

OPEN PUBLIC RECORDS ACT (OPRA)

Records Request

**BEING A LIBERTARIAN
IS LIKE BEING THE
ONLY SOBER PERSON IN THE CAR**



Date: Monday 10/30/2017, 3:34 PM

Requestor: Libertarians for Transparent
Government, a NJ
Nonprofit Corporation

Agency: Point Pleasant Public Schools

Transmitted: Via Fax and e-mail

Instructions: Please accept this as our request under the Open Public
Records Act (OPRA) and the common law right of access.
Please send all responses and responsive records via e-
mail to NJTransparency@yahoo.com. If you have any
questions on this request please call 732-873-1251.

Background:

To: Steven Corso and Lisa Thomas (via e-mail and also to fax number 732-295-2320)

We seek disclosure of a 2015 civil complaint and a December 2016 settlement of a lawsuit that was filed against the Point Pleasant School District by a party--presumably a minor pupil--identified in court records only by the initials W.S.

In the past, we have generally been successful in obtaining civil complaints filed by pupils and those complaints' dispositions. In October 2017, however, in four consolidated cases (the first of which is captioned L.R., individually and on behalf of J.R., a minor v. Camden City Public School District, et al), the Appellate Division issued a 58-page published opinion, available on-line at <http://bit.ly/2gf4ce0>, that some school districts might interpret as exempting court civil filings and their dispositive court orders and settlement agreement from general public disclosure.

We would assert, of course, that, absent a sealing order, it would be ridiculous for the District to deny access to these records given that any citizen could readily obtain them by visiting the court clerk's office.

Moreover, even if the court filings contained a pupil's personal identifiers, they could be redacted so that the student's confidentiality could be maintained while the public could understand the issues in the case and the amount and terms of the settlement.

While we are clearly desirous of having our Open Public Records Act (OPRA) rights respected, we also recognize the Point Pleasant District's responsibility to safeguard the reasonable privacy interests of parents and pupils. Since this Appellate Division opinion is newly minted and may have otherwise escaped the records custodian's attention, we are specially bringing it to the District's attention so that it can be read and properly evaluated prior to the responding to this request.

Records requested:

For *W.S. v. Point Pleasant Public Schools*, Docket No. OCN-L-229-15, we would like a) the civil complaint that initiated the case and b) the court order that approved the settlement.