

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 16, 2017

Betsy Cross  
bcross517@aol.com  
Re: OPRA 17-082B

Dear Ms. Cross,

The Wall Township Board of Education received your Open Public Records Act (OPRA) on May 4, 2017.

Your OPRA request sought access to the following:

1. "...report...showing Wall is the 4<sup>th</sup> most efficient in Monmouth County for busing efficiency..."  
[sic]

A response to item 1., was provided on May 10, 2017.

2. "...the DOE was in earlier this year and provided a report to the Wall BOE but the actual report was never given to the public and posted on the Wall BOE website.
3. May I also have a copy of the document(s) when Mr. Smyth or Ms. Dyer shared "any and all" transportation report(s) with the BOE members that also shows who on the BOE received these reports and which committee they were discussed. Please also attach the minutes of the F&F committee (or whichever committee it was) where they were discussed
4. Mr. Smyth, I have asked this before but didn't receive an answer. How many children in Wall are being transported to Wall school's that fall under "courtesy busing". [sic]

In response to item number 2., please know that although, your request is extremely vague, and does not actually request a record, I have attached a report provided by the State of New Jersey Department of Education, Office of Accountability and Compliance, titled "Review of the Application for State School Aid Review of the District Report of Transported Resident Students as of October 15, 2014 Review of Extraordinary Aid for Special Education Costs Review of Chapter 192-193 Project Completion Report FY 2014-15" as reported at the public meeting of the Wall Township Board of Education on November 15, 2016.

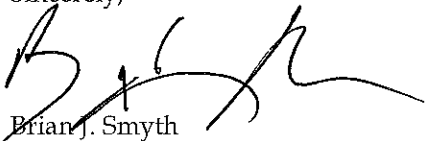
In response to item number 3., your request is too vague, overly broad, and fails to identify with reasonable clarity the specific government records sought, as is required by *Bent v. Stafford Police Department*, 381 NJ Super 30,37 (App. Div. 2005).

In response to item number 4., this request seeks information or asks questions and does not identify a specific government record. As such, your request is an invalid OPRA request. When a request is complex because it fails to identify with reasonable clarity those documents that are desired, then that request is not encompassed by OPRA. See *New Jersey Builders Association v. New Jersey Council on Affordable Housing*, 390 NJ Super. 166, 180 (App. Div. 2007). However, in an attempt to respond to your question, please know that the district transports 1471 students as "courtesy bussing" for the purpose of state aid.

These records, totaling 14 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](mailto:grc@dca.state.nj.us), or at their web site at [www.state.nj.us/grc](http://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,

A handwritten signature in black ink, appearing to read "Brian J. Smyth", written over a horizontal line.

Brian J. Smyth  
Business Administrator

BJS/dc

Cc: Cheryl Dyer, Superintendent