



STOCKTON UNIVERSITY
Office of The Open Public Records Custodian
101 Vera King Farris Drive
Galloway, New Jersey 08205
Phone: 609-652-4874
OPRArequest@stockton.edu
www.stockton.edu

December 6, 2019

Via Email at opra+request-8208-f4f02ad6@requests.opramachine.com

Patrick Duff

Re: OPRA Request No. 112619-1

Dear Mr. Duff:

Stockton University's Open Public Records Act (OPRA) Custodian received your OPRA Request on November 26, 2019. The University was closed on November 28, 2019 and November 29, 2019 in observance of the Thanksgiving holiday. As such, the seven (7) business day deadline to respond to your request is Monday, December 9, 2019.

Your OPRA Request sought access to the following:

The employment contracts for the following employees and performance reviews for the period of time from 1-1-2017 through 11-24-2019.

McDonald, Michelle

O'Hara, John

Musher, Sharron

Kinsella, Tom

Schopp, Paul

This response is being timely provided. As applicable, the attached Index identifies the records produced, redacted and/or denied (in whole or in part), as well as the legal basis for each denial or redaction, as required by N.J.S.A. 47:1A-6. A list of OPRA's exemptions also is attached for your reference. These records are being transmitted to you via email to opra+request-8208-f4f02ad6@requests.opramachine.com, as per your request.

If your request for access to a government record has been denied, you have a right to challenge the decision to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council ("GRC") by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511; by mail at P.O. Box 819, Trenton, NJ, 08625; by e-mail at grc@dca.state.nj.us; or, at its web site located at www.state.nj.us/grc. The Council can also answer other questions about OPRA. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.

Sincerely,

Dawn Livingston

Dawn Livingston

On behalf of the OPRA Custodian

Tel. 609.652.4874

OPRArequest@stockton.edu

www.stockton.edu

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<u>Records Requested</u>	<u>Responses and/or documents responsive to OPRA Request</u>	<u>Redacted Page #</u>	<u>Justification</u> <u>(Please refer to</u> <u>LEGEND/EXEMPTION)</u>
The employment contracts for the following employees and performance reviews for the period of time from 1-1-2017 through 11-24-2019. McDonald, Michelle O'Hara, John Musher, Sharron [sic] Kinsella, Tom [sic] Schopp, Paul	Response to request for “employment contracts” and “performance reviews” from 1-1-2017 through 11-24-2019 – McDonald, Michelle: • Employment contract – the responsive document is provided with redaction as indicated. • Your request for performance reviews is denied. Performance reviews constitute individualized personnel records exempt from disclosure under OPRA. N.J.S.A. 47:1A-10 provides in relevant part that personnel records of any individual in the possession of a public agency "shall not be considered a government record and shall not be made available for public access." <u>See also, Simmons v. City of Newark</u>, No. A-4204-16T2, 2018 WL 5091794, at *4 (N.J. Super. Ct. App. Div. Oct. 19, 2018); <u>Cibo v. Rowan Univ. Custodian of Records</u>, GRC No. 2003-42.	Redaction, Bates-stamp OPRA-DUFF-112619-1 001	• Employment contract (redaction) = D; <u>see also N.J.S.A. 47:1A-1.1, and Burnette v. County of Bergen.</u> • Performance reviews are subject to OPRA Exemption 24 (N.J.S.A. 47:1A-10).
	Response to request for “employment contracts” and “performance reviews” from 1-1-2017 through 11-24-2019 – O'Hara, John: • Employment contract – the responsive document is provided with redaction as indicated. • Your request for performance reviews is denied. Performance reviews constitute individualized personnel records exempt from disclosure under OPRA. N.J.S.A. 47:1A-10 provides in relevant part that personnel records of any individual in the possession of a public agency "shall not be considered a government record and shall not be made available for public access." <u>See also, Simmons v. City of Newark</u>, No. A-4204-16T2, 2018 WL 5091794, at *4 (N.J. Super. Ct. App. Div. Oct. 19, 2018); <u>Cibo v. Rowan Univ. Custodian of Records</u>, GRC No. 2003-42.	N/A	• Employment contract (redaction) = D; <u>see also N.J.S.A. 47:1A-1.1, and Burnette v. County of Bergen.</u> • Performance reviews are subject to OPRA Exemption 24 (N.J.S.A. 47:1A-10).

