

June 28, 2023

Sent via First Class Mail:

Emmy Arnett, Prothonotary
Crawford County Judicial Center
359 E. Center Street
Meadville, PA 16335

RE: Submission of Record in:
Penncrest School District v. Bethany Rogers,
Crawford County Court of Common Pleas No. AD 2023-275

Dear Prothonotary Arnett:

We hereby submit the record in the above-referenced matter. Section 1303 of the Right-to-Know Law, 65 P.S. §§ 67.101, *et seq.*, (“RTKL”), defines the Record on Appeal as “the record before a court shall consist of the request, the agency’s response, the appeal filed under section 1101, the hearing transcript, if any, and the final written determination of the appeals officer.” Pursuant to *Department of Transportation v. Office of Open Records*, 7 A.3d 329 (Pa. Commw. Ct. 2010), this record includes all “evidence and documents admitted into evidence by the appeals officer pursuant to Section 1102(a)(2).” The record in this matter consists of the following:

Office of Open Records Docket No. AP 2023-0289:

1. The appeal filed by Bethany Rogers (“Requester”) to the Office of Open Records (“OOR”), received February 8, 2023.
2. Official Notice of Appeal dated February 9, 2023, sent to both parties by the OOR, advising them of the docket number and identifying the appeals officer for the matter.
3. Penncrest School District’s (“District”) entry of appearance and submission dated February 21, 2023.
4. Requester’s submission dated February 23, 2023.
5. OOR correspondence dated April 2, 2023, seeking additional time from the Requester to issue the final determination.

6. OOR correspondence dated April 3, 2023, seeking additional information from the District.
7. Requester correspondence dated April 3, 2023, granting the OOR's extension request.
8. OOR correspondence dated April 3, 2023, extending the District's submission deadline.
9. The Final Determination issued by the OOR, dated April 21, 2023.

The OOR has discretion to hold a hearing on appeals filed but chose not to do so in this matter. Therefore, there is no transcript to transmit. Certification of the record in this case is attached to this letter. Please feel free to contact us for any reason in connection with this matter.

Sincerely,



Kyle Applegate
Chief Counsel

Attachments

cc: Bethany Rogers (Requester)
Thomas W. King, III, Esq. (District)

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

PENNCREST SCHOOL DISTRICT,	:	
Petitioner	:	No. AD 2023-275
v.	:	
	:	
BETHANY ROGERS,	:	Statutory Appeal
Respondent	:	
	:	

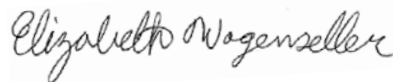
CERTIFICATION OF RECORD

I hereby certify the contents of the record transmitted with this Certification of Record pursuant to Pa.R.A.P. 1952 in *Bethany Rogers and USA Today Network v. Penncrest School District*, OOR Dkt. AP 2023-0289, which is the subject of this appeal.

The record transmitted with this certification is generated entirely from the Office of Open Records database. It is our practice to scan in each and every document submitted in an appeal. Thus, no originals are being transmitted to this Court.

I certify that this filing complies with the provisions of the ‘Public Access Policy of the Unified Judicial System of Pennsylvania Case Records of the Appellate and Trial Courts’ that require filing confidential information and documents differently than non-confidential information and documents.

Also, my signature on this Certification of Record and on all other correspondence directed to the Court in connection with this matter may be electronic and not original. I hereby certified that this is my true and correct signature and that I have approved the use thereof for these purposes.



Elizabeth Wagenseller, Executive Director
Office of Open Records
333 Market Street, 16th Floor
Harrisburg, PA 17101-2234
Phone: (717) 346-9903
Fax: (717) 425-5343
Email: OpenRecords@pa.gov

Dated: June 28, 2023

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

PENNCREST SCHOOL DISTRICT,	:	
Petitioner	:	No. AD 2023-275
v.	:	
	:	
BETHANY ROGERS,	:	Statutory Appeal
Respondent	:	
	:	

CERTIFICATE OF SERVICE

I hereby certify that I have served a true and correct copy of the Certified Record upon the following persons via email only as indicated below:

Bethany Rogers
Gannett/USA TODAY Network
1891 Loucks Road
York, PA 17408
brodgers@gannett.com
(via email only)

Thomas W. King, III., Esq.
DILLON, McCANDLESS, KING,
COULTER & GRAHAM, LLP
128 West Cunningham Street
Butler, PA 16001
tking@dmkcg.com
(via email only)



Faith Henry, Administrative Officer
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Email: fahenry@pa.gov

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v.	:	
	:	
BETHANY ROGERS,	:	Statutory Appeal
Respondent	:	
	:	

CERTIFIED RECORD

Kyle Applegate
Chief Counsel
Commonwealth of Pennsylvania
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Phone: (717) 346-9903
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**TABLE OF CONTENTS
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