



STATE OF NEBRASKA  
**Office of the Attorney General**

2115 STATE CAPITOL BUILDING  
LINCOLN, NE 68509-8920  
(402) 471-2682  
TDD (402) 471-2682  
FAX (402) 471-3297 OR (402) 471-4725

**DOUGLAS J. PETERSON**  
ATTORNEY GENERAL

**LESLIE S. DONLEY**  
ASSISTANT ATTORNEY GENERAL

April 13, 2021

Via email at [REDACTED]  
Elle Hansen

RE: *File No. 21-R-107; University of Nebraska-Lincoln; Elle Hansen, Petitioner*

Dear Ms. Hansen:

This letter is in response to the series of emails and screen shots you provided this office alleging violations of the Nebraska Public Records Statutes (“NPRS”), Neb. Rev. Stat. §§ 84-712 to 84-712.09 (2014, Cum. Supp. 2020), by the University of Nebraska-Lincoln (“University”). Those allegations relate to your recent request for public records emailed to the University on March 11, 2021. Our findings with respect to your allegations are discussed below.

Your initial complaint to us involved Ms. Busch’s<sup>1</sup> failure to respond to you on March 26 as she promised to do in her March 17 email. When the undersigned brought this matter to Ms. Busch’s attention, she immediately contacted you regarding your request. While this clearly was an oversight, it does not rise to the level of a violation of the NPRS.

As to the response timing issues, Neb. Rev. Stat. § 84-712(4) (2014) permits delays in producing public records “if the entire request cannot with reasonable good faith efforts be fulfilled within four business days after actual receipt of the request due to the significant difficulty or the extensiveness of the request.” There is little question that public records requests with multiple search terms which require the services of the IT department are, in fact, extensive. We note further that you have modified your request at least two times, and Ms. Busch sought clarification of a modified request on April 2. All of these modifications take time to process. Consequently, we find no violations of the NPRS in this regard.

---

<sup>1</sup> Erin E. Busch is the Director of University Records/Associate General Counsel for the University.

Elle Hansen  
April 13, 2021  
Page 2

Further, it is our understanding that you and Ms. Busch have come to an agreement regarding the search terms of your request, and that Ms. Busch will be providing you responsive records by the end of the day on April 16. Since you will be receiving records responsive to your request in a few days, and since we have identified no violations under these circumstances, no further involvement by this office is necessary and we are closing our file.

If you disagree with the conclusions reached above, you may wish to discuss this matter with your private attorney to determine what additional remedies, if any, are available to you under the NPRS.

Sincerely,

DOUGLAS J. PETERSON  
Attorney General



Leslie S. Donley  
Assistant Attorney General

c: Erin E. Busch (via email)

49-2678-29