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	Response to request for “employment contracts” and “performance reviews” from 1-1-2017 through 11-24-2019 – Musher, Sharron [sic]: • Please be advised that there are no records responsive to your request for employment contracts from 1-1-2017 through 11-24-2019 regarding Sharon Musher as Sharon Musher has been tenured since 2012. • Your request for performance reviews is denied. Performance reviews constitute individualized personnel records exempt from disclosure under OPRA. N.J.S.A. 47:1A-10 provides in relevant part that personnel records of any individual in the possession of a public agency "shall not be considered a government record and shall not be made available for public access." <u>See also, Simmons v. City of Newark</u>, No. A-4204-16T2, 2018 WL 5091794, at *4 (N.J. Super. Ct. App. Div. Oct. 19, 2018); <u>Cibo v. Rowan Univ. Custodian of Records</u>, GRC No. 2003-42.	N/A	N/A • Performance reviews are subject to OPRA Exemption 24 (N.J.S.A. 47:1A-10).
	Response to request for “employment contracts” and “performance reviews” from 1-1-2017 through 11-24-2019 – Kinsella, Tom [sic]: • Please be advised that there are no records responsive to your request for employment contracts from 1-1-2017 through 11-24-2019 regarding Thomas Kinsella as Thomas Kinsella has been tenured since 1994. • Your request for performance reviews is denied. Performance reviews constitute individualized personnel records exempt from disclosure under OPRA. N.J.S.A. 47:1A-10 provides in relevant part that personnel records of any individual in the possession of a public agency "shall not be considered a government record and shall not be made available for public access." <u>See also, Simmons v. City of Newark</u>, No. A-4204-16T2, 2018 WL 5091794, at *4 (N.J. Super. Ct. App. Div. Oct. 19, 2018); <u>Cibo v. Rowan Univ. Custodian of Records</u>, GRC No. 2003-42.	N/A	N/A • Performance reviews are subject to OPRA Exemption 24 (N.J.S.A. 47:1A-10).

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	Response to request for “employment contracts” and “performance reviews” from 1-1-2017 through 11-24-2019 – Schopp, Paul: • Employment contract – the responsive document is provided with redaction as indicated. • Your request for performance reviews is denied. Performance reviews constitute individualized personnel records exempt from disclosure under OPRA. N.J.S.A. 47:1A-10 provides in relevant part that personnel records of any individual in the possession of a public agency "shall not be considered a government record and shall not be made available for public access." <u>See also, Simmons v. City of Newark</u>, No. A-4204-16T2, 2018 WL 5091794, at *4 (N.J. Super. Ct. App. Div. Oct. 19, 2018); <u>Cibo v. Rowan Univ. Custodian of Records</u>, GRC No. 2003-42.	N/A	• Employment Contract (redaction) = D; <u>see also N.J.S.A. 47:1A-1.1</u>, and <u>Burnette v. County of Bergen</u>. • Performance reviews are subject to OPRA Exemption 24 (N.J.S.A. 47:1A-10).
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LEGEND: Legal explanation and statutory citation for the denial of access to records

A. Advisory, Consultative, Deliberative (general)

Content redacted includes “inter-agency or intra-agency advisory, consultative, or deliberative material” and therefore exempt from disclosure pursuant to N.J.S.A. 47:1A-1.1. See also Educ. Law Ctr. ex rel. Abbott v. N.J. Dep’t of Educ., 198 N.J. 274 (2009) (quoting In re Liquidation of Integrity Ins. Co., 165 N.J. 75 (2000)), finding that the deliberative process privilege permits the government to withhold documents that reflect advisory opinions, recommendations, and deliberations comprising part of a process by which governmental decisions and policies are formulated; and that the privilege exists to ensure free and uninhibited communication within governmental agencies so that the best possible decisions can be reached.

