

Open Public Records Act

Request for Public Records

All requests for public records must be made in writing on the attached official Pace Charter School of Hamilton, Board of Trustees OPRA form, or a written request that mentions "OPRA" and sent to:

Custodian - Personnel Records

Ingrid Trotman

Email: itrotman@pace.charter.k12.nj.us

Custodian - Non-Personnel Records

Kethy Ordonez

Email: kordonez@pace.charter.k12.nj.us

By mail

Pace Charter School of Hamilton

52 Lafayette Ave

Hamilton, NJ 08610

All requests for public records must be made in writing on the attached official Open Public Records Act (OPRA) form, or a written request that mentions "OPRA"

Copies of public records are subject to copying fees set by NJ State Law.

Personal / Relative and Financial Disclosure Statements

Personal/Relative and Financial Disclosure Statements of school board members and administrators are on file in the Business Office and are available for review by the general public in accordance with the OPRA rules and procedures.

OPRA

REQUEST FOR PUBLIC RECORDS

Important Notice!

All requests for public records must be made in writing on this official Open Public Records Act (OPRA) form, or a written request that mentions "OPRA".

Requestor Information - Please Print

Payment Information

First Name_____MI_____Last Name_____	Maximum Authorization Cost \$_____
E-mailAddress_____	Payment Method: <input type="checkbox"/> Check
Mailing Address_____	Made payable to: Pace Charter School of Hamilton
City_____State_____Zip_____	Fees: 8 ½ X 11 \$0.05 per page 8 ½ X 14 \$0.07 per page
Telephone:_____Email Address:_____	Delivery: Delivery / postage fees additional depending upon delivery type.
Preferred Delivery: Pick Up <input type="checkbox"/> US Mail <input type="checkbox"/>	
Signature_____Date_____	

☐ I request **copies** of the following public records:

Non-Personnel Records	<input type="checkbox"/> Budgets – Specify fiscal Year _____
	<input type="checkbox"/> Contracts – Vendors - Specify vendor _____
	<input type="checkbox"/> Minutes – Specify Board Meeting Date _____
	<input type="checkbox"/> Vouchers/Bills - Specify vendor _____
	<input type="checkbox"/> Other _____

Personnel Records	<input type="checkbox"/> Contracts – Bargaining Group – Specify Group _____		
	<input type="checkbox"/> Contact – Individual – Specify Employee - Year _____		
	<input type="checkbox"/> Employee Information – Specify Individual _____		
	The following employee information will be made available:		
	*Title	*Salary	*Date of Separation / Reason
	*Position	*Length of Service	*Pension Information Amount / Type
	<input type="checkbox"/> Other _____		

Signature of Requestor_____Date_____

Custodian of Records _____Date Received:_____

DEPOSITS:

The custodian may require a deposit against costs for reproducing documents sought through an anonymous request whenever the custodian anticipates that the documents requested will cost in excess of \$5 to reproduce.

Where a special service charge is warranted under OPRA, that amount will be communicated to you as required under the statute. You have the opportunity to review and object to the charge prior to it being incurred. If, however, you approve of the fact and amount of the special service charge, you may be required to pay a deposit or pay in full prior to reproduction of the documents.

N.J.S.A. 47:1A-1.1

- ☐ Inter-agency or intra-agency advisory, consultative or deliberative material
- ☐ Legislative records
- ☐ Law enforcement records:
 - ☐ Medical examiner photos
 - ☐ Criminal investigatory records (however, N.J.S.A. 47:1A-3.b. lists specific criminal investigatory information which must be disclosed)
 - ☐ Victims' records
- ☐ Trade secrets and proprietary commercial or financial information
- ☐ Any record within the attorney-client privilege
- ☐ Administrative or technical information regarding computer hardware, software and networks which, if disclosed would jeopardize computer security
- ☐ Emergency or security information or procedures for any buildings or facility which, if disclosed, would jeopardize security of the building or facility or persons therein Security measures and surveillance techniques which, if disclosed, would create a risk to the safety or persons, property, electronic data or software
- ☐ Information which, if disclosed, would give an advantage to competitors or bidders
- ☐ Information generated by or on behalf of public employers or public employees in connection with:
 - ☐ Any sexual harassment complaint filed with a public employer
 - ☐ Any grievance filed by or against an employee
 - ☐ Collective negotiations documents and statements of strategy or negotiating
- ☐ Information that is a communication between a public agency and its insurance carrier, administrative service organization or risk management office
- ☐ Information that is to be kept confidential pursuant to court order
- ☐ Certificate of honorable discharge issued by the United States government (Form DD-214) filed with a public agency
- ☐ Social security numbers
- ☐ Credit card numbers
- ☐ Unlisted telephone numbers
- ☐ Drivers' license numbers
- ☐ Certain records of higher education institutions:
 - ☐ Research records
 - ☐ Questions or scores for exam for employment or academics
 - ☐ Charitable contribution information
 - ☐ Rare book collections gifted for limited access
 - ☐ Admission applications
 - ☐ Student records, grievances or disciplinary proceedings revealing a students' identification

