



DATE ISSUED AND MAILED: **June 18, 2026**

IN RE: *Valerie Gaberseck v. Cameron County School District*, OOR Dkt. AP 2026-2076

On April 15, 2026, Valerie Gaberseck (“Requester”) submitted a request (“Request”) to the Cameron County School District (“District”) pursuant to the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.*, seeking “[a]ll invoices pertaining to the paving project, all bids received for the paving project, [and] information on approval of the paving project” relating to the paving of school parking lot in 2025. On April 17, 2026, the District invoked a thirty-day extension to respond; however, as the District did not respond within the extension period, the Request was deemed denied on May 22, 2026. *See* 65 P.S. § 67.902(b)(2). On May 27, 2026, Requester filed an appeal with the Office of Open Records (“OOR”).

Local agencies have the burden of proving that records are exempt from access. 65 P.S. § 67.708(a)(1). Here, the District did not comply with the RTKL by timely responding to the Request, nor did the District participate on appeal by submitting legal argument or evidence.¹ Accordingly, the District did not meet its burden of proof under the RTKL. 65 P.S. § 67.305.

For this reason, the appeal is **granted**, and the District is required to provide the requested records to the Requester within thirty days, or, in the alternative, a sworn affidavit or a statement made under the penalty of perjury demonstrating that the records do not exist. Within thirty days of the mailing date of this Final Determination, either party may appeal or petition for review with the Cameron 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, but 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/ Lyle Hartranft

LYLE HARTRANFT, ESQ.
APPEALS OFFICER

Sent via OOR Portal to: Valerie Gaberseck; Brandy Ferraro, AORO

¹ The OOR notes that the notice of appeal was sent to the District’s AORO, who is listed on the District’s RTKL information webpage. *See* [Cameron County School District - Contact Us](#) (last visited June 17, 2026).

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