



BUSINESS OFFICE

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

February 7, 2025

Via Electronic Mail

Riana Pfefferkorn

Re: OPRA Request dated December 20, 2024

Dear Ms. Pfefferkorn,

With regards to your second question, the documents withheld under the OPRA student record exemption are all correspondences to or from parents about their student. Pursuant to the OPRA, student records and records with student personally identifiable information," are not subject to disclosure under the OPRA as they are 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). Notably, FERPA prohibits the release of any "personally identifiable information," which includes any information which "alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty." 34 C.F.R. 99.3. Furthermore, pursuant to *N.J.A.C.* 6A:32-7.5(g)1. when responding to OPRA requests from any party, before making any release of any record including those removed of all personally identifiable information, the District must have made a reasonable decision that a student's identity cannot be determined whether through single or multiple releases, or when added to other reasonably available information. The records requested, even if redacted, would constitute student records as the District is unable to make a reasonable decision that a student's identity cannot be determined when added to other reasonably available information.

Thank you,

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

Patricia Ramos
Custodian of Records