B. Advisory, Consultative, Deliberative (draft)

Content redacted is “inter-agency or intra-agency advisory, consultative, or deliberative material” and therefore exempt from disclosure pursuant to N.J.S.A. 47:1A-1.1. See also Parave-Fogg v. Lower Alloways Creek Township, GRC Complaint No. 2006-51 (August 2006) finding that draft meeting minutes that had not been approved by the governing body constitute inter-agency, intra-agency advisory consultative, or deliberative material and are exempt from disclosure.

C. Student E-mails

Student email(s) have been redacted pursuant to the Family Educational Rights and Privacy Act of 1974 (“FERPA”), 20 U.S.C. §1232g (implemented by regulations at 34 CFR Part 99) which regulates the disclosure of student information. Your request under OPRA must also be read in conjunction with FERPA. Though electronic mail addresses may be discloseable if designated by an institution as “directory information” under FERPA, the University, as permitted, elected not to include students’ electronic mail addresses as directory information. Accordingly, because under FERPA this information is protected, student electronic mail addresses are exempt from disclosure under OPRA.

D. Personal Identifying Information

The redacted content (e.g., home address, private/unlisted telephone number, social security number, etc.) contains “personal identifying information” and is therefore exempt from disclosure pursuant to N.J.S.A. 47:1A-1.1 and Burnett v. County of Bergen, 198 NJ 408 (2009) (holding that OPRA imposes an obligation on public agencies to protect against disclosure of personal information which would run contrary to reasonable privacy interests).

E. Job Applicant, Prior Employment, and/or Personnel Information

The redacted content references a candidate who never accepted employment with the College or details prior employment information. Except for an individual’s name, title, position, salary, payroll record, length of service, date of separation and the reason therefore, and the amount and type of any pension received, personnel records shall not be considered a government record and shall not be made available for public access. N.J.S.A. 47:1A-10. See also Toscano v. New Jersey Department of Human Services, Division of Mental Health Services, GRC Complaint No. 2010-147 (May 2011). Additionally, Executive Order 26 (McGreevy 2002) provides: “The résumés of successful candidates shall be disclosed once the successful candidates is hired. The résumés of

unsuccessful candidates may be disclosed after the search has been concluded and the position has been filled, but only where the unsuccessful candidate has consented to such disclosure.”

F. Attorney-Client Privileged Communication¹

Content redacted is “within the attorney-client privilege” and therefore exempt from disclosure pursuant to N.J.S.A. 47:1A-1.1. See also Farneski v. Hunterdon County Prosecutor’s Office, GRC Complaint No. 2010-20 (October 2011), finding that the attorney-client privilege protects communications between a lawyer and the client made in the course of that professional relationship, and particularly protects information which, if disclosed, would jeopardize the legal position of the client. N.J.S.A. 2A:84A-20; RPC 1.6. Also confidential are mental impressions, legal conclusions, and opinions or theories of attorneys. In Re Environmental Ins. Actions, 259 N.J. Super. 308, 317 (App.Div.1982).

And/or, , the content was redacted pursuant to the “common interest rule” which extends the confidentiality of attorney-client communications and attorney work product to information shared with attorneys representing separate clients, in the context of a request for production of public records pursuant to OPRA, and the common law right to access government records. O’Boyle v Borough of Longport, 218 N.J. 168 (2014) [Adopting the common interest rule articulated in Laporta v Gloucester County Board of Chosen Freeholders, 340 N.J. Super. 254 (App. Div. 2001), and recognizing that the common interest exception to waiver of confidential attorney-client communications or work product due to disclosure to third parties applies to communications between attorneys for different parties if the disclosure is made due to actual or anticipated litigation for the purpose of furthering a common interest, and the disclosure is made in a manner to preserve the confidentiality of the disclosed material and to prevent disclosure to adverse parties.]

