Dear Ms. Chavez,

The New Mexico Foundation for Open Government (FOG) is dedicated to ensuring access to public information in New Mexico, which includes assisting both records requestors and public entities regarding compliance with the New Mexico Inspection of Public Records Act (IPRA).

I am writing to share my concerns about a delay by the Albuquerque School District in providing public records to Ally Ennenga on Sept. 25. She filed a formal IPRA Request with Albuquerque Public Schools asking for records. It is now Oct. 20 and still no records. On March 17, the New Mexico Attorney General announced specific guidelines concerning IPRA. FOG believes you ignored those guidelines and are now in violation of the IPRA as the legal deadline to provide Ms. Ennenga with the requested records has expired. We request that you provide all of the requested records to Ms. Ennenga immediately.

IPRA was designed to allow the public access to “the greatest possible information regarding the affairs of government and the official acts of public officers and employees.” NMSA 1978, Sections 14-2-5(1947, as amended through 2018). IPRA requires public bodies to provide all requested records within 15 calendar days if not immediately. Section 14-2-8(D). The only exception to this 15-day deadline is for records requests determined to be “excessively burdensome or broad” by the public body. Section 14-2-10. In such a case, IPRA grants the public body an additional, reasonable amount of time to respond (to be determined individually, dependent on the circumstances). However, in any event, the public body must either provide the requested records, deny the request, or designate the request as broad and burdensome in writing within 15 calendar days. Section 14-2-11(A).

For your reference, a copy of the IPRA Guide is available on the website of the Office of the Attorney General at www.nmag.gov.

Sincerely,

Melanie J. Majors
Executive Director

Cc:
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