



Saddle River School District - Wandell School
97 East Allendale Road, Saddle River, NJ 07458
201.327.0727 www.wandellschool.org Fax: 201.236.8166



May 31, 2024

VIA E-MAIL [opra+request-61256-d2ad9cfd@requests.opramachine.com]

Brian Hampel

Re: Open Public Records Act/Common Law Request

Dear Mr. Hampel:

The Saddle River School District ("District") records custodian received your Open Public Records Act ("OPRA") and common law request ("Request") on May 1, 2024. On May 10, 2024, the District obtained an extension of time to respond to your Request until May 31, 2024. As such, the District is timely responding to your Request in accordance with New Jersey law.

Your Request seeks the following records:

Records Requested:

I am seeking all emails from March 27, 2024, to today, where Kaitlyn Lawler, the current Saddle River Business Administrator/Board Secretary, is either the sender or the recipient, using the email address klawler@wandellschool.org. These emails should pertain to (also referred to as "Subject Matter") the Middle School Exploration & Feasibility Study, including but not limited to discussions related to the Feasibility Study Results, or coordination of upcoming exploration meetings.

Time Frame:

The request covers the period from March 27, 2024, to the present.

Format Request:

Please ensure that the records are returned only as PDF files.

Clarification of the Request:

- a) Sender/Recipient: Kaitlyn Lawler, Saddle River Business Administrator/Board Secretary, using the email address klawler@wandellschool.org*
- b) Subject: Middle School Exploration & Feasibility Study.*
- c) Date Range: March 27, 2024, to the present.*

Legal Justification:

Under common law, I seek access to these documents to ensure transparency and accountability in the spending of public funds by the Saddle River School District and to verify compliance with applicable laws and regulations concerning the community's interest in and advocacy for the establishment of a middle school within the district.



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Privacy and Exemptions:

- 1) Please redact any personally identifiable information related to individual students before disclosure.*
- 2) If any records are exempt from disclosure under OPRA or unavailable under common law, please provide a complete Vaughn index as described in *Paff v. Division of Law*, 412 N.J. Super. 140, 161 (App. Div. 2010), detailing sufficient information for review.*

**** Time Sensitivity ***:*

This is a time-sensitive request given the nature of the ongoing exploration meetings. Therefore, if the district requires an extension beyond the customary 7 business days from the receipt of the request, please provide justification for doing so. This should include the number of responsive records and the estimated person-hours of work required to complete this request.

The District conducted a good-faith search and identified 40 pages of records as responsive. Pages 11 through 19 have been redacted as you were a sender or recipient on these communications, and thus you are already in possession of the same. See *Bart v. City of Paterson Housing Auth.*, 403 N.J. Super. 609 (App. Div. 2008) (holding that the requestor was not denied access to the record at issue because he already had the document that he sought). Please note that redactions have been made to remove the names of citizens who completed a Google form, a personal telephone number, and personal e-mail addresses in order to protect the individuals' reasonable expectation of privacy pursuant to N.J.S.A. 47:1A-1 (providing that "a public agency has a responsibility and an obligation to safeguard from public access a citizen's personal information with which it has been entrusted when disclosure thereof would violate the citizen's reasonable expectation of privacy"). See also N.J.S.A. 47:1A-1.1 (exempting "that portion of any document which discloses the unlisted telephone number" from the definition of a "government record"). See also *Rise Against Hate v. Cherry Hill Township*, 2023 WL 2670720 (App. Div. Mar. 29, 2023) (finding that the personal e-mail addresses of subscribers to a newsletter were not subject to public access).

Your Request is now deemed answered and closed. Thank you for your attention to this matter.

Sincerely,

Kaitlyn Lawler
Business Administrator/Board Secretary