

PINELANDS REGIONAL SCHOOL DISTRICT

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August 21, 2025

Jennafer Mai

As you are aware, I am the Business Administrator for the Pinelands Regional Board of Education (the “Board”), which conducts and supervises the schools of the Pinelands Regional School District (the “District”). As such, I am in receipt of your OPRA request dated August 1, 2025, which sought the following:

A list or description of all special education programs serving lower-level learners, including but not limited to self-contained classrooms, Compass Program, Adaptive Success, in-class support, resource centers, or any other specialized programs.

The number of classrooms assigned to each of these programs at both the middle school and high school levels.

The average number of students per classroom in these programs.

The standard staffing ratios, including teacher and paraprofessional assignments, for each program type.

Aggregated academic growth data for special education students receiving intensive supports, including progress on IEP goals, reading and math scale score gains, or Student Growth Percentiles (SGPs), if applicable.

Data showing how many students have transitioned from less restrictive environments self-contained to a resource or general education with supports, and how many have been declassified from special education.

For each of the past 1 to 3 graduating classes, please provide data showing how many students with IEPs graduated and how many subsequently enrolled in a 2-year or 4-year college, trade or vocational school, entered supported employment, or participated in other post-secondary transition programs.

You clarified that you were requesting information for the two most recently completed school years, including the most recent academic year.

I previously advised of the need for an extension of time until today.

Please be advised that OPRA requires that public entities ensure that government records are readily accessible for inspection, copying, or examination by citizens of this State. N.J.S.A. 47:1A:1. However, public entities are only required to provide government records to requestors, not to answer questions, certify documents, do research, or create documents that don’t exist. Seeking information or asking questions rather than seeking identifiable government records is an invalid OPRA request. The New Jersey Superior Court has held that “[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. Rather, OPRA simply operates to make identifiable government records ‘readily accessible for inspection, copying, or examination.’ N.J.S.A. 47:1A-1.” (Emphasis added.) *MAG Entertainment, LLC v. Division of Alcoholic Beverage Control*, 375 N.J. Super. 534, 546 (App. Div. 2005). The Court further held that “[u]nder OPRA, agencies are required to disclose only ‘identifiable’ government records not otherwise exempt ... In short, OPRA does not countenance open-ended searches of an agency’s files.” (Emphasis added.) *Id.* at 549. Additionally, in *New Jersey Builders Association v. New Jersey Council of Affordable Housing*, 390 N.J. Super. 166, 180 (App. Div. 2007), the court cited *MAG* by stating that “...when a request is ‘complex’ because it fails to specifically identify the documents sought, then that request is not ‘encompassed’ by OPRA...”

Additionally, a custodian is under no obligation to produce new documents in response to an OPRA request. *Pusterhofer v. N.J. Dep’t of Educ.*, GRC Complaint No. 2005-49 (July 2005). “The Council determined that no unlawful denial of access occurred because the custodian certified that no responsive records existed and there was no evidence in the record to refute her certification.”); *Matthews v. City of Atlantic City* (Atlantic), GRC Complaint No. 2008-123 (February 2009): (“The Council decided that a custodian ‘was under no obligation to create a list compatible to the Complainant’s OPRA request because OPRA does not require a custodian to produce new documents . . .’”); *Akers v. Buena Vista Twp.* (Atlantic), GRC Complaint No. 2014-190 (November 2014): (“The custodian certified that she (and others) conducted multiple searches for responsive records over a four (4) day period but was unable to locate same. The Council determined that the custodian did not deny access to responsive records because none existed” (citing *Kasko v. Town of Westfield* (Union), GRC Complaint No. 2011-06 (March 2012).

Nevertheless, because you have indicated that you are requesting this information to assist you in making determinations relating to your daughter’s education, and your daughter is a student here, we will answer your questions, not necessarily pursuant to OPRA, but just as an administrative team. Please be advised that in the future, should you wish to submit an OPRA request you should identify a specific document you are seeking. If you simply have general questions such as the ones in this request, please reach out to Ms. Elwood or any other appropriate Administrator who will be happy to assist.

1. A list or description of all special education programs serving lower-level learners, including but not limited to self-contained classrooms, Compass Program, Adaptive Success, in-class support, resource centers, or any other specialized programs.

1. Junior High School Special Education Programs
 1. Emotional Regulation Impairment (ERI) Program
 2. Self-Contained Multiply Disabled (MD) Program
 3. Learning and Language Disabled (LLD) Program
 1. LLD English Language Arts
 2. LLD Mathematics
 3. LLD Science
 4. LLD Social Studies
 4. Pull Out Resource English Language Arts (7th & 8th Grade)
 5. Pull Out Resource Mathematics (7th & 8th Grade)
 6. In-class support English Language Arts (7th & 8th Grade)
 7. In-class support Science (7th & 8th Grade)
 8. In-class support Social Students (7th & 8th Grade)
 9. Adaptive Physical Education
2. High School Special Education Programs
 1. Autism
 2. Emotional Regulation Impairment (ERI) Program
 3. Self-Contained Multiply Disabled (MD) Program

4. Learning and Language Disabled (LLD) Program
 1. LLD English Language Arts (9/10 & 11/12)
 2. LLD Mathematics (9/10 & 11/12)
 3. LLD Science (9/10 & 11/12)
 4. LLD Social Studies (9/10 & 11/12)
5. Pull Out Resource English Language Arts (9-12)
6. Pull Out Resource Mathematics (9-12)
7. Pull Out Resource Science (9-12)
8. Pull Out Resource Social Studies (9-12)
9. In-class support English Language Arts (9-12)
10. In-class support Science (9-12)
11. In-class support Social Students (9-12)
12. Adaptive Physical Education (9-12)

2. The number of classrooms assigned to each of these programs at both the middle school and high school levels.

Program	Grade Levels	Maximum Amount of Students by code <u>without</u> Paraprofessional Support	Maximum Amount of Students by code <u>with</u> Paraprofessional Support
Autism	9-12	3	6
Emotional Regulation Impairment	7-12	9	12
Learning & Language Disabilities (All Content Areas)	7-12	10	16
Multiple Disabilities	7-12+	8	12
Pull Out Resource (All Content Areas)	7-12	9	12
In-Class Support (All Content Areas)	7-12	10	10

3. The average number of students per classroom in these programs.

See above chart. Each school year is based on enrollment. Class size never exceeds legal requirements.

4. The standard staffing ratios, including teacher and paraprofessional assignments, for each program type.

See above chart.

5. Aggregated academic growth data for special education students receiving intensive supports, including progress on IEP goals, reading and math scale score gains, or Student Growth Percentiles (SGPs), if applicable.

See Attachments, which includes state testing data.

[NJDOE PRJH Performance Report](#)

[NJDOE PRHS Performance Report](#)

6. Data showing how many students have transitioned from less restrictive environments self-contained to a resource or general education with supports, and how many have been declassified from special education.

There is not a current document containing this information. Our philosophy is always to place students in the least restrictive environment and programming for students frequently changes throughout the school year.

7. For each of the past 1 to 3 graduating classes, please provide data showing how many students with IEPs graduated and how many subsequently enrolled in a 2-year or 4-year college, trade or vocational school, entered supported employment, or participated in other post-secondary transition programs.

A document is not currently being maintained with this specific request; however the attached document includes some of the requested documentation.

Regards,



Business Administrator/Board Secretary