G. Information which, if disclosed, would give an Advantage to Competitors or Bidders

Content redacted is “information which, if disclosed, would give an advantage to competitors or bidders” and therefore exempt from disclosure pursuant to N.J.S.A. 47:1A-1.1.

H. Records in Pursuit of Charitable Contribution

Content redacted includes information concerning the pursuit of charitable contributions. N.J.S.A. 47:1A-1.1 provides “a government record shall not include, with regard to any public institution of higher education, the following information which is deemed to be privileged and confidential: records of pursuit of charitable contributions.”

I. Privacy Interest

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. N.J.S.A 47:1A-1 (Legislative Findings); N.J.S.A. 47:1A-6. See also Burnette v. County of Bergen, 198 NJ 408, 436 (2009); Andrew J. Mayer v. Borough of Tinton Falls (Monmouth), GRC Complaint No. 2008-245 (April 2010) (“There is also a privacy

¹ Relative to this records production, attorneys representing Stockton University include: Brian Kowalski, Esq. and Ellen Bailey, Esq.

interest in non-disclosure of an individual's e-mail address because e-mail addresses maintain an individual's anonymity. Anonymity could be compromised if e-mail addresses are released to the public, especially when an e-mail address is contemporaneously coupled with or later used to obtain other personal identifying information such as a name and home address.").

J. Certain records of higher education institutions

Pedagogical, scholarly and/or academic research records and/or the specific details of any research project, except that a custodian may not deny inspection of a government record or part thereof that gives the name, title, expenditures, source and amounts of funding and date when the final project summary of any research will be available.

K. Redactions of Stockton IT email addresses to obtain new computer accounts

[newaccounts@stockton.edu and information.security@stockton.edu] under N.J.S.A. 47:1A-1.1 exemption for "administrative or technical information regarding computer hardware, software and networks which, if disclosed, would jeopardize computer security"; and "security measures which, if disclosed, would create a risk to the safety of persons, property, electronic data or software."



OPRA EXEMPTIONS

(Exceptions are noted in italics)

N.J.S.A. 47:1A-1.1

- 1) Inter-agency or intra-agency advisory, consultative or deliberative material (Note: generally refers to draft documents or documents used in a deliberative process).
- 2) Legislative records. Specifically:
 - a. information received by a member of the Legislature from a constituent or information held by a member of the Legislature concerning a constituent, including but not limited to information in written form or contained in any e-mail or computer data base, or in any telephone record whatsoever, *unless it is information the constituent is required by law to transmit;*
 - b. any memorandum, correspondence, notes, report or other communication prepared by, or for, the specific use of a member of the Legislature in the course of the member's official duties, *except that this provision shall not apply to an otherwise publicly-accessible report which is required by law to be submitted to the Legislature or its members.*
- 3) Medical examiner records – photographs, negatives, print, videotapes taken at the scene of death or in the course of post mortem examination or autopsy, *except:*
 - a. *when used in a criminal action or proceeding in this State which relates to the death of that person,*
 - b. *for the use as a court of this State permits, by order after good cause has been shown and after written notification of the request for the court order has been served at least five days before the order is made upon the county prosecutor for the county in which the post mortem examination or autopsy occurred,*
 - c. *for use in the field of forensic pathology or for use in medical or scientific education or research, or*
 - d. *or use by any law enforcement agency in this State or any other state or federal law enforcement agency.*
- 4) Criminal investigatory records - records which are not required by law to be made, maintained or kept on file that are held by a law enforcement agency which pertain to any criminal investigation or related civil enforcement proceeding. (Note: N.J.S.A. 47:1A-3.b. lists specific criminal investigatory information which must be disclosed).
- 5) Victims' records
 - a. an individually-identifiable file or document held by a victims' rights agency which pertains directly to a victim of a crime except that a victim of a crime shall have access to the victim's own records. "Victims' rights agency" means a public agency, or part thereof, the primary responsibility of which is providing services,

including but not limited to food, shelter, or clothing, medical, psychiatric, psychological or legal services or referrals, information and referral services, counseling and support services, or financial services to victims of crimes, including victims of sexual assault, domestic violence, violent crime, child endangerment, child abuse or child neglect, and the Victims of Crime Compensation Board.

