



MONROE TOWNSHIP SCHOOLS
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August 16, 2024

VIA EMAIL ONLY: opra+request-64336-77241e7f@requests.opramachine.com

Anonymous

RE: OPRA Request dated August 1, 2024

Dear Sir/Madam:

As custodian of records for the Monroe Township Board of Education (“Board” and/or “District”), I am writing this letter in response to your request pursuant to the Open Public Records Act (“OPRA”) submitted via email and received on Thursday, August 1, 2024, for which an extension of time within which to respond is applicable.

More specifically, the Board responds to your request below:

“Records requested:

- 1. Total number of investigations into HIB claims for the school year 2023-2024**
- 2. Total number of founded incidents of HIB for 2023-2024 school year**
- 3. Number and percent of incidents for each of the distinguishing characters of HIB for the 2023-2024 school year**
- 4. Total number of recorded cases of HIB for each grade level for 2023-2024**
- 5. Number of suspensions and/or expulsions as a result for HIB cases for 2023-2024**
- 6. The number of cases that were filed by either parent, staff member, and/or administrator.”**

Please note that the aforementioned request is overly broad and seeks information, rather than identifiable records. OPRA operates to make identifiable government records “readily accessible for inspection, copying, or examination.” N.J.S.A. 47:1A-1; MAG Entertainment, LLC v. Div. of ABC, 375 N.J. Super. 534, 546 (App. Div. 2005). MAG Entertainment, LLC held, “[w]hile OPRA provides an alternative means of access to government documents not otherwise exempted from

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its reach, it is not intended as a research tool litigants may use to force government officials to identify and siphon useful information.” Id. at 547.

“Under OPRA, agencies are required to disclose only ‘identifiable’ government records not otherwise exempt.” Id. at 549; *See also Bent v. Stafford Police Dep’ t*, 381 N.J. Super. 30, 37 (App. Div. 2005) (holding that OPRA only allows requests for records as contrasted from information, and to qualify under OPRA a request must reasonably identify a record and not generally data, information or statistics). The Board is not required to perform research on behalf of the requestor, only to produce specific records identified by the requestor. Likewise, the Board is not required to create new documents in order to respond to an OPRA request. *See Sussex Commons Assocs., LLC v. Rutgers*, 210 N.J. 531, 544 (2012).

A proper OPRA request must identify with reasonable clarity, by specifically describing those documents that are being sought. *See Gannett New Jersey Partners L.P. v. County of Middlesex*, 379 N.J. Super. 205, 211-12, 877 A.2d 330 (App. Div. 2005); *New Jersey Builders Association v. New Jersey Council on Affordable Housing*, 390 N.J. Super. 166, 178 (App. Div.), certif. denied, 190 N.J. 394 (2007); *Bent v. Stafford Police Dep’ t*, 381 N.J. Super. 30, 40 (App. Div. 2005). Under OPRA one cannot submit “wholesale requests for general information to be analyzed, collated and compiled by the responding government entity.” *MAG Entertainment, LLC v. Division of Alcoholic Beverage Control*, 375 N.J. Super 534, 868 A.2d 1067 (App. Div. 2005). (The Court found a request for “all books, records, [and] documents” related to a specific project to be improper.) Despite the foregoing, attached please find four (4) pages of District data regarding HIB reports and investigations during school year 2023-2024, in response to your request.

This correspondence, the foregoing information and the attached documentation constitute the Board’s full and complete response to your OPRA request and therefore, your OPRA request is closed.

Sincerely,



Lisa Goldstein
OPRA Secretary

District Data
Sept 2023 – June 30 2024

- **25 Reports of HIB**
- **20 Founded**
- **5 Unfounded**

**2023-2024 Nature of HIB Based on Protected Categories and
Distinguishing Characteristics (Investigations could include multiple characteristics)**

Distinguishing Characteristic	Number of Investigations	District %
Race/Ethnicity	4	16%
Color	4	16%
Religion	2	8%
Percieved Weakness	1	4%
Gender	1	4%
Sexual Orientation	4	16%
Home Circumstances	1	4%
Medical Condition	1	4%
Disability	4	8%
Appearance	4	8%
Other	3	12%

**2023-2024 Investigations by Grade
Level**

Grade	Investigations
K	0
1	0
2	0
3	1
4	3
5	2
6	4
7	1
8	3
9	4
10	1
11	4
12	2

2023-2024 Cases Filed

- Staff – 7
- Parent – 8
- Administration - 0

2023-2024 HIB Suspensions and Expulsions

- Suspension – 0
- Expulsion – 0