



ABSECON PUBLIC SCHOOLS
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August 2, 2021

VIA EMAIL ONLY: opra+request-24815-e57efccc@requests.opramachine.com

Doreen LaGuardia

RE: OPRA Request Dated July 24, 2021 and Received July 26, 2021

Dear Ms. LaGuardia:

As custodian of records for the Absecon Board of Education ("Board" and/or "District"), I am writing this letter in response to your request pursuant to the Open Public Records Act (OPRA) request submitted on Saturday, July 24, 2021 and received on Monday, July 26, 2021. More specifically, your request seeks access to "Teaching Materials For Critical Race Theory, Diversity, and LGBT."

Your request is overly broad and is thus invalid pursuant to OPRA, as it fails to identify with reasonable clarity the specific government records sought, fails to identify a specific date range or period of time and would require research that is beyond the scope and function of a records custodian. The request does not identify specific requested records, but instead improperly seeks any and all documents relevant to a topic. See Gannett New Jersey Partners L.P. v. County of Middlesex, 379 N.J. Super. 205, 211-12 (App. Div. 2005); New Jersey Builders Association v. New Jersey Council on Affordable Housing, 390 N.J. Super. 166, 178 (App. Div.), certif. denied, 190 N.J. 394 (2007); Bent v. Stafford Police Dep't, 381 N.J. Super. 30, 40 (App. Div. 2005). OPRA specifically prohibits requests for "any and all records" or requests that constitute "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.) Accordingly, your request is denied.

If you choose to submit a clarified request that more specifically identifies the records that you are seeking, such as by naming the exact documents being requested, we will review and respond to that request separately.

This letter and the foregoing information constitute a full and complete response to your OPRA request and therefore, your OPRA request is closed.

Sincerely,

Tina Maruca, CPA
Business Administrator