

GLEN ROCK PUBLIC SCHOOLS

Michael Rinderknecht
Business Administrator/
Board Secretary



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May 25, 2022

VIA EMAIL

Sarah

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Re: Open Public Records Act Request

Dear Sir or Madam:

Please accept this correspondence in response to the Open Public Records Act ("OPRA") request you submitted to the Glen Rock Board of Education ("Board") received May 16, 2022, to be provided by the seventh business day which is Wednesday, May 25, 2022. Your request seeks the following documents or records:

Requesting data on vaccinated children attending GR public schools testing positive for COVID. The requestor does not need links to the dashboard. The requestor needs actual data to determine the need for Dr. Charleston and the Glen Rock Board of Health to continue implementing a "close contact" policy that discriminates against unvaccinated students. Please provide the number of COVID positive school children (starting from Fall 2021 until present) that are vaccinated with the COVID vaccine.

After reviewing the applicable law, your request is DENIED. OPRA allows access to records, but does not require the Board to respond to requests for information. There are not any records that contain the data you are requesting.¹ It must be added that the Board has no obligation to create records in response to a request when none exist.² Therefore, the Board has denied your request.

If your request for access to a government record under OPRA has been denied or unfilled within the seven business days required by law, you have a right to challenge the Board's 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, New Jersey

¹ Pusterhofer v. N.J. Dep't of Educ., GRC Complaint No. 2005-49 (July 2005) (the GRC determined that no unlawful denial access occurred because the custodian certified that no responsive records existed and there was no evidence in the record to refute their certification)

² See Librizzi v. Twp. Of Verona Police Dep't, GRC Complaint No. 2009-213 (August 2010)

08625, by email at grc@dca.state.nj.us, or at their website at www.state.nj.us/grc. The GRC can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.

If you should have any questions, do not hesitate to contact me.

Regards,

A handwritten signature in blue ink, appearing to read "Michael Rinderknecht", with a stylized flourish at the end.

Michael Rinderknecht
School Business Administrator/Board Secretary