



NEW JERSEY GOVERNMENT RECORDS COUNCIL
Administrative Complaint Disposition – Not a Valid OPRA Request

Rachel White,
Complainant

GRC Complaint No. 2016-213

v.

Camden City School District (Camden),
Custodial Agency

Custodian of Record: Naeha Dean¹

Request Received by Custodian: April 28, 2016

GRC Complaint Received: August 1, 2016

Complaint Disposition: The Complainant submitted a written request without reference to OPRA. The GRC’s authority is limited to adjudicating denial of access complaints based on valid OPRA requests.² It is also noted that the Complaint alleged that the Custodian failed to adhere to terms agreed upon in mediation regarding a separate matter: White v. Camden City Sch. Dist. (Camden), GRC Complaint No. 2015-115 (September 29, 2015). The GRC does not have the authority to enforce the provisions of a settlement made during mediation proceedings.

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 . . . in lieu of filing an action in Superior Court, file a complaint with the Government Records Council established pursuant to [OPRA].” N.J.S.A. 47:1A-6.

“The 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 records custodian . . .” 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: January 30, 2018

¹ At the time of the complaint filing Ashley McGrath was Acting Records Custodian and was the contact for the agency in this matter.

² In Renna v. County of Union, 407 N.J. Super. 230 (App. Div. 2009), the Appellate Division held that although requestors shall continue to use public agencies’ OPRA request forms when making requests, no custodian shall withhold such records if the written request for such records, not presented on the official form, contains the requisite information prescribed in the section of OPRA requiring custodians to adopt a form. Id. Therefore, requestors may submit correspondence that requests records from a custodian under OPRA, as long as the request properly invokes OPRA.



Prepared By: Samuel A. Rosado
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