



MONROE TOWNSHIP SCHOOLS
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August 14, 2024

VIA EMAIL ONLY: opra+request-63827-6e3a62d1@requests.opramachine.com

Anonymous

RE: OPRA Request dated July 19, 2024

Dear Sir/Madam:

As custodian of records for the Monroe Township Board of Education ("Board" and/or "District"), I am writing this letter in response to your request pursuant to the Open Public Records Act ("OPRA") submitted and received via email on Friday, July 19, 2024.

More specifically, the Board responds to your request below:

"I am requesting the following enrollment data of the Monroe Township Middle School:

Sixth grade actual enrollment as of 5/31/23 and 5/31/24

Seventh grade actual enrollment as of 5/31/23 and 5/31/24

Eighth grade actual enrollment as of 5/31/23 and 5/21/24."

Please note that the aforementioned request is overly broad and seeks information, rather than identifiable records. 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 '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). The Board is not required to perform research on behalf of the requestor, only to produce specific records identified by the requestor. Likewise, the Board is not required to create new documents in order to respond to an OPRA request. *See* Sussex Commons Assocs., LLC v. Rutgers, 210 N.J. 531, 544 (2012).

SUCCESS IS ALWAYS A TEAM EFFORT!!

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.), certif. 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) (Court found a request for "all books, records, [and] documents" related to a specific project to be improper.)

Notwithstanding the above, please be advised that there are no records which are responsive to your request. However, please note that the information described in your request is publicly available via the Board's website, specifically, by accessing the following link:
<https://go.boarddocs.com/nj/mtsdnj/Board.nsf/goto?open&id=D5ZQXZ6B5C5C>.

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,

A handwritten signature in black ink that reads "Lisa Goldstein". The signature is written in a cursive, flowing style.

Lisa Goldstein
OPRA Secretary