



WEST LONG BRANCH PUBLIC SCHOOLS

135 Locust Avenue

West Long Branch, NJ 07764

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Dr. Christina Egan
Superintendent of Schools

Corey Lowell, SFO
School Business Administrator

October 30, 2023

Via Electronic Mail

The Curious Taxpayer

Re: OPRA Request dated October 21, 2023

Dear Curious Taxpayer:

You recently requested documents from the West Long Branch Board of Education ("Board" or "District") pursuant to an Open Public Records Act ("OPRA") request dated October 21, 2023. The time in which a public entity has to respond to an OPRA request begins to run the day after the custodian of records receives such a request. Your request was received by the District on October 23, 2023. The seventh (7th) business day within which to respond to your request is November 1, 2023.

At this time, the following is provided in response to your request.

1. **A digital list of all employees hired by the district. Please include their job title (non abbreviated) and union affiliation, department they work in, hire date, and salary. Please include full time staff, part time staff, substitutes, or temporarily/seasonally employed workers. This list can be broken up if one record does not exist containing all the requested information.**

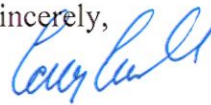
Please be advised that your request is overly broad, vague, and/or unclear, as it fails to set forth a date or date range, thereby failing to identify with reasonable clarity the specific government records to which you seek access. See *MAG Entertainment, LLC v. Division of Alcoholic Beverage Control*, 375 N.J. Super. 534 (App. Div. 2005); *Bent v. Stafford Police Dep't*, 381 N.J. Super. 30 (App. Div. 2005). Additionally, your request for "all employees hired" is overly broad, vague, and/or unclear. In this regard, the Appellate Division 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* at 546. 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.

Nonetheless, enclosed is a list of current active District employees' names, hire dates, job titles/positions, and salaries. The District denies your request for union affiliation under the personnel exemption of OPRA. See N.J.S.A. 47:1A-10. If you are seeking additional documents, then we request clarification of your request. Please respond in writing and identify specifically the government record(s) sought. Failure to provide such written clarification will result in the closure of this request.

If you have any questions, please feel free to contact me.

Thank you.

Sincerely,



Corey J. Lowell
Custodian of Records

Enclosure