

Toms River Regional Schools



1144 Hooper Avenue, Toms River, New Jersey 08753
732.505.5500 • Fax: 732.473.9168

November 24, 2021

Email Only: Information Please <opra+request-27096-a72b2002@requests.opramachine.com>

Dear Information Please,

The Toms River Regional School District ("District") received your Open Public Records Act (OPRA) request dated November 18, 2021. The official Custodian of Records, received your OPRA request on November 18, 2021. As such, the seven (7) business day deadline to your request is December 1, 2021 due to the District being closed on Thursday, November 25, 2021 and Friday, November 26, 2021 for the holiday. This response to your request is being provided to you on the 4th business day after the custodian's receipt of said request.

In response to your OPRA request, in which you requested the following:

"Please provide emails sent and received by Board member Mrs. Polozzo between October 20th, 2021 and November 17th, 2021."

The District has conducted a search and as a result has identified approximately 643 pages of records which may be responsive to your request.

OPRA allows public agencies to impose special service charges whenever the nature, format, manner of collation, or volume of a government record embodied in the form of printed matter to be inspected, examined, or copied pursuant to this section is such that the record cannot be reproduced by ordinary document copying equipment in ordinary business size or when fulfilling a request requires an extraordinary expenditure of time and effort. See N.J.S.A. 47:1A-5.c. Special service charges must be based upon the actual direct cost of providing the copy or copies.

OPRA mandates that the requestor shall have the opportunity to review and object to the charge prior to it being incurred. See N.J.S.A. 47:1A-5.c. As such, a detailed estimate is provided below:

As the requested records may contain student information, personal health information and other exempted and confidential information the lowest level employee capable of fulfilling the request is the official Custodian and my hourly rate is \$30.56 per hour, exclusive of fringe benefits.

Approximate length of time necessary to review records is 10.71 hours. The 10.71 hours is based on an average of one minute per page to review the record, redact exempted information and to prepare a "Vaughn Index" to

itemize the redactions and/or exclusions and explain the basis for the redaction (643 pages @ 1 minute per page = 10.71 hours).

Total Estimated Special Service Charge is $10.71 \times \$30.56 = \327.30 .

Kindly respond in writing with your acceptance or rejection of the above detailed estimated charge. If the accommodation of a special service charge is acceptable, the requested service charge must be paid to the Toms River Regional School District before the District will begin processing the request. The District will not begin to process this request until the District receives your written acceptance and payment. Alternatively, if you can amend your request and identify a government record(s) with more specificity the District may be able to accommodate your amended request without or at least with a lesser special service charge. Please be advised that failure to respond within ten (10) days of receipt of this correspondence will result in the closure of your OPRA request. Please note that, pursuant to Elcavage v. West Milford Township (Passaic), GRC Complaint No. 2009-08 (April 2010) OPRA requests for emails must contain three characteristics: (a) Content and/or subject; (b) Specific date or range of dates; and (c) Sender and/or recipient.

If you reject the estimated charge and you wish to challenge the special service charge, you have a right to challenge the decision. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council (GRC) by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at P.O. Box 819, Trenton, NJ, 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The GRC can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.

Sincerely,

Sheri Pereira
Custodian of School Records
Toms River Regional Schools