- b. any written OPRA request by a crime victim for a record to which the victim is entitled to access, including, but not limited to, any law enforcement agency report, domestic violence offense report, and temporary or permanent restraining order;

6) Personal firearms records:

- a. *Except for use by any person authorized by law to have access to these records or for use by any government agency, including any court or law enforcement agency, for purposes of the administration of justice.*
- b. Personal identifying information received by the Division of Fish and Wildlife in the Department of Environmental Protection in connection with the issuance of any license authorizing hunting with a firearm. For the purposes of this paragraph, personal identifying information shall include, but not be limited to, identity, name, address, social security number, telephone number, fax number, driver's license number, email address, or social media address of any applicant or licensee.

7) Trade secrets and proprietary commercial or financial information obtained from any source. Includes data processing software obtained by a public agency under a licensing agreement which prohibits its disclosure.

8) Any record within the attorney-client privilege.

9) Administrative or technical information regarding computer hardware, software and networks which, if disclosed would jeopardize computer security.

10) Emergency or security information or procedures for any buildings or facility which, if disclosed, would jeopardize security of the building or facility or persons therein.

11) Security measures and surveillance techniques which, if disclosed, would create a risk to the safety or persons, property, electronic data or software.

12) Information which, if disclosed, would give an advantage to competitors or bidders.

13) Information generated by or on behalf of public employers or public employees in connection with:

- a. Any sexual harassment complaint filed with a public employer;
- b. Any grievance filed by or against an individual; or
- c. Collective negotiations, including documents and statements of strategy or negotiating position.

- 14) Information which is a communication between a public agency and its insurance carrier, administrative service organization or risk management office.
- 15) Information which is to be kept confidential pursuant to court order.
- 16) Certificate of honorable discharge issued by the United States government (Form DD-214) filed with a public agency, *except that a veteran or the veteran's spouse or surviving spouse shall have access to the veteran's own records.*
- 17) Personal identifying information. Specifically:
 - a. Social security numbers, *except that a social security number contained in a record required by law to be made, maintained or kept on file by a public agency shall be disclosed when access to the document or disclosure of that information is not otherwise prohibited by State or federal law, regulation or order or by State statute, resolution of either or both houses of the Legislature, Executive Order of the Governor, rule of court or regulation promulgated under the authority of any statute or executive order of the Governor.*
 - b. Credit card numbers
 - c. Unlisted telephone numbers
 - d. Drivers' license numbers.

Except for:

- a. *Use by any government agency, including any court or law enforcement agency, in carrying out its functions,*
 - b. *or any private person or entity acting on behalf thereof,*
 - c. *or any private person or entity seeking to enforce payment of court-ordered child support; except with respect to the disclosure of driver information by the Division of Motor Vehicles as permitted by section 2 of P.L.1997, c.188 (C.39:2-3.4);*
- 18) Certain records of higher education institutions:
 - a. Pedagogical, scholarly and/or academic research records and/or the specific details of any research project, *except that a custodian may not deny inspection of a government record or part thereof that gives the name, title, expenditures, source and amounts of funding and date when the final project summary of any research will be available.*
 - b. Test questions, scoring keys and other examination data pertaining to the administration of an examination for employment or academic examination.
 - c. Records of pursuit of charitable contributions or records containing the identity of a donor of a gift if the donor requires non-disclosure of the donor's identity as a condition of making the gift provided that the donor has not received any benefits of or from the institution of higher education in

connection with such gift other than a request for memorialization or dedication.

- d. Valuable or rare collections of books and/or documents obtained by gift, grant, bequest or devise conditioned upon limited public access.
- e. Information contained on individual admission applications.
- f. Information concerning student records or grievance or disciplinary proceedings against a student to the extent disclosure would reveal the identity of the student.

N.J.S.A. 47:1A-1.2

- 19) Biotechnology trade secrets.

