

WALL TOWNSHIP PUBLIC SCHOOLS
OFFICE OF THE BUSINESS ADMINISTRATOR/BOARD SECRETARY
PO Box 1199
Wall, New Jersey 07719-1199

Brian J. Smyth
Business Administrator/Board Secretary

Phone: 732-556-2016
FAX: 732-556-2102

May 4, 2017

Dena Augustyn

Re: OPRA 17-075

Dear Ms. Augustyn,

The Wall Township Board of Education received your Open Public Records Act (OPRA) request on April 6, 2017 and supplemental Open Public Records Act (OPRA) on April 18, 2017. A partial response was provided on April 27, 2017.

Your OPRA request sought access to the following:

OPRA of April 6, 2017:

"A. All current insurance policy(ies) which provides coverage to the Wall Township Public School District, in whole or in part, for the defense and settlement of claims, including but not limited to fees associated with representing the District in a lawsuit and payment of prevailing party fees awarded to an adverse party.

B. All settlement agreements related to formally initiated disputes between Wall Township Public School District, and parents of students (i.e., pursuant to a mediation request, due process petition, or judicial or administrative complaint) related to the provision of special education services that were executed in the past five (5) years, where the counterparties were parents (or a single parent) of a child or children for whom special education services were or are either provided or sought (personally identifiable information redacted).

C. A copy of all contracts with receiving schools (i.e. private schools or public schools) that accept students from Wall Township at Wall Township's expense that have been effective within the past five (5) years. That is, if a contract was executed longer than five (5) years ago, but was effective within the past five years, it is intended to be included in this request.

D. All records of communications, (a) sent to or received by Heather Pizzuro, Case Manager, or (b) sent to or received by Carol Duffy, Supervisor of Special Education, including but not limited to, emails, letters, notes of phone conversations, and any other documentation of communication maintained by the District (i) requesting home instruction by a parent for a student, (ii) responding to a parental request for home instruction, or (iii) discussing a parental request for home instruction that was and dated from the start of the 2014/2015 school year until today. In particular, this includes (but is not limited to) communications (such as emails) that were "cc'ed" or "bcc'ed" to Ms. Pizzuro or Ms. Duffy. We do not request or demand the use of search terms in searching electronic records. However, if you certify that you have disclosed all emails and electronic information containing the term "home instruction," we will accept that production as sufficient.

E. All records of communications, including but not limited to, emails, letters, notes of phone conversations, and any other communication recorded and maintained regarding home instruction sent by, addressed to, or received by Carol Duffy, Supervisor of Special Education, for the past two (2) years, beginning at the start of the 2014/2015 school year.

F. All records of communications, including but not limited to, emails, letters, notes of phone conversations and any other communication recorded and maintained which was a request for home instruction, made within the past three (3) years, and all responses to such requests.

G. All invoices submitted for the provision of home instruction for the past two (2) years, beginning at the start of the 2014/2015 school year.

H. All checks written in response to invoices submitted for the provision of home instruction for the past two (2) years, beginning at the start of the 2014/2015 school year.

Supplemental OPRA of April 18, 2017:

A. All records, including but not limited to published and online advertisements, email and written correspondence, notes from meetings, phone calls, and interviews, which are advertisements to obtain a biology home instructor for M.A. in the past two (2) years, beginning with the 2015-16 school year.

B. All records of communication between any member of the Wall Township School District and any representative of the Monmouth Ocean Educational Services Commission ("MOESC"), including but not limited to emails, letters, notes of phone conversations, and any other communication recorded and maintained which are related to provision of a biology home instructor for M.A. during the 2016-17 school year."

April 6, 2017 OPRA request:

Item A., response provided April 27, 2017.

Item B., response provided April 27, 2017.

Item C., attached please find 2012 2013 Tuition Contracts OOD, 2013 2014 Tuition Contracts OOD, 2014 2015 Tuition Contracts OOD, and 2015 2016 Tuition Contracts OOD with receiving schools that accept students from Wall Township at Wall Township's expense. In accordance with your request, we have redacted any personal identifiable information.

Items D. and E., in response to your OPRA request for archived emails from the start of the 2014-15 school year to date, the district requested an extension of time until Friday, May 12, 2017 due to the amount of records to be printed, and reviewed for the purpose of redacting personal identifiable information (consisting of more than 1,948 emails).

Please know that OPRA allows public agencies to impose special charges whenever the nature, format, manner of collation, or volume of a government record embodied in the form of printed matter to be inspected, examined, or copied pursuant to this section is such that the record cannot be reproduced by ordinary document copying equipment in ordinary business size or when fulfilling a request requires an extraordinary expenditure of time and effort. See N.J.S.A. 47:1A-5c. Special service charges must be based upon the actual direct cost of providing the copy or copies.

The cost associated with this portion of your request is \$547.80 (Labor associated with preparation, review, and redaction of approximately 1948 emails (\$27.39 per hour @ 20 hours)). Therefore, please let us know if you agree to pay the special service charge and if we should proceed with this search.

Item F., response provided April 27, 2017.

Items G., and H., in response to your request for invoices and checks for the provision of home instruction for the past two (2) years, beginning at the start of the 2014-2015 school year, attached please find 2014 2015 Invoices and Checks HI and Bedside and 2015 2016 Invoices and Checks HI and Bedside. In accordance with your request, we have redacted any personal identifiable information.

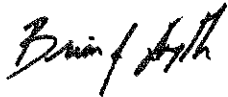
April 18, 2017 supplemental OPRA request:

Items A., and B., response provided April 27, 2017.

These records, totaling 1,233 pages, are being transmitted to you via e-mail, as per your request. Pursuant to N.J.S.A. 47:1A-5.b., the cost associated with this request is \$0.00.

If your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision by the Wall Township Board of Education to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council (GRC) by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at P.O. Box 819, Trenton, NJ 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The GRC can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.

Sincerely,



Brian J. Snyth
Business Administrator

BJS/dc

Cc: Cheryl Dyer, Superintendent