

Feb. 28, 2022

VIA EMAIL

Tennessee Department of Education
Public Records Coordinator
Brian Blackley
Email: TDOE.OpenRecords@tn.gov

Re: Public Records Request Pertaining to Hillsdale College

Dear Mr. Blackley:

According to recent news reports, Governor Bill Lee is developing a partnership with Hillsdale College to establish a number of publicly funded charter schools throughout Tennessee to be operated by the private Christian university.¹ Because Governor Lee's plan raises serious constitutional concerns, we seek the following public records to better understand the arrangement:

1. All records reflecting any communication sent between any member, commissioner, employee, official, or other agent of the Tennessee Public Charter School Commission and any employee, official, or other agent of the Department of Education, regarding any existing, planned, or potential charter school operated by or affiliated with (or to be operated by or affiliated with) Hillsdale College or any subsidiary of or entity related to Hillsdale College.
2. All records reflecting any communication sent between any employee, official, or other agent of the Department of Education and Governor Lee, his staff, or other agent of Governor Lee's office, regarding any existing, planned, or potential charter school operated by or affiliated with (or to be operated by or affiliated with) Hillsdale College or any subsidiary of or entity related to Hillsdale College.
3. All records reflecting any communication sent between any employee, official, or other agent of the Department of Education and any employee, official, trustee, or other agent of Hillsdale College, regarding any existing, planned, or potential charter school operated by or affiliated with (or to be operated by or affiliated with) Hillsdale College or any subsidiary of or entity related to Hillsdale College.
4. All records reflecting any communication sent between any employee, official, or other agent of any Tennessee public school district and any employee, official, or other agent of the Department of Education, regarding any existing, planned, or potential charter school operated by or affiliated with (or to be operated by or affiliated with) Hillsdale College or any subsidiary of or entity related to Hillsdale College.

¹ See, e.g., Liam Adams, *Civics, charters and classical ed: What to know about Hillsdale College's K-12 efforts in Tennessee*, *The Tennessean* (Feb. 2, 2022), <https://www.tennessean.com/story/news/politics/2022/02/02/hillsdale-college-tennessee-charter-schools-partnership-gov-bill-lee/9303810002/>.



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Public Records Request to TDOE Re: Hillsdale College

February 28, 2022

Page 2 of 3

5. All records reflecting any application or other petition submitted by Hillsdale College (or any subsidiary of or entity related to Hillsdale College) to the Department of Education or any other state or local agency or entity regarding the operation of (or affiliation with) any existing, planned, or potential charter school in Tennessee.
6. All records reflecting any agreement (whether or not executed), proposed agreement, or draft agreement regarding the operation of (or affiliation with) any existing, planned, or potential charter school in Tennessee by Hillsdale College or any subsidiary of or entity related to Hillsdale College.
7. All records reflecting any authorization or approval (whether preliminary, temporary, or final) to allow Hillsdale College (or any subsidiary of or entity related to Hillsdale College) to operate (or affiliate with) any existing, planned, or potential charter school in Tennessee.
8. All records reflecting any payments made to Hillsdale College or any subsidiary of Hillsdale College by any Tennessee state or local government agency or entity.
9. All policies, rules, regulations, forms, applications, and other records detailing or governing the process for obtaining approval to operate a charter school in Tennessee.



As used in this request, the term “records” includes but is not limited to all documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, information stored or maintained electronically or other material, regardless of physical form or characteristics or any copy thereof. It includes but is not limited to all emails, text messages, and social media messages, whether posted publicly or sent via private or direct messaging capability. Please note that the term “record” refers to those items in your possession, custody, or control, or those items which were, but are no longer, in your possession, custody, or control.

If you claim that any document or portion thereof is exempt from inspection under T.C.A. § 10-7-504, or any other statute or judicial decision, as to each document or portion you claim to be exempt, please state the basis for the exemption, and identify the document or portion by date; by sender, recipient, or author; and by a description of the contents sufficiently detailed to enable an independent evaluation of the exemption.

If any record is otherwise withheld for any reason, please indicate the type of record withheld, the title or style of the record, the length or size of the record, the author of the record, a description of the subject matter of the record, the file(s) where the record (or copies thereof) may be located, and the reason(s) the record is being withheld.

Pursuant to state law, I request a copy of these public records be forwarded to me at the address below on this letter within seven (7) days. Please provide records in **electronic form** if possible. If you anticipate that the completion of this request will take longer to complete, please contact me with an anticipated time for completion of this request.

I agree to pay reasonable copying and postage fees up to \$100.00. Please notify me if the fees associated with filling this request will exceed this amount before completing the request.

Public Records Request to TDOE Re: Hillsdale College

February 28, 2022

Page 3 of 3

Kind regards,

A handwritten signature in black ink, appearing to read "Stella Yarbrough".

Stella Yarbrough
ACLU-TN, Staff Attorney

ACLU

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Tennessee