N.J.S.A. 47:1A-2.2

- 20) Limitations to convicts - personal information pertaining to the person's victim or the victim's family, including but not limited to a victim's home address, home telephone number, work or school address, work telephone number, social security account number, medical history or any other identifying information. *Information may be released only if the information is necessary to assist in the defense of the requestor. A determination that the information is necessary to assist in the requestor's defense shall be made by the court upon motion by the requestor or his representative.*

N.J.S.A. 47:1A-3.a.

- 21) Ongoing investigations – any records pertaining to an investigation in progress by any public agency if disclosure of such record or records shall be detrimental to the public interest. *This provision shall not be construed to allow any public agency to prohibit access to a record of that agency that was open for public inspection, examination, or copying before the investigation commenced.*

N.J.S.A. 47:1A-5.k.

- 22) Public defender records that relate to the handling of any case, *unless authorized by law, court order, or the State Public Defender.*

N.J.S.A. 47:1A-9

- 23) Upholds exemptions contained in other State or federal statutes and regulations, Executive Orders of the Governor, Rules of Court, Constitution of this State, or judicial case law.

N.J.S.A. 47:1A-10

- 24) Personnel and pension records, *except specific information identified as follows:*

- a. *An individual's name, title, position, salary, payroll record, length of service, date of separation and the reason for such separation, and the amount and type of any pension received,*
- b. *When required to be disclosed by another law, when disclosure is essential to the performance of official duties of a person duly authorized by this State or the United States, or when authorized by an individual in interest.*
- c. *Data contained in information which disclose conformity with specific experiential, educational or medical qualifications required for government employment or for receipt of a public pension, but not including any detailed medical or psychological information.*

N.J.S.A. 47:1A-1 (Legislative Findings)

- 25) Privacy Interest - "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."

Burnett v. County of Bergen, 198 N.J. 408 (2009). Without ambiguity, the court held that the privacy provision "is neither a preface nor a preamble." Rather, "the very language expressed in the privacy clause reveals its substantive nature; it does not offer reasons why OPRA was adopted, as preambles typically do; instead, it focuses on the law's implementation." "Specifically, it imposes an obligation on public agencies to protect against disclosure of personal information which would run contrary to reasonable privacy interests."

Executive Order No. 21 (McGreevey 2002)

- 1) Records where inspection, examination or copying would substantially interfere with the State's ability to protect and defend the State and its citizens against acts of sabotage or terrorism, or which, if disclosed, would materially increase the risk or consequences of potential acts of sabotage or terrorism.
- 2) Records exempted from disclosure by State agencies' promulgated rules are exempt from disclosure by this Order.
- 3) Executive Orders No. 9 (Hughes), 11 (Byrne), 79 (Byrne) and 69 (Whitman) are hereby continued to the extent that they are not inconsistent with this Executive Order.

Executive Order No. 9 (Hughes) exemptions that are still active:

- a. Questions on examinations required to be conducted by any State or local governmental agency;
- b. Personnel and pension records (same as N.J.S.A. 47:1A-10);
- c. Records concerning morbidity, mortality and reportable diseases of named persons required to be made, maintained or kept by any State or local governmental agency;

- d. Records which are required to be made, maintained or kept by any State or local governmental agency which would disclose information concerning illegitimacy;
- e. Fingerprint cards, plates and photographs and other similar criminal investigation records which are required to be made, maintained or kept by any State or local governmental agency;
- f. Criminal records required to be made, maintained and kept pursuant to the provisions of R. S. 53:1-20.1 and R. S. 53:1-20.2;
- g. Personal property tax returns required to be filed under the provisions of Chapter 4 of Title 54 of the Revised Statutes; and
- h. Records relating to petitions for executive clemency.

Executive Order No. 11 (Byrne) exemptions are the same as N.J.S.A. 47:1A-10.

Executive Order No. 79 (Byrne) exemptions are the similar to # 8, 9, 10 above under N.J.S.A. 47:1A-1.1.

