



MONROE TOWNSHIP SCHOOLS
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August 28, 2024

VIA EMAIL: opra+request-63160-0000b69c@requests.opramachine.com

Concerned Resident

Re: OPRA Request dated June 26, 2024

Dear Sir/Madam:

On behalf of the Monroe Township Board of Education ("Board" and/or "District"), I am writing this letter in furtherance of correspondences dated July 9, 2024 and August 1, 2024 in response to your request for records pursuant to the Open Public Records Act ("OPRA") dated June 26, 2024.

OPRA allows custodians to seek extensions of time within which to respond, pursuant to N.J.S.A. 47:1A-5i. Specifically, OPRA states that, "the requestor shall be advised when the record can be made available. If the record is not made available by that time, access shall be deemed denied." In regards to your request, this office requested such an extension until Wednesday, August 28, 2024. Accordingly, the Board's response to your request is set forth below.

"Emails to and from Katie Fabiano from June 10, 2024 - June 25, 2024 with the keywords 'meeting' 'graduation' 'ethics' 'security' 'attorney' 'school' 'board'".

Your request for copies of emails that contain the keywords "meeting", "graduation", "ethics", "security", "attorney", "school" and "board" are overly broad in that the requests fail to include a narrowly construed subject or content and thus do not identify specific requested records. See Elcavage v. West Milford Twp. (Passaic), GRC Complaint No. 2009-07 (April 2010); Doss v. Borough of Paramus (Bergen), GRC Complaint No. 2014-149 (Interim Order dated January 30, 2015); Gannett New Jersey Partners L.P. v. County of Middlesex, 379 N.J. Super. 205, 211-12, 877 A.2d 330 (App. Div. 2005); New Jersey Builders Association v. New Jersey Council on Affordable Housing, 390 N.J. Super. 166, 178 (App. Div.), cert. Denied, 190 N.J. 394 (2007); Bent v. Stafford Police Dep't, 381 N.J. Super. 30, 40 (App. Div. 2005); NJ Builders Assoc. v. NJ Council on Affordable

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Housing, 390 N.J. Super. 166, 180 (App. Div. 2007); Burke v. Brandes, 429 N.J. Super. 169, 172, 176 (App. Div. 2012). Under OPRA, one cannot submit “wholesale requests for general information to be analyzed, collated and compiled by the responding government entity.” MAG Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J. Super. 534, 868 A.2d 1067 (App. Div. 2005). (The Court found a request for “all books, records, [and] documents” related to a specific project to be improper.)

Your request contains generic keywords that can easily appear in a vast quantity of records without any specific meaning. There is no requirement pursuant to OPRA which requires the Board to attempt to locate responsive correspondence containing a single word of generic meaning without any context. See Elcavage v. West Milford Twp. (Passaic), GRC Complaint No. 2009-07 (April 2010); Burke v. Brandes, 429 N.J. Super. 169, 172, 176 (App. Div. 2012). Further, requiring a custodian to locate responsive correspondence based on a single generic keyword is clearly not consistent with the establishment of “subject or content” as one of the criteria for a valid correspondence search. See Sandoval v. NJ State Parole Board, GRC Complaint No. 2006-167 (October 2008), and Schuler v. Borough of Bloomsbury, GRC Complaint No. 2007-151 (February 2009). Most importantly, using generic keywords is analogous to the type of overly broad request that the MAG and NJ Builder Association Courts determined to be invalid.

This request requires the Board to perform research and use judgement as to whether each correspondence is actually responsive to your request in order to respond properly. The OPRA does not require such actions. In addition, as composed, the request contains generic terms which do not constitute a valid subject or content. It is unclear the documents you are seeking in response to your request. Accordingly, this request is invalid pursuant to the OPRA and is hereby denied as overbroad.

If you choose to submit a clarified request more specifically identifying the records you are seeking, such as by naming the exact documents being requested, we will review and respond to that as a new request.

This correspondence and the foregoing information constitute the Board’s full and complete response to your OPRA request and therefore, your OPRA request is closed.

Sincerely,



Lisa Goldstein
OPRA Secretary