



MONROE TOWNSHIP SCHOOLS
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January 15, 2025

VIA EMAIL: opra+request-70345-5176ae6f@requests.opramachine.com

Anonymous

Re: OPRA Request dated January 3, 2025

Dear Sir/Madam:

On behalf of the Monroe Township Board of Education ("Board" and/or "District"), I am writing this letter in response to your request for records pursuant to the Open Public Records Act ("OPRA") submitted and received via email on Friday, January 3, 2025. As such, the seven (7) business day deadline within which the Board is to respond to your request is Wednesday, January 15, 2025.

More specifically, the Board's response to your request is set forth below:

"1) Emails sent to and from James Higgins with subject heading and/or keywords , "MS61", "bus accident", "crash", "traffic accident", "insurance" between December 19, 2024 -January 3, 2025."

"2) Emails sent to and from Chari Chanley with subject heading and/or keywords "MS61", "bus accident", "crash", "traffic accident", "insurance" between December 19, 2024-January 3, 2025."

As a preliminary matter, please note that in accord with MAG, supra, and its progeny, in order to specifically identify correspondence, OPRA requests must contain the following characteristics: content and/or subject; specific date or range of dates; and, sender and/or recipient. See Elcavage v. West Milford Twp. (Passaic), GRC Complaint No. 2009-07 (April 2010); Armenti v. Robbinsville Bd. of Educ. (Mercer), GRC Complaint No. 2009-154 (Interim Order dated May 24, 2011); Sandoval v. NJ State Parole Board, GRC Complaint No. 2006-167 (October 2008) and Schuler v. Borough of Bloomsbury, GRC Complaint No. 2007-151 (February 2009).

Your request for copies of emails that contain the terms/words "MS61", "bus accident", "crash", "traffic accident", "insurance" are overly broad in that the requests fail to include a narrowly construed subject or content and thus do not identify specific requested records. See Elcavage v. West Milford Twp. (Passaic), GRC Complaint No. 2009-07 (April 2010);

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Doss v. Borough of Paramus (Bergen), GRC Complaint No. 2014-149 (Interim Order dated January 30, 2015); 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.), certify. Denied, 190 N.J. 394 (2007); Bent v. Stafford Police Dep't, 381 N.J. Super. 30, 40 (App. Div. 2005); NJ Builders Assoc. v. NJ Council on Affordable Housing, 390 N.J. Super. 166, 180 (App. Div. 2007); Burke v. Brandes, 429 N.J. Super. 169, 172, 176 (App. Div. 2012). 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.)

Your request contains generic keywords that can easily appear in a vast quantity of records without any specific meaning. There is no requirement pursuant to OPRA which requires the Board to attempt to locate responsive correspondence containing a single word of generic meaning without any context. See Elcavage v. West Milford Twp. (Passaic), GRC Complaint No. 2009-07 (April 2010); Burke v. Brandes, 429 N.J. Super. 169, 172, 176 (App. Div. 2012). Further, requiring a custodian to locate responsive correspondence based on a single generic keyword is clearly not consistent with the establishment of "subject or content" as one of the criteria for a valid correspondence search. See Sandoval v. NJ State Parole Board, GRC Complaint No. 2006-167 (October 2008), and Schuler v. Borough of Bloomsbury, GRC Complaint No. 2007-151 (February 2009). Most importantly, using generic keywords is analogous to the type of overly broad request that the MAG and NJ Builder Association Courts determined to be invalid.

Your request for copies of emails sent to and from James Higgins with subject heading and/or keywords "MS61", "bus accident", "crash", "traffic accident", "insurance" and your request for copies of emails sent to and from Chari Chanley with subject heading and/or keywords "MS61", "bus accident", "crash", "traffic accident", "insurance" requires the Board to perform research and use judgement as to whether each correspondence is actually responsive to your request in order to respond properly. The OPRA does not require such actions. In addition, as composed, the request contains generic terms which do not constitute a valid subject or content. Accordingly, this portion of your request, as submitted, does not include all of the required criteria, is invalid pursuant to the OPRA, and is thus denied as overbroad.

If you choose to submit a clarified request more specifically identifying the records you are seeking, such as by including all of the required criteria and naming the exact documents requested, we will review and respond to same as a new OPRA request.

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

Sincerely,



Lisa Goldstein
OPRA Secretary

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