

GLEN ROCK PUBLIC SCHOOLS

Michael Rinderknecht
Business Administrator/
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October 16, 2020

Re: Open Public Records Act Request

To Whom It May Concern:

Please accept this correspondence in response to the Open Public Records Act ("OPRA") request you submitted to the Glen Rock Board of Education ("Board"). As the official Records Custodian for the Board, I received your request on Wednesday, October 7, 2020. The seven-business-day deadline for the Board's response will expire on Friday, October 16, 2020.

Your request seeks the following records:

[A]ny written or electronic communications, including but not limited to correspondence, memoranda, emails, notes and work session minutes or any other recorded transmissions of the following.

1) Emails to and from Dr. Charleston, Michael Rinderknecht, Sharon Scarpelli, Megan Findley related to BOE trustee position opening from the year 2020.

2) Emails to and from the BOE (all members), Michael Rinderknecht and Dr. Charleston with the words: candidate, election, re-election, from the year 2020.

3) Details of change concerning or reviewing the evaluation of in residency requirements for a BOE position. Who proposed and why? From the years 2019-2020.

4) Details and dates for articles / postings etc. making the public aware the District was soliciting BOE candidate submissions for 2020 election from the year 2020.

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5) Emails to and from the BOE, Michael Rinderknecht, Dr. Charleston and Dimali Crawford Robinson from the year 2020.

Please be advised that your request is GRANTED in part and DENIED in part. Included here are numerous records responsive to items (1) and (2) of your request. Responsive records falling within the following categories are produced with redactions:

1. Material that is advisory, consultative, or deliberative. N.J.S.A. 47:1A-1.1 (excluding "inter-agency or intra-agency advisory, consultative, or deliberative material" from the definition of "government record"). See Libertarians for Transparent Government v. Government Records Council, 453 N.J. Super. 83, 89-90 (App. Div. 2018) (explaining that material is privileged if it is (1) pre-decisional, "generated before the adoption of an agency's policy or decision," and (2) deliberative, "contain[ing] opinions, recommendations, or advice about agency policies").
2. Personnel records of any person employed by the Board, or application materials of any person seeking employment with the Board. N.J.S.A. 47:1A-10. See Executive Order 26 (McGreevey 2002) (providing that a public agency may not disclose résumés, applications, or other information concerning job applicants while a recruitment search is ongoing, and that the résumé of an unsuccessful candidate may be disclosed after the search only with his or her consent).
3. Materials falling within the attorney-client privilege. The definition of "government record" under OPRA expressly omits material within the attorney-client privilege. N.J.S.A. 47:1A-1.1.
4. Private email addresses and phone numbers. This includes both the addresses and numbers of persons who are not Board members or employees, as well as any non-Board-issued addresses and numbers of persons who are Board members or employees. The Board redacts these details pursuant to Brennan v. Bergen County Prosecutor's Office, 233 N.J. 330 (2018) (recognizing OPRA's directive for "agencies to safeguard a citizen's personal information . . . when disclosure . . . would violate the citizen's reasonable expectation of privacy").

Also included, in response to item (3) of your request, are Board Bylaw 9111 and Board Policy 0142. Note that the latter was adopted by the Board in June 2020, replacing the former.

The Board has not located any records responsive to items (4) and (5) of your request.

If your request for access to a government record has been denied or unfilled within the seven business days required by law, you have a right to challenge the Board's decision to deny access. 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, New Jersey 08625, by email at grc@dca.state.nj.us, or at their website 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.

If you should have any questions, do not hesitate to contact me.

Very truly yours,



Michael Rinderknecht
Business Administrator/
Board Secretary