

ELIZABETH PUBLIC SCHOOLS
Every Child, Achieving Excellence

Olga Hugelmeyer
Superintendent of Schools

Harold E. Kennedy, Jr.
School Business Administrator/Board
Secretary

January 22, 2021

Ms. Maria E. Lorenz
opra+request-19523-8c95c85c@requests.opramachine.com

Dear Ms. Lorenz:

I am in receipt of your request for records pursuant to the State's Open Public Records Act ("OPRA").

1. Your request "list of persons responsible for conducting child find activities at the Elizabeth Public Schools for the school years of 2016 - 2017, 2017 - 2018, 2018 - 2019, 2019 - 2020" is denied as the District does not maintain retrievable records responsive to your request. Researching, compiling and creating such information falls outside the controlling authority of the Open Public Records Act. The law is settled that under OPRA government agencies "are required to disclose only 'identifiable' governmental records...[w]holesale requests for general information to be analyzed, collated and compiled by the responding government entity are not encompassed therein." *Burnett v. Cnty. Of Gloucester*, 415 N.J. Super. 506, 514 (App. Div. 2010) (quoting *MAG Entm't, LLC v. Div. of Alcoholic Bev. Control*, 375 N.J. Super. 534, 549 (App. Div. 2005)). OPRA "is not intended as a research tool litigants may use to force government officials to identify and siphon useful information." *MAG Entm't*, 375 N.J. Super. at 546.
2. Your request "list of meetings, printed materials, and public service announcements of child find activities for the school years of 2016 - 2017, 2017 - 2018, 2018 - 2019, 2019 - 2020" is denied as the District does not maintain retrievable records responsive to your request. Researching, compiling and creating such information falls outside the controlling authority of the Open Public Records Act. The law is settled that under OPRA government agencies "are required to disclose only 'identifiable' governmental records...[w]holesale requests for general information to be analyzed, collated and compiled by the responding government entity are not encompassed therein." *Burnett v. Cnty. Of Gloucester*, 415 N.J. Super. 506, 514 (App. Div. 2010) (quoting *MAG Entm't, LLC v. Div. of Alcoholic Bev. Control*, 375 N.J. Super. 534, 549 (App. Div. 2005)). OPRA "is not intended as a research tool litigants may use to force government officials to identify and siphon useful information." *MAG Entm't*, 375 N.J. Super. at 546.
3. Your request "list of child find activities for 2016, 2017, 2018, 2019 and 2020" is denied as the District does not maintain retrievable records responsive to your request. Researching, compiling and creating such information falls outside the controlling authority of the Open Public Records Act. The law is settled that under OPRA government agencies "are required to disclose only 'identifiable' governmental records...[w]holesale requests for general information to be analyzed, collated and compiled by the responding government entity are not encompassed therein." *Burnett v. Cnty. Of*

Gloucester, 415 N.J. Super. 506, 514 (App. Div. 2010) (quoting MAG Entm't, LLC v. Div. of Alcoholic Bev. Control, 375 N.J. Super. 534, 549 (App. Div. 2005)). OPRA "is not intended as a research tool litigants may use to force government officials to identify and siphon useful information." MAG Entm't, 375 N.J. Super. at 546.

Sincerely,

A handwritten signature in black ink, appearing to read "Harold E. Kennedy, Jr.", written in a cursive style.

Harold E. Kennedy, Jr.
School Business Administrator/Board Secretary

Office of the School Business Administrator/Board Secretary

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