

Pennsylvania

OFFICE OF OPEN RECORDS

Executive Director Office of Open Records
Commonwealth Keystone Building
400 North Street, Plaza Level
Harrisburg, PA 17120-0225
Feb. 4, 2009

Re: Right to Know Law Appeal - Denial or Partial Denial by Agency

Dear Sirs:

This is an appeal under the Pennsylvania Right to Know Law, 65 P.S. §67.101. I requested documents from the Pottstown School District. The Agency denied or partially denied my request for information. I am appealing the denial of my request, under section 1101 of the Law and provide the following information in accordance with the Law:

Requester's name:	Thomas Hylton
Address:	222 Chestnut Street Pottstown, PA 19464 (Montgomery County)
Date of Right to Know request:	1-6-2009
Date of Response:	1-29-2009
Telephone and fax number:	610.323.6837 / fax 610.323.6841
Concise statement of facts:	Requester asked for all invoices submitted to the Pottstown School District by the Pottstown School District solicitor from Dec. 3, 2003, to the present.

Requester received 744 pages of invoices, but material information relating to the work performed was redacted despite the fact that all or most of the information was a public record. The reason for the redaction was not given. The failure to deny formally should be considered a deemed approval, and the information requested should be provided without any redaction.

Pdfs of the invoices as received for the year 2008 are attached to this appeal as a sample. The invoices were received in hard copy and scanned by requester.

Name and address of Agency:	Pottstown School District 230 Beech Street P.O. Box 779 Pottstown, PA 19464
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Name and title of the Agency official who denied the request for information:	Mrs. Linda Adams Open Records Officer
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Description of the records requested: Requester asked for all invoices submitted to the Pottstown School District by the Pottstown School District solicitor from Dec. 3, 2003, to the present.

List any grounds upon which the requester asserts that the record is a public record:
Under the Right To Know law, the burden is on the agency to demonstrate the record is not a public record. Solicitor's invoices are not covered under any of the exceptions in the Right to Know Law.

Address any grounds relied upon by the Agency for denial of the request:

None was offered.

A copy of the original request and the letter accompanying the invoices are attached as a pdf for your reference.

Respectfully Submitted,

A handwritten signature in black ink that reads "Thomas J. Flynn". The signature is written in a cursive style with a large initial "T" and "F".