

FINAL DETERMINATION

DATE ISSUED AND MAILED: September 1, 2026

IN RE: *Michael Grimm v Steel Valley School District*, OOR Dkt. AP 2026-3260

On July 1, 2026, Michael Grimm (“Requester”) submitted a request (“Request”) to the Steel Valley School District (“School District”) pursuant to the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.* seeking a copy of the School District's most recent “adopted student records plan” and any revisions that have occurred in the previous 24 months.” On August 5, 2026, following a thirty-day extension during which to respond, 65 P.S. § 67.902(b), the School District granted the Request, and provided the Requester with a weblink to the student records policies of the School District. On August 10, 2026, the Requester filed an appeal with the Office of Open Records (“OOR”) stating that pursuant to School District policy 210, additional responsive records should exist.

Local agencies have the burden of proving that records are exempt from access. 65 P.S. § 67.708(a)(1). Here, the School District did not participate on appeal by submitting legal argument or evidence to demonstrate that a good faith search was conducted and that the School District provided all records responsive to the Request.¹ Accordingly, the School District did not meet its burden of proof under the RTKL. 65 P.S. § 67.305.

For this reason, the appeal is **granted**, the School 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 additional responsive 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 Allegheny 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/ Catherine R. Hecker

CATHERINE R. HECKER
APPEALS OFFICER

Sent to the OOR Portal: Michael Grimm; Brian Plichta

¹ The OOR appeal portal log indicates that the email addresses associated with a School District official accessed and viewed multiple files within the appeal docket. The School District has failed to participate in this appeal.

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