



NEW JERSEY GOVERNMENT RECORDS COUNCIL
Administrative Complaint Disposition – No Denial of Access at Issue

GRC Complaint No.: 2013-100

Complainant: Luis Rodriguez
Public Agency: Kean University
Custodian of Record: Laura Barkley-Haelig

Date of Request: February 28, 2013
Date of Complaint: April 3, 2013¹

Complaint Disposition: On February 28, 2013, the Complainant submitted his OPRA request seeking correspondence between the Ethics Liaison Officer and the State Ethics Commission regarding a proposed sanction for a Kean University employee. On March 11, 2013, the seventh (7th) business day following receipt of said request, the Custodian sought a two (2) week extension. On March 25, 2013, the Custodian denied the Complainant access to the requested records pursuant to N.J.S.A. 47:1A-3(a) and N.J.S.A. 47:1A-10. The Complainant states in his Denial of Access Complaint that a two (2) week extension was not necessary if the Custodian was going to deny his OPRA request. The Complainant also states that the extension of time was not legitimately needed. The Complainant does not dispute that he was unlawfully denied access to the requested records.

Applicable OPRA Provision: A person who is denied access to a government record by the custodian of the record, at the option of the requestor, may institute a proceeding to challenge the custodian's decision by... [filing] a complaint with the Government Records Council established pursuant to [OPRA].” N.J.S.A. 47:1A-6.

“[t]he Government Records Council shall... receive, hear, review and adjudicate a complaint filed by any person concerning a denial of access to a government record by a record custodian...” (Emphasis added). N.J.S.A. 47:1A-7(b).

This is the final administrative determination in this matter. Any further review should be pursued in the Appellate Division of the Superior Court of New Jersey within forty-five (45) days. Information about the appeals process can be obtained from the Appellate Division Clerk’s Office, Hughes Justice Complex, 25 W. Market St. PO Box 006, Trenton, NJ 08625-0006.

Effective Date of Disposition: April 30, 2013

Prepared By: Harlynn A. Lack, Esq.
Case Manager

¹ The GRC received the Denial of Access Complaint on said date.



Approved By: Brandon D. Minde, Esq.
Executive Director

Date: April 25, 2013

Distribution Date: April 30, 2013