



FINAL DETERMINATION

DATE ISSUED AND MAILED: May 29, 2026

IN RE: *Aaron Shover v. Big Springs School District*, OOR Dkts. AP 2026-2070 and AP 2026-2071

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

The appeals are premature. The Requests were submitted to the Big Spring School District (“District”) on May 18, 2026.¹ The District had five (5) business days to respond to the Requests. 65 P.S. § 67.901. As a result, the District had, at least, until 11:59:59 p.m. on May 26, 2026 to respond to the Requests.² The appeals were submitted to the OOR before that time elapsed on May 26, 2026; thus, the Requester did not allow sufficient time before filing the appeals. The Requester is not prohibited from filing a new appeal to the OOR of any denial or deemed denial stemming from the Requests, 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 Cumberland 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.³ 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/ Kyle Applegate

Chief Counsel
Kyle Applegate, Esq.

Sent via E-File Portal to: Requester; Agency Open Records Officer, Big Spring School District

¹ The Requests were emailed to the District on May 17, 2026, a Sunday; therefore, they are considered received for purposes of this Final Determination on the next business day, Monday, May 18, 2026.

² Because Monday, May 25, 2026 was a federal holiday, it was not included in the calculation of the District response period.

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