



MONROE TOWNSHIP SCHOOLS
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July 30, 2025

VIA EMAIL: opra+request-78619-7f4d8c73@requests.opramachine.com

Anonymous

Re: OPRA Request dated July 19, 2025

Dear Sir/Madam:

On behalf of the Monroe Township Board of Education ("Board" and/or "District"), I am writing this letter in response to your request for records pursuant to the Open Public Records Act ("OPRA") submitted via email on Saturday, July 19, 2025 and received on Monday, July 21, 2025. As such, the seven (7) business day deadline within which the Board is to respond to your request is Wednesday, July 30, 2025.

More specifically, the Board responds to your request as set forth below:

"The following final exam information for each of the courses listed below:

-Number of students taking the final

-Number of students earning less than 65%

-Number of students with disabilities earning less than 65%

-Number of students with disabilities needing to repeat the course

-Number of English language learners earning less than 65%

-Number of English language learners needing to repeat the course

-Number of teachers who had more than 50% of their students fail the final exam

-Algebra I

-Algebra I AB

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- Geometry**
- Dynamics of Geometry**
- Algebra II**
- Dynamics of Algebra II**
- Biology**
- Chemistry**
- Applied Physics**
- World History**
- US History I**
- US History II**
- LA I/LA 9**
- LA II/LA 10**
- LA III/LA 11**
- LA IV/LA 12”.**

This request is overly broad in that the request does not identify specific records and seeks information rather than identifiable records. A proper OPRA request must identify with reasonable clarity by specifically describing those documents that are being sought. See 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). 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.)

OPRA operates to make identifiable government records “readily accessible for inspection, copying, or examination.” N.J.S.A. 47:1A-1; MAG Entertainment, LLC v. Div. of ABC, 375 N.J. Super. 534, 546 (App. Div. 2005). MAG Entertainment, LLC held, “[w]hile OPRA provides an alternative means of access to government documents not otherwise exempted from its reach, it is not intended as a research tool litigants may use to force government officials to identify and siphon useful information.” Id. at 547. “Under OPRA, agencies are required to disclose only

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‘identifiable’ government records not otherwise exempt.” Id. at 549; *See also Bent v. Stafford Police Dep’t*, 381 N.J. Super. 30, 37 (App. Div. 2005) (holding that OPRA only allows requests for records as contrasted from information, and to qualify under OPRA a request must reasonably identify a record and not generally data, information or statistics).

Further, your request seeks copies of student records and/or student information, as explained in more detail below. There are long-standing regulations governing the confidentiality of student records and limiting access to those records to a select few. See N.J.A.C. 6A:32-2.1; and -7.1 et seq. These regulations are specifically authorized by N.J.S.A. 18A:36-19 and are a corollary to the Family Educational Rights and Privacy Act (“FERPA”), 20 U.S.C. § 1232g; 34 CFR Part 99.

More specifically, N.J.A.C. 6A:32-2.1 defines “student records” as “information related to an individual student gathered within or outside the school district and maintained within the school district, regardless of the physical form in which it is maintained.” Student records can only be provided to individuals and organizations specifically authorized by regulation to access those records. See N.J.A.C. 6A:32-7.1 and -7.5.

In addition, pursuant to guidance issued by the NJDOE, data or information which references a small number of students must not be displayed in order to protect student privacy. More specifically, the number of students for reporting is a minimum of 10 students per suppression rules applied to protect student confidentiality.

Please also note that personnel records are not government records and are therefore prohibited from disclosure under the OPRA. The OPRA only permits the disclosure of limited specific personnel information, specifically, the disclosure of 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. See N.J.S.A. 47:1A-10; N.J.A.C. 6A:32-4.3; N.J.S.A. 10:4-12(b)(8); and Libertarians for Transparent Government v. Cumberland County, 250 N.J. 46 (2022).

Your request is hereby denied as an overbroad request for information, seeking confidential student records information and confidential personnel information. Notwithstanding, please be advised there are no records responsive to this 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 & Central Registration Secretary