Executive Order No. 69 (Whitman) exemptions that are still active: Fingerprint cards, plates and photographs and similar criminal investigation records that are required to be made, maintained or kept by any State or local governmental agency.

Executive Order No. 26 (McGreevey 2002)

1) Certain records maintained by the Office of the Governor:

- a. Any record made, maintained, kept on file or received by the Office of the Governor in the course of its official business which is subject to an executive privilege or grant of confidentiality established or recognized by the Constitution of this State, statute, court rules or judicial case law.
- b. All portions of records, including electronic communications, that contain advisory, consultative or deliberative information or other records protected by a recognized privilege.
- c. All portions of records containing information provided by an identifiable natural person outside the Office of the Governor which contains information that the sender is not required by law to transmit and which would constitute a clearly unwarranted invasion of personal privacy if disclosed.
- d. If any of the foregoing records shall contain information not exempted by the provision of the Open Public Records Act or the preceding subparagraphs (a), (b) or (c) hereof then, in such event, that portion of the record so exempt shall be deleted or excised and access to the remainder of the record shall be promptly permitted.

2) Resumes, applications for employment or other information concerning job applicants while a recruitment search is ongoing. *The resumes of successful candidates shall be disclosed once the successful candidate is hired. The resumes of unsuccessful candidates may be disclosed after the search has been concluded and the position has been filled, but only where the unsuccessful candidate has consented to such disclosure.*

- 3) Records of complaints and investigations undertaken pursuant to the Model Procedures for Internal Complaints Alleging Discrimination, Harassment or Hostile Environments.
- 4) Information relating to medical, psychiatric or psychological history, diagnosis, treatment or evaluation.
- 5) Information in a personal income or other tax return
- 6) Information describing a natural person's finances, income, assets, liabilities, net worth, bank balances, financial history or activities, or creditworthiness, except as otherwise required by law to be disclosed.
- 7) Test questions, scoring keys and other examination data pertaining to the administration of an examination for public employment or licensing.
- 8) Records in the possession of another department (including NJ Office of Information Technology or State Archives) when those records are made confidential by a regulation of that department or agency adopted pursuant to N.J.S.A. 47:1A-1 et seq. and Executive Order No. 9 (Hughes 1963), or pursuant to another law authorizing the department or agency to make records confidential or exempt from disclosure.
- 9) Records of a department or agency held by the Office of Information Technology (OIT) or the State Records Storage Center of the Division of Archives and Records Management (DARM) in the Department of State, or an offsite storage facility outside of the regular business office of the agency. Such records shall remain the legal property of the department or agency and be accessible for inspection or copying only through a request to the proper custodian of the department or agency. In the event that records of a department or agency have been or shall be transferred to and accessioned by the State Archives in the Division of Archives and Records Management, all such records shall become the legal property of the State Archives, and requests for access to them shall be submitted directly to the State Archives.



Human Resources

P: 609.652.4384 • F: 609.626.5573

101 Vera King Farris Drive | Galloway NJ 08205-9441
stockton.edu

April 2, 2018

Michelle McDonald



Dear Michelle,

This letter is to confirm my offer to you for the position of Associate Vice President for Academic Affairs & Chief Officer for Academic Programming, Atlantic City Campus. Your name will be presented to the Board of Trustees for confirmation of your appointment at the Board of Trustee meeting on May 3, 2018. Here are the terms of your compensation package.

Terms of Compensation Agreement

- A. Start Date: July 1, 2018
- B. Annual Salary: \$175,000
- C. Fringe Benefits: Full benefits package including Health Insurance, Alternative Benefits Retirement (ABP) and Life Insurance Programs, and Disability are all offered under the State Health Benefits Program.
- D. Vacation/Legal Holidays: Managerial staff accrue 22 days of vacation in each fiscal year; during the first year, you will receive a prorated accrual at 12.83 hours per month.
- E. Sick Days: Managers are also entitled to 15 days of sick leave in each fiscal year; during the first year, you will receive a prorated accrual at 8.75 hours per month.

