



OCEAN COUNTY HEALTH DEPARTMENT

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March 3, 2021

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Dear Sir/Madam:

The Ocean County Health Department and Custodian of Records received your OPRA requests, dated, March 1, 2022, received on March 2, 2022. As such, the seven (7) business day deadline to respond to your request is March 11, 2022. This answer is being furnished to you on the 1st day of your request.

Regarding:

School Employee COVID positive cases reported from the Toms River Regional	School District to the OCHD from	October 18, 2021 until	March 1, 2022; broken down by vaccinated staff members and	unvaccinated staff members
School Employee COVID positive cases reported from the Lakewood	School District to the OCHD from	October 18, 2021 until	March 1, 2022; broken down by vaccinated staff members and	unvaccinated staff members
School Employee COVID positive cases reported from the Brick Township	School District to the OCHD from	October 18, 2021 until	March 1, 2022; broken down by vaccinated staff members and	unvaccinated staff members
School Employee COVID positive cases reported from the Central Regional	School District to the OCHD from	October 18, 2021 until	March 1, 2022; broken down by vaccinated staff members and	unvaccinated staff members
School Employee COVID positive cases reported from the OC Vocational Technical	School District to the OCHD from	October 18, 2021 until	March 1, 2022; broken down by vaccinated staff members and	unvaccinated staff members
School Employee COVID positive cases reported from the Berkeley Township	School District to the OCHD from	October 18, 2021 until	March 1, 2022; broken down by vaccinated staff members and	unvaccinated staff members

The above requests are an invalid “blanket request” prohibited under the Open Public Records Act (“OPRA”). The New Jersey Superior Court has held “[w]hile OPRA provides an alternative means of access to government documents not otherwise exempted from its reach, it 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.” (Emphasis added.) *MAG Entertainment, LLC v. Division of Alcoholic Beverage Control*, 375 N.J.Super. 534, 546 (App. Div. 2005). The Court added that “[u]nder OPRA, agencies are required to disclose only ‘identifiable’ government records not otherwise exempt ... In short, OPRA does not countenance open-ended searches of an agency’s files.” (Emphasis added.) *Id.* at 549.

Currently, your request(s) fail to identify with reasonable clarity the specific government records sought, as is required by *Bent v. Stafford Police Department*, 381 N.J.Super. 30, 37 (App. Div. 2005). Therefore, at this time, it is necessary to ask for clarification about your request(s).

Please provide the following information in order to accurately fulfill your request(s):

-Clarification as to what is meant by the term “positive cases”

Please respond in writing and identify the specific government records sought so that I may process your request. Failure to provide written clarification of your request(s) will result in the closure of this OPRA request.

You have the right to challenge any decision by the Ocean County Health Department to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with Government Records Council.

Should you wish to discuss this matter further, please do not hesitate to contact me.

Regards,

Krystal Jones

On behalf of Brian E. Rumpf, Custodian of Records

BER/kj