



**HIGHLAND PARK
PUBLIC SCHOOLS**

www.hpschools.net
435 Mansfield St, Highland Park
NJ, 08904

OFFICE OF THE SCHOOL BUSINESS ADMINISTRATOR

DENISE M. DeROSA

(732) 572-2400

May 30, 2024

VIA EMAIL: opra+request-62033-a0647188@requests.opramachine.com

Kristen W Springer

Re: OPRA Request dated May 22, 2024

Dear Ms. Springer:

As custodian of records for the Highland Park Board of Education ("Board" and/or "District"), I am writing this letter in response for your request for records pursuant to the Open Public Records Act ("OPRA") submitted via email and received on 2:00 pm on Wednesday, May 22, 2024.

This request is overly broad in that the request does not identify specific 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 '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).

This request is overly broad in that it does not identify with reasonable clarity the specific government records sought. Accordingly, this request is invalid pursuant to OPRA and is denied as overbroad.

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,

Denise M. DeRosa

Denise DeRosa
Business Administrator/Board Secretary