Please sign and return this letter of agreement to my office by the close of business on April 8, 2018. Should you have any questions, please feel free to contact me.

Michelle McDonald
April 2, 2018
Page 2

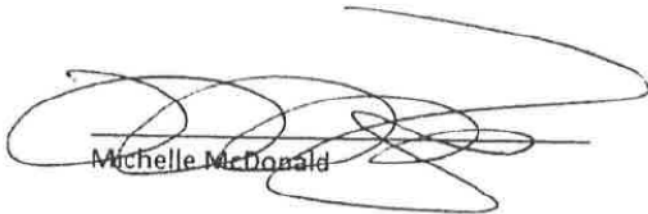
The Office of Human Resources and I will also be available to assist you in any way through this transition.

I look forward to continuing working with you.

Sincerely,



Thomas P. Chester, SHRM-SCP
Assistant Vice President, Human Resources and Payroll



Michelle McDonald

Date: 4/9/18

Office of the President

Harvey Kesselman, Ed.D.
President

P: 609.652.4521 • F: 609.652.4945



101 Vera King Farris Drive
Galloway NJ 08205
stockton.edu

May 4, 2017

Dr. John O'Hara
Associate Professor of Critical Thinking and First-Year Studies

Dear Dr. O'Hara,

I wish to inform you that the Board of Trustees has approved your reappointment with tenure to the faculty of Stockton University effective September 1, 2018. The terms of this agreement are as follows:

- Position: Associate Professor of Critical Thinking and First-Year Studies
School of General Studies
- Compensation: \$76,102, for 10 months, plus state mandated employee benefits, to be increased in accordance with the appropriately established compensation plan. All appointments are contingent on the appropriation of funds by the Legislature. Your position is covered by the Agreement between the State of New Jersey and the Council of New Jersey State College Locals, AFT, AFL-CIO.
- Responsibilities: Under the direction of the Dean, you will fulfill all of the responsibilities and expectations of Stockton faculty as outlined in the University Policies and Procedures on Faculty Evaluations. Specifically, you will serve in the following ways:
1. Offer courses in your Program and the General Studies curriculum;
 2. Serve as a preceptor to students;
 3. Participate in scholarship and/or creative activities as appropriate to the discipline;
 4. Provide service to the University, community, and/or profession;
 5. Perform other duties as designated by the Dean and/or the Provost and Vice President for Academic Affairs.

Please indicate your acceptance of this offer of appointment by acknowledging receipt of this contract within the E-evaluation system. Your contributions to Stockton are deeply appreciated, and I look forward to our continued work together.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Kesselman", written over a horizontal line.

Harvey Kesselman
President

Office of the President

Harvey Kesselman, Ed.D.
President

P: 609.652.4521 • F: 609.652.4945



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February 21, 2019

Paul Schopp
Assistant Director, South Jersey Culture and History Center

Dear Paul,

I wish to inform you that the Board of Trustees approved your reappointment at their meeting on February 20, 2019. The terms of this agreement are as follows:

Position: Assistant Director, South Jersey Culture and History Center

Compensation: \$72,610, pro-rated for 12 months, plus state-mandated employee benefits with increases in accordance with your bargaining unit agreement. All appointments are contingent on the appropriation of funds by the Legislature. Your position is covered by the Agreement between the State of New Jersey and the Council of New Jersey State College Locals, AFT, AFL-CIO.

Term of Employment: 7/1/19 - 6/30/20

Term of Salary: 7/6/19 – 6/30/20

Responsibilities: As the Assistant Director, South Jersey Culture and History Center, you should fulfill all the responsibilities and expectations of Stockton staff as outlined in the College Policies and Procedures on Staff Evaluation. As a professional at Stockton, you should be a good steward of University resources and observe the University's standards of ethical conduct in the execution of your duties. Specifically, you should support the mission of the University by the diligent completion of the duties as described in your position description and through the completion of your goals.

Please acknowledge receipt of this letter of reappointment within the Online E-evaluation system. I look forward to our continued work together.

Sincerely,

Harvey Kesselman
President