- ☐ Convicts requesting their victims' records **N.J.S.A. 47:1A-2.2**
- ☐ Ongoing investigations of non-law enforcement agencies (must prove disclosure is harmful to the public interest) **N.J.S.A. 47:1A-3.a.**
- ☐ Public defender records **N.J.S.A. 47:1A-5.k.**
- ☐ Upholds exemptions contained in other State or federal statutes and regulations, Executive Orders, Rules of Court, and privileges created by State Constitution, statute, court rule or judicial case law **N.J.S.A. 47:1A-9**
- ☐ Personnel and pension records (however, the following information must be disclosed:
 - An individual's name, title, position, salary, payroll record, length of service, date of separation and the reason for such separation, and the amount and type of any pension received
 - When required to be disclosed by another law, when disclosure is essential to the performance of official duties of a person duly authorized by this State or the US, or when authorized by an individual in interest
 - Data contained in information which disclose conformity with specific experiential, educational or medical qualifications required for government employment or for receipt of a public pension, but not including any detailed medical or psychological information **N.J.S.A. 47:1A-10**

N.J.S.A. 47:1A-1

- ☐ "A public agency has a responsibility and an obligation to safeguard from public access a citizen's personal information with which it has been entrusted when disclosure thereof would violate the citizen's reasonable expectation of privacy."

Burnett v. County of Bergen, 198 N.J. 408 (2009). Without ambiguity, the court held that the privacy provision "is neither a preface nor a preamble." Rather, "the very language expressed in the privacy clause reveals its substantive nature; it does not offer reasons why OPRA was adopted, as preambles typically do; instead, it focuses on the law's implementation." "Specifically, it imposes an obligation on public agencies to protect against disclosure of personal information which would run contrary to reasonable privacy interests."

Executive Order No. 21 (McGreevey 2002)

- ☐ Certain records maintained by the Office of the Governor
- ☐ Resumes, applications for employment or other information concerning job applicants while a recruitment search is ongoing
- ☐ Records of complaints and investigations undertaken pursuant to the Model Procedures for Internal Complaints Alleging Discrimination, Harassment or Hostile Environments
- ☐ Information relating to medical, psychiatric or psychological history, diagnosis, treatment or evaluation
- ☐ Information in a personal income or other tax return Information describing a natural person's finances, income, assets, liabilities, net worth, bank balances, financial history or activities, or creditworthiness, except as otherwise required by law to be disclosed
- ☐ Test questions, scoring keys and other examination data pertaining to the administration of an examination for public employment or licensing
- ☐ Records in the possession of another department (including NJ Office of Information Technology or State Archives) when those records are made confidential by regulation or EO 9.

Other Exemption(s) contained in a State statute, resolution of either or both House of the Legislature, regulation, Executive Order, Rules of Court, any federal law, federal regulation or federal order pursuant to N.J.S.A. 47:1A-9.a.

(Please provide detailed information regarding the exemption from disclosure for which you are relying to deny access to government records. If multiple records are requested, be specific as to which exemption(s) apply to each record.)

Request For Records Under The Common Law

If, in addition to requesting records under OPRA, you are also requesting the government records under the common law, please check the box below.

A public record under the common law is one required by law to be kept, or necessary to be kept in the discharge of a duty imposed by law, or directed by law to serve as a memorial and evidence of something written, said, or done, or a written memorial made by a public officer authorized to perform that function, or a writing filed in a public office. The elements essential to constitute a public record are that it be a written memorial, that it be made by a public officer, and that the officer be authorized by law to make it.

☐ Yes, I am also requesting the documents under common law.

If the information requested is a "public record" under common law and the requestor has a legally recognized interest in the subject matter contained in the material, then the material must be disclosed if the individual's right of access outweighs the State's interest in preventing disclosure. Please set forth your interest in the subject matter contained in the requested material:

YOUR REQUEST FOR RECORDS IS DENIED FOR THE FOLLOWING REASON(S):

(To be completed by the Custodian of Records – check the box of the numbered exemption(s) as they apply to the records requested. If multiple records are requested, be specific as to which exemption(s) apply to each record. **Response is due to the requestor as soon as possible, but no later than seven days.**)

Note that any challenge to a denial of a request for records under the common law cannot be made to the Government Records Council, as the Government Records Council only has jurisdiction to adjudicate challenges to denials of OPRA requests. A challenge to the denial of access under the common law can be made by filing an action in Superior Court.

