



RIGHT – TO – KNOW RESPONSE FORM

REQUEST DENIED

Date: _____

Requestor: _____

Street Address: _____

City/State/County (Required): _____

Dear Requestor:

This acknowledges receipt on (Date) of your request for access to public records under the Pennsylvania Right-to-Know Law, as set forth in your request letter attached and incorporated as if repeated herein.

Your request is denied for the following reasons:

_____ **Section 102. The record requested is protected by privilege and thus is not a Public Record.**

_____ **Section 506. The request is deemed a disruptive request.**

_____ **Section 506. Access is denied due to fire, flood or disaster, or access may cause damage or irreparable harm to the record.**

_____ **Section 705. The record doesn't exist in the form requested.**

_____ **Section 708 (b) (The following are summarized. The record is exempt under the Act when:**

_____ **(1) (i) Disclosure would result in the loss of federal or state funds by an agency or the Commonwealth.**

_____ **(1) (ii) Disclosure would be reasonably likely to result in a substantial and demonstrable risk of physical harm to or the personal security of an individual.**

_____ **(2) It is maintained by an agency in connection with the military, homeland security, national defense, law enforcement or other public safety activity that if disclosed would be reasonably likely to jeopardize or threaten public safety or preparedness or public protection activity or a record that is designated classified by an appropriate Federal or State military authority.**

_____ (3) Disclosure of which creates a reasonable likelihood of endangering the safety of the physical security of a building, public utility, resource, infrastructure, facility or information storage system.

_____ (4) It regards computer hardware, software and networks, including administrative or technical records, which, if disclosed, would be reasonably likely to jeopardize computer security.

_____ (5) It is a record of an individual's medical, psychiatric or psychological history or disability status.

_____ (6) It contains personal identification information.

_____ (7) It contains records relating to an agency employee.

_____ (8) It pertains to strategy or negotiation relating to labor relations or collective bargaining and related arbitration proceedings.

_____ (9) It is the draft of a bill, resolution, regulation, statement of policy, management directive, ordinance of amendment thereto prepared by or for an agency.

_____ (10) (i) (A) It reflects the internal, predecisional deliberations of an agency.

_____ (10) (i) (B) It reflects strategy to be used to develop or achieve the successful adoption of a budget, legislative proposal or regulation.

_____ (11) It constitutes or reveals a trade secret or confidential proprietary information.

_____ (12) It contains notes and working papers prepared by or for a public official or agency employee used solely for that official's or employee's own personal use.

_____ (13) It would disclose the identity of an individual who lawfully makes a donation to an agency.

_____ (14) It contains unpublished lecture notes, manuscripts, articles, creative works in progress and research related material and scholarly correspondence.

_____ (15) (i) It contains Academic transcripts.

_____ (15) (ii) It contains examinations, examination questions, scoring keys or answers to examinations.

_____ (16) It is a record of an agency relating to or resulting in a criminal investigation.

_____ (17) It is a record of an agency relating to a noncriminal investigation.

_____ (21) (i) It is draft minutes of any meeting of an agency until the next regularly scheduled meeting of the agency.

_____ (21) (ii) It is minutes of an executive session and any record of discussions held in executive session.

_____ (22) (i) It is the contents of real estate appraisals, engineering or feasibility estimates, environmental reviews, audits or evaluations made for or by an agency prior to the decision to proceed or lease, acquire or dispose of an interest in real estate or the purchase of public supply or construction project.

_____ (23) It is the Library and archive circulation and order records of an identifiable individual or groups of individuals.

_____ (24) It is the Library archived and museum materials, valuable or rare book collections, or donated items to the extent of any limitations imposed by the donor as a condition of the contribution.

_____ (25) It identifies the location of an archaeological site or an endangered or threatened plant or animal species, not already known by the public.

_____ (26) It is a proposal pertaining to agency procurement or disposal of supplies, services or construction prior to the award of the contract or prior to the opening and rejection of all bids; financial information of a bidder or offeror requested in an invitation for bid.

_____ (27) It is information relating to a communication between an agency and its insurance carrier, administrative service organization or risk management office, but not the contract for such.

_____ (28) It relates to an individual who applies for or receives social services.

_____ (30) It identifies the name, home address or date of birth of a child 17 years of age or younger.

_____ Other exemption not summarized above as follows:

You have the right to appeal this denial in writing to Terry Mutchler, Executive Director, Office of Open Records, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, Pa. 17120.

If you choose to file an appeal you must do so within 15 business days of the mailing date of this response. (Section 1101). Please be advised that this correspondence will serve to close this record with our office as permitted by law.

Respectfully,

**Mike Ognosky
Superintendent of Schools
Open Record Officer
Montrose Area School District
80 High School Road
Montrose, Pa. 18801
Telephone: (570) 278-6298**

cc: Ellis Katz, District Solicitor