

ELIZABETH PUBLIC SCHOOLS
Every Child, Achieving Excellence

Olga Hugelmeyer
Superintendent of Schools

Harold E. Kennedy, Jr.
School Business Administrator/Board
Secretary

October 25, 2023

Curious Taxpayer
opra+request-54101-d9e3cc17@requests.opramachine.com

Dear Curious Taxpayer:

I am in receipt of your request for records pursuant to the State's Open Public Records Act ("OPRA").

1. Your request "A digital list of all employees hired by the district. Please include their job title (non abbreviated) and union affiliation, department they work in, hire date, and salary. Please include full time staff, part time staff, substitutes, or temporarily/seasonally employed workers. This list can be broken up if one record does not exist containing all the requested information. But please include all the requested information in the OPRA request" is denied as the District does not maintain retrievable records that are responsive to your request. Researching, compiling and creating such information falls outside the controlling authority of the Open Public Records Act. The law is settled that under OPRA government agencies "are required to disclose only 'identifiable' governmental records...[w]holesale requests for general information to be analyzed, collated and compiled by the responding government entity are not encompassed therein." *Burnett v. Cnty. Of Gloucester*, 415 N.J. Super. 506, 514 (App. Div. 2010) (quoting *MAG Entm't, LLC v. Div. of Alcoholic Bev. Control*, 375 N.J. Super. 534, 549 (App. Div. 2005)). OPRA "is not intended as a research tool litigants may use to force government officials to identify and siphon useful information." *MAG Entm't*, 375 N.J. Super. at 546.

Sincerely,



Harold E. Kennedy, Jr.
School Business Administrator/Board Secretary

Office of the School Business Administrator/Board Secretary

500 North Broad Street, Elizabeth, New Jersey 07208 • Ph: 908.436.5112 • Fax: 908.436.5158
Email: kennedha@epsnj.org • Website: www.epsnj.org