

MONROE TOWNSHIP BOARD OF EDUCATION
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Lisa Goldstein
Custodian of Records

BY EMAIL ONLY TO: Anonymous <opra+request-53301-e074c846@requests.opramachine.com>

October 4, 2023

Anonymous

Re: Open Public Records Act Request

Dear Anonymous:

The Monroe Township School District is in receipt of your request for records under the Open Public Records Act. Specifically your request sought:

“From January 2023-present, any and all emails to and from Chari Chanley and/or Adam Layman, and/or Christine Skurbe, and/or Karen Bierman, and/or Kathleen Belko, and/or Gazala Bohra, and/or Peter Tufano, and/or Michelle Scott, and/or Eliot Feldman, and/or Kevin Higgins, and/or James Higgins and/or to and from Vito Gagliardi or any associate(s) of Porzio, Bromberg, and Newman, and between any and all administrators, teachers, secretarial staff, and other district employees with respect to the following: limiting teacher access to Genesis Information Services used by the district, including any and all references to "FERPA," "privacy," "confidential(ity)," "children of Board members," "school official(s)," "IEP(s)" "compliance," and "violation(s).”

A proper request under OPRA must identify with reasonable clarity those documents that are desired. See *Bent v. Stafford Police Department*, 381 N.J. Super. 30, 37 (App. Div. 2005). In particular, OPRA “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.” *MAG Entm’t, LLC v. Div. of Alcoholic Beverage Control*, 375 N.J. Super. 534, 543 (App. Div. 2005). The Government Records Council has established specific criteria that must be met for a requestor to identify specific government communications. The GRC determined that to be valid, the request must contain: (1) the content and/or subject of the communication, (2) the specific date or range of dates during which the communications were transmitted, and (3) the identity of the sender and/or the recipient thereof. *Elcavage v. West Milford Twp.*, GRC Complaint No. 2009-07 (April 2010); *Caggiano v. NJ Office of the Governor*, Complaint No. 2014-263 (March 2015). The identity of the senders/recipients is unclear from your OPRA request, as it lists certain individuals in which emails are sent to and from, while also indicating these emails must be between unidentified “administrators, teachers, secretarial staff, and other district employees.” As a result, the District requires clarification as your request fails to identify a specific government record. Accordingly, your request is denied, at this time, until further clarification is provided.

Sincerely,



Lisa Goldstein
OPRA Secretary/Custodian of Records

cc: Dr. Chari Robynne Chanley, Superintendent of Schools
Mr. David Disler, Esq., Porzio, Bromberg & Newman, P.C.