

**Wallkill Valley Regional High School
10 Grumm Road
Hardyston, NJ 07419**

Joseph P. Hurley Jr.
Business Administrator/Board Secretary
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November 1, 2024

Via Email

Jane Doe

opra+request-68283-5d5b468d@requests.opramachine.com

Re: October 25, 2024 OPRA request

Dear Sir/Madam:

Please accept this correspondence by way of response to the Open Public Records Act ("OPRA") request that you submitted to the Wallkill Valley Regional Board of Education ("Board" or "District") on October 25, 2024. As government agencies must respond to OPRA requests within seven (7) business days of receipt of the request, this response is timely. Your request sought the following documents, records and/or information:

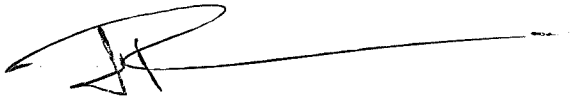
- 1. Any and all records in your possession completed by any individual related to David Wolfsperger required under any provision of N.J.S.A. 18A:6-7, subparts 7.1 through 7.9.*
- 2. Any and all records reflecting any communications, either oral or written, with any representative of the Mountain Lakes School District (Domain: www.mlschools.org) from January 1, 2022 to the present date.*

Please be advised that **Request No. 1 is denied** on multiple bases. First, to the extent that the request seeks records collected by the District pursuant to N.J.S.A. 18A:6-7.6 through 7.9, the request is denied under N.J.S.A. 18A:6-7.11, which provides that information received by an employer under the act "shall not be deemed a public record under [OPRA] or the common law concerning access to public records." Additionally, the request is denied since it fails to specify an identifiable record and would therefore require the records custodian to perform research, in contravention of N.J.S.A. 47:1A-5(g). See also MAG Entertainment, LLC. v. Div. of Alcoholic Beverage Control, 375 N.J. Super. 534, 546 (App. Div. 2005) (discussing requests seeking "any" or "all" records, or "records," generically and finding such requests overly broad, in that they require the records custodian to perform research).

Please be further advised that **Request No. 2 is denied** pursuant to Elcavage v. West Milford Twp., Passaic County, GRC Complaint No. 2009-07 (Feb. 2010). Under Elcavage and subsequent decisions, a valid request for communications (email, correspondence, etc.) must include the following elements: 1) the content or subject matter; 2) a specific date or range of dates; and 3) the name or title of the sender and/or the recipient. Your request does not indicate any specific individuals or job titles and does not indicate any subject matter or content. As such, the request fails to meet the so-called Elcavage factors, is overly broad, and is therefore denied.

Please note that, despite our initial denials, if you clarify your requests, we will certainly accept the revisions and respond as appropriate under the law. Please also note that providing keywords can further limit the number of emails identified but not relevant, and thus reduce or eliminate any special fees charged pursuant to N.J.S.A. 47:1A-5(c). If you have any questions or wish to discuss further, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in black ink, appearing to read 'J. Hurley', with a long horizontal line extending to the right.

Joseph P. Hurley Jr.
School Business Admin/Board Secretary