

**RIGHT TO KNOW LAW**  
Effective July 7, 2002

**DIRECTIONS AND PROCEDURES FOR REQUESTING A RECORD FROM  
THE CUSTODIAN OF PUBLIC RECORDS:**

A person requesting a copy of a government record may purchase a copy upon the payment of a fee prescribed by law, or in the absence thereof, upon payment of the fees as indicated below.

The Government Record Request Form must be completed by the requestor and custodian. The attached form must be completed and presented to the office of the board secretary between the hours of 9:30 a.m. – 3:00 p.m., Monday through Friday, except when offices are closed for school holidays or recess periods during the school year.

A deposit may be required when the reproduction costs are estimated to exceed \$5.00 when the request is made anonymously.

In the event that the medium requested is not routinely used by, developed or maintained in, the district, or requires a substantial amount of manipulation or programming of information, the district may impose a reasonable special charge based on the actual costs of any extensive use of information technology and/or labor costs of programming, clerical and supervisory personnel providing the service.

All requests received by any district personnel should be forwarded to the custodian of public records or directed to the custodian of public records.

Unless a shorter period is required by law, the custodian is generally required to grant access or deny a request for a government record as soon as possible but not later than seven business days after receiving the request, provided that the record is currently available and not in storage or archived.

The records shall either be furnished or the reasons for not complying with the request shall be included on this form.

If the record is in storage or archived, the requestor shall be advised within the seven business day time period when the records will be available.

Subject to the right of appeal, if a request for access would substantially disrupt district operations, the custodian may deny access to the record after attempting to reach a reasonable solution with the requestor that accommodates the interests of the requestor and the district.

In the event the request is made anonymously and does not provide the means for contacting the requestor, the custodian is not required to respond unless the requestor reappears before the custodian and seeks a response to the original

request. Notwithstanding the existence of the seven business day requirement, the Legislature has indicated that immediate access ordinarily shall be granted to budgets, bills, vouchers, contracts, including collective negotiations agreements and individual employment contracts and public employee salary and overtime information.

### **RIGHTS TO AN APPEAL:**

An appeal may be taken by filing an action in the Superior Court of New Jersey or a complaint with the Government Records Council.

In the event of an appeal, the district has the burden of proving that the denial of access is authorized by law.

If the appeal is successful, the requestor shall be entitled to reimbursement of reasonable attorneys fees from the Board.

A proceeding before the Government Records Council initially offers the parties an opportunity to participate in voluntary mediation of the dispute.

If either party declines mediation or if mediation is unsuccessful, the Council conducts an investigation to determine whether the complaint is within its jurisdiction, frivolous or without any reasonable factual basis.

In the event that the complaint is not dismissed for any of the foregoing reasons, the Council shall give the custodian an opportunity to respond to the complaint.

A decision will either be made on the basis of the complaint and information provided or a hearing will be conducted by the Council.

Access to the public record and reasonable attorneys fees will be awarded to the requestor if successful.

In addition, if the Council determines that a custodian has “knowingly and willingly violated N.J.S.A. 47:1a-1 et seq.” and is found to have “unreasonably denied access under the totality of the circumstances”, the Council may impose a civil penalty upon the custodian in the amount of \$1,000 for an initial violation; \$2,500 for a second violation within ten years of the initial violation and \$5,000 for a third violation within ten years of an initial violation.

MARLBORO TOWNSHIP BOARD OF EDUCATION  
1980 Township Drive  
Marlboro, New Jersey 07746-2298

**GOVERNMENT RECORD REQUEST FORM**

**To be completed by the Requestor:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Phone Numbers: \_\_\_\_\_  
Home Office

Please provide a brief description of the record sought:

\_\_\_\_\_  
\_\_\_\_\_

**To be completed by the Custodian of Public Records:**

Name of record to be made available: \_\_\_\_\_

Date the record will be available: \_\_\_\_\_

Fee charged: \_\_\_\_\_

Payment of fee is  is not  required in advance.

Specific reasons if a request is denied in whole or part by the custodian:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Requestor's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Custodian's Signature

\_\_\_\_\_  
Date