



MAHWAH BOARD OF EDUCATION
60 Ridge Road, Mahwah, NJ 07430

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Director of Curriculum and
Instruction

July 29, 2022

Mahwahchildren1st

Via Email Only

opra+request-34113-4267825c@requests.opramachine.com

RE : Public Records Request

Dear "Mahwahchildren1st,"

The Mahwah Board of Education received your Open Public Records Act ("OPRA") request on July 21, 2022.

OPRA allows public agencies to impose special service charges whenever the nature, format, manner of collation, or volume of a government record embodied in the form of printed matter to be inspected, examined, or copied pursuant to this section is such that the record cannot be reproduced by ordinary document copying equipment in ordinary business size or when fulfilling a request requires an extraordinary expenditure of time and effort. Special service charges must be based upon the actual direct cost of providing the copy or copies. See N.J.S.A. 47:1A-5(c).

OPRA mandates that the requestor shall have the opportunity to review and object to the charge prior to it being incurred. Ibid. We are imposing a special service charge to fulfill this request due to it requiring an extraordinary expenditure of time and effort to fulfill. Your request seeks "all e-mails...containing any and all words" pertaining to approximately sixteen (16) different search terms. Moreover, you are seeking e-mails "containing any and all words" pertaining to the sixteen (16) different search terms from hundreds of different individuals *i.e.*, "any and all [M]ahwah [D]istrict employee[s]," etc.), spanning in excess of ten (10) months.

Accordingly, in order to fulfill your request, this would require a search of e-mails from hundreds of different individuals, spanning a ten-in-a-half (10.5)-month period of time, containing "any and all words" pertaining to approximately sixteen (16) different search terms, which include such broad terms as "curriculum" and "New [J]ersey student learning standards." Such a search will likely produce thousands of e-mails, which will then have to be reviewed for relevance, privilege, confidentiality, etc.

A detailed estimate of the special service charge is provided as follows:

The Technology Director is the lowest-salaried employee qualified to run the e-mail search. Additionally, after running the search for e-mails from hundreds of different individuals, which

the District anticipates will produce thousands of e-mails, he will then have to assemble and organize the e-mails in a manner conducive for internal review and ultimately, for production. His hourly rate of pay is \$90.25, and it is anticipated that it will take him 40 hours to complete this search, for a total of Three Thousand Six Hundred and Ten Dollars (\$3,610).

The Assistant to the Business Administrator is the lowest-salaried employee qualified to then review all of the e-mails returned from the initial search conducted by the Technology Director for relevance, privilege, confidentiality, etc. It is anticipated that the search will initially produce numerous documents requiring redaction or withholding due to some of the search terms and individuals identified in your request. Her hourly rate of pay is \$45.60, and she estimates that it will take her 75 hours to complete this, for a total of Three Thousand Four Hundred and Twenty Dollars (\$3,420). Accordingly, the total estimated special service charge is Seven Thousand and Thirty Dollars (\$7,030). Should the request take less than the estimated time to fulfill, any unused portion of the special service charge would be returned to you.

Please respond in writing with your acceptance or rejection of this estimated charge. We will not begin to process this request until we receive your written acceptance. Please note that records are subject to redaction or withholding based on any applicable exemption or privilege in accordance with law.

Sincerely,



Kyle J. Bleeker

Business Administrator
KJB/