External]Fw: Follow up and ADA accommodation Request

Hello,

It appears per auto notice that Ms. Anderson continues to be out of the office to assist. Is there another employee filling in for her that could help facilitate the process in respect to the request under the ADA and request to orally communicate additional information relating to need for same? Or will I need to wait until she returns next week? This is concerning as nature of request is time-sensitive.

When I previously requested similar accommodations from OSPI in the past, the request was granted in a more timely manner so I'm also confused why it feels like there added barriers to communication and consideration have been put up this time around. I am hoping to resolve this directly so there isn't the need to file a complaint, so would appreciate any guidance you could provide if I continue to not receive specific responses to specific questions and requests.

Thanks!

Julie

From: Kristin Hennessey <Kristin.Hennessey@k12.wa.us>

Sent: Wednesday, October 15, 2025 10:25 AM

To: julie gunter <jgunth@hotmail.com>

Subject: RE: [External]Fw: Follow up and ADA accommodation Request

Hello,

I would (continue to?) work with the Public Records Office on your request for accommodation(s). If you have not been explicit with your request, please clearly indicate what accommodation you are requesting of them. If this does not work to your satisfaction, you may reach out to Sarah Albertson regarding your request. You also have the right to file a complaint. I have provided you with information on options to do so.

Kristin



Kristin Hennessey, MPA ([she/her](#))

Equity and Civil Rights Office

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From: julie gunter <jgunth@hotmail.com>
Sent: Wednesday, October 15, 2025 10:15 AM
To: Kristin Hennessey <Kristin.Hennessey@k12.wa.us>
Cc: equity <equity@k12.wa.us>
Subject: Re: [External]Fw: Follow up and ADA accommodation Request

Hello,

I think there's been a misunderstanding. I am making an accommodation request and I am not aware of who I make it to for the request to be considered. Are you saying a decision was made for the new request even before I was able to fully communicate that request?

I also let me know I did not see the calls come through yesterday. If I'd know the time you would call I could have planned for that. Can we please clarify by phone so I can understand next steps as I was

not reaching out to file a complaint but asking to communicate information relating to a new accommodation request relating to a new matter. I certainly hope that OSPI is permitting requests to be delivered and considered equitably in an accessible format.

Thank you,

Julie

[206-390-3095](tel:206-390-3095)

From: Kristin Hennessey <Kristin.Hennessey@k12.wa.us>
Sent: Wednesday, October 15, 2025 9:42 AM
To: julie gunter <jgunth@hotmail.com>
Cc: equity <equity@k12.wa.us>
Subject: RE: [External]Fw: Follow up and ADA accommodation Request

Julie Gunter,

Yesterday I sent you the following ADA information, which included ways you might file a complaint regarding the ADA.

From: Kristin Hennessey
Sent: Tuesday, October 14, 2025 2:22 PM
To: julie gunter <jgunth@hotmail.com>
Cc: equity <equity@k12.wa.us>
Subject: You call to OSPI

Julie,

*I understand you reached out to our office to inquire about accommodations under the ADA. I have tried calling you twice today, but I have been unable to leave vms as **your mailbox is full**.*

Here is information on the ADA:

[ADA Title II State and Local Governments](#)

Non-religious private schools are required to follow the Americans with Disabilities Act (ADA). (The ADA does not apply to religious organizations or entities controlled by religious organizations.) Under Title III of the ADA, private schools are required to provide auxiliary aids and services to ensure that students with disabilities are not excluded, denied services, segregated or treated differently than other students. Accommodations are required unless they fundamentally alter the nature of the program or result in undue hardship, significant difficulty or expense.

[What is considered an "undue hardship" for a reasonable accommodation? \(ADA National Network\)](#)

An employer is not required to make an accommodation if it would impose an "undue hardship" on the operation of the employer's business. "Undue hardship" is defined as an "action requiring significant difficulty or expense" when considered in light of a number of factors. These factors include the nature and cost of the accommodation in relation to the size, resources, nature, and structure of the employer's operation.

