



## GEORGIA DEPARTMENT OF LAW

40 Capitol Square SW  
Atlanta, Georgia 30334-1300

CHRISTOPHER M. CARR  
ATTORNEY GENERAL

www.law.ga.gov  
(404) 458-3600

Writer's Direct Dial:  
404-458-4336  
ksettle mire@law.ga.gov

October 25, 2024

**Via Email Correspondence: [andrew.davidson@jonescork.com](mailto:andrew.davidson@jonescork.com)**

Mr. Andrew Davidson, Esquire  
Jones Cork, LLP  
Post Office Box 6437  
Macon, Georgia 31208

RE: *Open Records Act Complaint from Laura Corley regarding the  
Bibb County School District*

Dear Mr. Davidson:

I am writing regarding an Open Records Act complaint our office received from Ms. Laura Corley about the Bibb County School District ("school district"). Ms. Corley states that on July 29, 2024, she submitted a request for "this business item from the July 18 agenda ... 'v. Settlement for Student JH (ACTION)[.]'" According to Ms. Corley, the school district responded that the requested record was exempt from disclosure under O.C.G.A. § 50-18-72(a)(37), O.C.G.A. § 50-18-72(a)(41), and O.C.G.A. § 50-18-72(a)(42). I have attached a copy of Ms. Corley's complaint for your review.

Under Georgia law, the Attorney General, as an independent constitutional officer, has the discretionary authority to enforce the Open Records Act and the Open Meetings Act. O.C.G.A. §§ 50-14-5(a) and 50-18-73(a). The Attorney General has chosen to exercise that discretion by establishing a mediation program where citizens may raise issues and concerns with us regarding the Acts, and we will attempt to resolve disputes between citizens and local government. This office also reserves the right to pursue litigation in these matters where it deems doing so is appropriate.

The Open Records Act is to "be broadly construed to allow the inspection of governmental records[.]" and exceptions are to "be interpreted narrowly to exclude only those portions of records addressed by such exception." O.C.G.A. § 50-18-70(a). Settlement agreements must generally be provided in response to an Open Records Act request. *See generally, Mullins v. City of Griffin*, 886 F. Supp. 21, 21 (1995). While education records, defined as "those records, files, documents, and other materials which (i) contain information directly related to a student; and (ii) are maintained by an educational agency or institution or by a person acting for such

Andrew Davidson, Esq.  
October 25, 2024  
Page 2

agency or institution” are subject to the (a)(37) exemption to disclosure, my review of the July 18, 2024, meeting agenda shows “Settlement for Student JH (ACTION)” as an item for the board’s consideration in public session. 20 U.S.C. § 1232g(a)(4)(A)(1)(i)-(ii).

Of course, I am not aware of all the circumstances surrounding the request, and I am not assuming that the school district violated the law. I ask that the school district provide a response to the allegations within the next ten business days and specifically, address the applicability of the (a)(37) exemption to the settlement agreement at issue and provide minutes for the July 18, 2024, meeting.

Thank you for your attention to this matter.

Sincerely,

/s/ Kristen Settlemire

**KRISTEN SETTLEMIRE**  
Senior Assistant Attorney General

cc: Ms. Laura Corley (via email correspondence)  
Ms. Val Mayfield (via email correspondence)