



BUSINESS OFFICE

Patricia Ramos, Business Administrator / Board Secretary
Carmelina Januszanis, Assistant Business Administrator

January 31, 2025

Via Electronic Mail

Riana Pfefferkorn

Re: OPRA Request dated December 20, 2024

Dear Rina Pfefferkorn:

You recently requested documents from the Westfield Board of Education ("Board" or "District") pursuant to an Open Public Records Act ("OPRA") request dated December 20, 2024. The time in which the District has to respond to an OPRA request begins to run the day after the custodian of records receives such a request. Your request was received by the District on December 20, 2024. The seventh (7th) business day within which to respond to your request was January 10, 2025, as the District was closed for winter break from December 20, 2024 through January 1, 2025. At that time, the District anticipated providing a response by January 31, 2025.

At this time, the following is provided in response to your request.

- 1. All electronic communications, including but not limited to emails, text messages, instant messages, voicemail, voice memos, and voice notes, sent or received by Westfield High School Principal Mary Asfendis, Westfield High School Assistant Principal Brett Curtis, Westfield High School Assistant Principal Mabel Huynh, or Westfield High School Assistant Principal Jacqueline Spring regarding the creation, possession, and/or dissemination of nude images of Westfield Public Schools students that were generated using artificial intelligence ("AI"). These communications include (but are not limited to) any communications referencing the words "nude," "nudify," "undress," "deepfake," "ClothesOff.io," "ClothesOff," "clothoff.io," or "Mani." This request is limited to the period of September 1, 2023 to December 20, 2024.**

Your request is overly broad, vague, and/or unclear, as they fail to identify with reasonable clarity the specific government records to which you seek access. See MAG Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J. Super. 534 (App. Div. 2005); Bent v. Stafford Police Dep't, 381 N.J. Super. 30 (App. Div. 2005) ("any and all" is broad and unclear). In this regard, the Appellate



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Division has held that “[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.) *Id.* at 546. The Court further held 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.

Nonetheless, enclosed please find the responsive documents to your request together with a Vaughn Index. Please note citizen names, email addresses, telephone/cell numbers, addresses, and personally identifiable student information have been redacted in the attached documents pursuant to the OPRA exemptions. The information redacted is exempt from disclosure under OPRA pursuant to the citizen’s reasonable expectation of privacy exemption, N.J.S.A. 47:1A-1 and as personally identifiable information protected under the Family and Educational Rights and Privacy Act (“FERPA”), 20 U.S.C. 1232g, and its implementing regulations at 34 C.F.R. 99.1 et seq., and the New Jersey Pupil Records Act, N.J.S.A. 18A:36-19, and its implementing regulations at N.J.A.C. 6A:32- 7.1 et seq. See N.J.S.A. 47:1A-9(a)-(b). “Personally Identifiable Information” includes but is not limited to the name of the student, name of parents, address, email, telephone or student number, social security number, indirect identifiers such as date of birth, and other information that alone or in combination is linkable to the student. N.J.A.C. 6A:32- 2.1.

If you have any questions, please feel free to contact me.

Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to be "PR", is written over a horizontal line.

Patricia Ramos
Custodian of Records

Enclosures