Undue hardship is determined on a case-by-case basis. Where the facility making the accommodation is part of a larger entity, the structure and overall resources of the larger organization would be considered, as well as the financial and administrative relationship of the facility to the larger organization. In general, a larger employer with greater resources would be expected to make accommodations requiring greater effort or expense than would be required of a smaller employer with fewer resources.

If a particular accommodation would be an undue hardship, the employer must try to identify another accommodation that will not pose such a hardship. Also, if the cost of an accommodation would impose an undue hardship on the employer, the individual with a disability should be given the option of paying that portion of the cost which would constitute an undue hardship or providing the accommodation.

Complaints alleging ADA violations

- [Washington State Human Rights Commission \(Disability in Public Accommodation\)](#)
 - [File a discrimination complaint WA State Human Rights Commission](#)
- File discrimination complaint with your school district: [OSPI Info-Sheet: How to file a Discrimination Complaint](#)
- [File discrimination complaint with U.S. Department of Justice, Civil Rights Division](#)

I hope you find this information helpful.

Best regards,

Kristin

I sent the information above, minus the following, as I believe you are already aware that Sarah Albertson is our agency's ADA Coordinator. However, I will add it here as a reminder:

Questions and complaints of alleged discrimination should be directed to:

Office of Equity and Civil Rights
P.O. Box 47200
Olympia, WA 98504-7200
[360-725-6162](tel:360-725-6162)
[Telecommunication Relay Services: 711](tel:711) or [1-800-833-6384](tel:1-800-833-6384)
Email: equity@k12.wa.us

Please be aware that Sarah is out of the office until Monday, October 20, 2026.

Based on your recent communications, at this time I have no additional information to provide regarding ADA accommodations.

Best regards,

Kristin



Kristin Hennessey, MPA ([she/her](#))

Equity and Civil Rights Office

Office of Superintendent of Public Instruction (OSPI)

p: [360-725-6162](tel:360-725-6162)



All students prepared for postsecondary pathways, careers, and civic engagement.

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From: julie gunter <jgunth@hotmail.com>
Sent: Tuesday, October 14, 2025 4:22 PM
To: Kristin Hennessey <Kristin.Hennessey@k12.wa.us>
Subject: [External]Fw: Follow up and ADA accommodation Request

Hello,

Sharing below for additional context when we connect by phone. Can we schedule a time tomorrow to connect as requested between 10-2 pm or Thursday between 9-10 am?

Thank you,

Julie

From: julie gunter <jgunth@hotmail.com>
Sent: Tuesday, October 14, 2025 12:39 PM
To: scott.conger@k12.wa.us <scott.conger@k12.wa.us>
Cc: Roslyn Covais <roslyn.covais@k12.wa.us>
Subject: Follow up and ADA accommodation Request

Good morning,

Can the PRO office please update me on when I can expect to receive a response to my request for a fee exemption for all requests that contain information relevant to and significant to the public and especially children with disabilities and parents across the state. I included a link to a Seattle Times article that was recently published as one example of how certain requests relating to OSPI and children with disabilities and their parents hold public significance and value.

[Disability advocates concerned about destruction of WA state records | The Seattle Times](#)

[WA lawmaker plans legislation to require OSPI to retain complaint records | Washington | thecentersquare.com](#)

Second, I am asking for an accommodation under the ADA based on disability. This type of request was previously granted by OSPI and I am asking for the accommodation yet again to mitigate impacts from same that are impacting by ability to communicate, be informed, and advocate for my disabled child and other children with disabilities and families in the state. I left voicemails with the general inbox and OCR office yesterday, however I remain clear who within OSPI I should be addressing the request to and when I can expect to hear back since the request is time sensitive. Can you please let me know when I can expect a call back to communicate the accommodation request for it to be considered?

Thanks,

Julie

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