



EL CAMINO REAL CHARTER HIGH SCHOOL

A California Distinguished School

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Executive Director

Sender's email:
d.chang@ecrchs.net

September 24, 2019

VIA E-MAIL (changethelausd@gmail.com)

Carl Petersen

Re: Public Records Act Request Dated July 25, 2019

Dear Mr. Petersen:

This correspondence is in response to your Public Records Act request sent via email on September 24, 2019. Assuming that your request pertains to the contract for an outside investigator (as reflected in the minutes of the June 22, 2016 Board meeting), in accordance with Government Code § 6253(c), El Camino Real Charter High School ("ECRCHS") has determined that your request seeks records that are privileged and protected, and thus not subject to disclosure.

Specifically, we note that your request seeks "The contract approved by the Governing Board on June 22, 2016." However, as ECRCHS has previously advised you (see the written response dated July 31, 2019 to your Public Records Act request of July 25, 2019), the outside investigator, Oracle Investigations Group ("Oracle"), was retained by ECRCHS's outside legal counsel, Young, Minney & Corr, LLP ("YM&C"), as part of its representation of ECRCHS. ECRCHS authorized its outside counsel to retain Oracle for purposes of conducting a legal investigation, and as such the engagement contract was between Oracle and YM&C.

Accordingly, all information related to the results of Oracle's investigation, including any written report related to same, was obtained by our attorneys. Therefore, the report itself and any communications or reports between YM&C and ECRCHS related to Oracle's investigation is protected under the attorney-client privilege. *See* Government Code § 6254 (the Public Records Act specifically exempts from disclosure "records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, the provisions of the Evidence Code relating to privilege") and Evidence Code § 954 ("the client, whether or not a party, has a privilege to refuse to disclose, and to prevent another from disclosing, a confidential communication between client and lawyer").

Based thereon, ECRCHS is unable to provide any documents or information related to your Public Records Act request. Thank you for your attention to this matter. Please contact me should you have any questions or concerns.

Sincerely,

Daniel H. Chang
Chief Compliance Officer