

Penns Grove – Carneys Point Regional School District

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August 8, 2022

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John Paff

Dear Mr. Paff.

This letter is in response to your OPRA Request that was contained within your July 31, 2022, email to me as the Board's Records Custodian. Since your request was received on a day that the District was not open for business, your request was deemed received on the Board's next business day, which was Monday, August 1, 2022. In addition, during the Summer months, the District operates on a schedule wherein it is closed on Fridays. Accordingly, the seventh business day by which the Board must respond to your Request is Thursday, August 11, 2022. This response is being provided to you within that timeframe.

OPRA defines a "government record" of a public entity as "any paper, written or printed book, document, drawing, map, plan, photograph, microfilm, data processed or image processed document, information stored or maintained electronically or by sound-recording or in a similar device, or any copy thereof, that has been made, maintained or kept on file in the course of his or its official business ..." N.J.S.A. 47:1A-1.1. Accordingly, the Board is required to produce only those records which it maintains in the official course of business and which are not otherwise exempt from production. Pursuant to the definition of a government record, a public entity is not required by OPRA to research information and/or create records that do not exist in response to OPRA requests. See e.g., Mag Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J. Super. 537 (App. Div. 2005).

The Board's response to your Request is follows:

1. *Settlement Agreement or Release that resolved R.S. (a minor) v. Penns Grove Board of Education, et al, Docket No. SLM-L-165-20.*

Response: The Board does not have any records that are responsive to this request.

2. *For Abner Mendoza, his "name, title, position, most recent annual salary, length of service, date of separation and the reason therefor." (See N.J.S.A. 47:1A-10).*

Response: In response to your request, please see below:

Our Mission – Building a School Community of Leaders and Achievers

Name: Abner Mendoza
Position Vice Principal Penns Grove Middle School
Title Vice Principal Penns Grove Middle School
Most Recent Salary \$92,651
Length of Service 17 years, and approximately 8 months.
Date of Separation Not applicable
Reason therefor: Not applicable

3. *Any settlement, separation or other agreement between the school district and Abner Mendoza that resolved any disciplinary action related to the allegations contained within R.S. (a minor) v. Penns Grove Board of Education, et al, Docket No. SLM-L-165-20*

Response: The Board does not have any records that are responsive to this request.

If your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision by the District 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, or by e-mail 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.

Sincerely,



Christopher DeStratis
Business Administrator/Board Secretary
Records Custodian