

MONROE TOWNSHIP BOARD OF EDUCATION
423 BUCKELEW AVENUE
MONROE TOWNSHIP, NJ 08831
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Lisa Goldstein
Custodian of Records

BY EMAIL ONLY TO: Tina Carkhuff <opra+request-52612-16b23250@requests.opramachine.com>

September 13, 2023

Tina Carkhuff

Re: Open Public Records Act Request

Dear Tina Carkhuff:

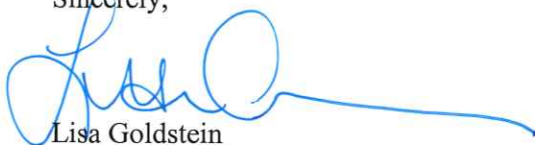
The District is in receipt of your request for records under the Open Public Records Act. Specifically, your request sought:

“Any emails from or to Superintendent Chanley or any board member regarding special education students, placement and alternate or alternative placement, out of district placement, SPED, removal from district, autism, need for one to one services, ability to keep rescue medications near or with student, changes to ARD process, inclusion requirements with regular education students, change in requirements, federal and state reporting requirements, bullying of parents with special education or special needs children.

Please additionally include any emails from the Superintendent or Board Members to or from any district employee.”

The Government Records Council has established specific criteria that must be met for a requestor to identify specific government communications. The GRC determined that to be valid, the request must contain: (1) the content and/or subject of the communication, (2) the specific date or range of dates during which the communications were transmitted, and (3) the identity of the sender and/or the recipient thereof. *Elcavage v. West Milford Twp.*, GRC Complaint No. 2009-07 (April 2010); *Caggiano v. NJ Office of the Governor*, Complaint No. 2014-263 (March 2015). Your request does not identify a date range. As a result, your requests are denied, at this time, until further clarification is provided. Please be further advised that a proper request under OPRA must identify with reasonable clarity those documents that are desired. See *Bent v. Stafford Police Department*, 381 N.J. Super. 30, 37 (App. Div. 2005). In particular, OPRA “is not intended as a research tool litigants may use to force government officials to identify and siphon useful information. Rather, OPRA simply operates to make identifiable government records ‘readily accessible for inspection, copying, or examination.’ N.J.S.A. 47:1A-1.” *MAG Entm’t, LLC v. Div. of Alcoholic Beverage Control*, 375 N.J. Super. 534, 543 (App. Div. 2005). Thus, should clarification be provided regarding the date range, at that time the District will determine whether the request, as written, properly identifies government records.

Sincerely,



Lisa Goldstein
OPRA Secretary/Custodian of Records

cc: Ms. Chari Chanley, Superintendent of Schools
Mr. David Disler, Esq., Porzio, Bromberg & Newman, P.C.