

FINAL DETERMINATION

DATE ISSUED AND MAILED: April 2, 2024

IN RE: *Charles Williams, III v. Unionville-Chadds Ford School District*; OOR Dkt. AP 2024-0864

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, it is determined that the appeal is **DISMISSED** because:

The appeal is premature. The Request was emailed to the District on March 19, 2024. The District timely invoked a thirty-day extension of time to respond on March 26, 2024. 65 P.S. § 67.902(b)(1). Under the extension, the District has five (5) business days, followed by thirty (30) calendar days, from March 19, 2024 to respond to the Request, or until April 25, 2024.¹ 65 P.S. §§ 67.902(b)(1)-(2). The appeal was submitted to the OOR on March 29, 2024, prior to the expiration of the District’s time to respond. The Requester is not prohibited from filing a new appeal with the OOR of any denial or deemed denial stemming from the Request, pursuant to the requirements of 65 P.S. § 67.1101(a)(1).

For this reason, the District is not required to take any further action. Within thirty days of the mailing date of this Final Determination, you may appeal or petition for review with the Chester County Court of Common Pleas. 65 P.S. § 67.1302(a). All parties must be served with notice of the appeal. The OOR also shall be served notice and have an opportunity to respond according to court rules as per 65 P.S. § 67.1303. However, as the quasi-judicial tribunal adjudicating this matter, the OOR is not a proper party to any appeal and should not be named as a party.² All documents or communications following the issuance of this Final Determination shall be sent to oor-postfd@pa.gov. This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

Issued by:

/s/ Joshua Young

SENIOR DEPUTY CHIEF COUNSEL
JOSHUA YOUNG, ESQ.

Sent to: Requester; Agency Open Records Officer, Unionville-Chadds Ford School District

¹ On his appeal form, the Requester alleges that the Request was denied by the District.

² *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).