Requesting Access to Government Records Under the New Jersey Open Public Records Act (N.J.S.A. 47:1A-1 et seq.)

- This OPRA request should only be used to submit records requests to Pace Charter School of Hamilton, Board of Trustees.

- To request records from Pace Charter School of Hamilton, Board of Trustees, you must complete and date the request form and deliver it in person, by mail, or by email to the appropriate records custodian. The request is not officially filed until the correct custodian receives and reviews the completed form. Submitting it to the wrong person may delay processing, and the 7-business-day response period will only begin once the proper custodian confirms the request is complete.

- If you submit a request for access to government records to someone other than the appropriate custodian, or do not complete Pace Charter School of Hamilton, Board of Trustees request form, or do not submit a written request mentioning "OPRA", or attempt to make a request for access by telephone or email; the Open Public Records Act and its deadlines, restrictions and remedies will not apply to your request.

- The fees for duplication of a government record in printed form are listed on the front of this form. We will notify you of any special charges, special service charges or other additional charges authorized by State law or regulation before processing your request. Payment shall be made by check or money order payable to Pace Charter School of Hamilton.

- If it is necessary for the records custodian to contact you concerning your request, providing identifying information, such as your name, address and telephone number or an e-mail address is required. Where contact is not necessary, anonymous requests are permitted; except that anonymous requests for personal information are not honored.

- You may be charged a 50% or other deposit when a request for copies exceeds \$25.00.** Pace Charter School of Hamilton, Board of Trustees custodian will contact you and advise you of any deposit requirements. Anonymous requests, when permitted, require a deposit of 100% of estimated fees. You agree to pay the balance due upon delivery of the records.

- Under OPRA, a custodian must deny access to a person who has been convicted of an indictable offense in New Jersey, any other state, or the United States, and who is seeking government records containing personal information pertaining to the person's victim or the victim's family.

- By law, Pace Charter School of Hamilton, Board of Trustees must notify you that it grants or denies a request for access to government records within seven business days after the custodian of the record receives the request, provided that the record is currently available and not in storage. If the record requested is not currently available or is in storage, the custodian will advise you within seven business days when the record can be made available and the estimated cost. You may agree with the custodian to extend the time for making records available, or granting or denying your request.

- You may be denied access to a government record if your request would substantially disrupt agency operations and the custodian is unable to reach a reasonable solution with you.

- If Pace Charter School of Hamilton, Board of Trustees is unable to comply with your request for access to a government record, the custodian will indicate the reasons for denial on the request form and send you a signed and dated copy.

- Except as otherwise provided by law or by agreement with the requester, if the custodian of the record requested fails to respond to you within seven business days of receiving a request form, the failure to respond will be considered a denial of your request.

•If your request for access to a government record has been denied or unfilled within the time permitted by law, you have a right to challenge the decision of Pace Charter School of Hamilton, Board of Trustees to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint in writing with the Government Records Council (GRC). You may contact the GRC by toll-free telephone at 866-850-0511, by mail at PO Box 819, Trenton, NJ 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.nj.gov/grc. The Council can also answer other questions about the law.

•Information provided on this form may be subject to disclosure under the Open Public Records Act. 14. In accordance with Pace Charter School of Hamilton, Board of Trustees procedures the Chief School Administrator will be notified of all OPRA requests.

REQUIRED CERTIFICATIONS TO BE SIGNED AND PROVED BY ALL OPRA REQUESTORS:

Convictions - Under penalty of N.J.S.A. 2C:28-3, I certify that (check one):

☐ **I HAVE NOT** been convicted of any indictable offense under the laws of New Jersey, any other State, or the United States.

☐ **I HAVE** been convicted of any indictable offense under the laws of New Jersey, any other State, or the United States.

Commercial Purposes. Under the OPRA statute, I certify that (check one):

☐ I or another person will NOT use the requested government records for commercial purposes.

☐ I or another person will use the requested government records for commercial purposes.

Legal Proceedings. Under the OPRA Statute, I certify that (check one):

☐ I am NOT seeking records in connection with any legal proceedings.

☐ I am seeking records in connection with legal proceedings. Identify the legal proceedings with names of the parties and docket number:

Signature of Requestor: _____

Print name of Requestor: _____ **Date signed:** _____