



FINAL DETERMINATION

IN THE MATTER OF

**JOSEPH BUCCI,
Requester**

v.

**RINGGOLD SCHOOL DISTRICT,
Respondent**

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Docket No.: AP 2026-2568

FACTUAL BACKGROUND

On May 8, 2026, Joseph Bucci, Esq. (“Requester”) submitted a 23-item request (“Request”) to the Ringgold School District (“District”) pursuant to the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.*, seeking:¹

1. All correspondence, communications, drawings, sketches, reports, meeting minutes, evaluations, estimates, recommendations, photographs, videos or written/electronic documents or data from HHSDR related to the Project from January 1, 2021, to the current date documents are produced for this [R]equest.
2. All communications from or on behalf of [the District] sent to or shared with HHSDR related to the Project from January 1, 2021, to the date documents are produced for this [R]equest.
3. All communications from or on behalf of [the District] sent or shared with HHSDR related to the Project from January 1, 2021, to the date documents are produced for this [R]equest.

¹ For brevity, the OOR will only list those items the Requester challenges on appeal. Additionally, as a way of background, the Request seeks records related to a project involving the Finley Middle School, known generally as the “Building Demolition of the Finley Middle School”, hereinafter referred to as “the Project”. The Architect for the Project is HHSDR, Inc.; the Demolition Contractor for Contract No. 1 of the Project was Minniefield Demolition Services, LLC; and the geotechnical consultant for the Project was GeoMechanics, Inc.

4. Produce the Certificate(s) of Insurance provided to [the District] by HHSDR for HHSDR's work or services for the Project.

[...]

6. All documents from GeoMechanics, whether from GeoMechanics itself to [the District], or from GeoMechanics to HHSDR.
7. All documents shared with or provided to GeoMechanics by or on behalf of [the District], including any documents provided to GeoMechanics from [the District] or from HHSDR.

[...]

17. All communications from, to, or among [the District], HHSDR and Murn Incorporated related to the Project.

On June 15, 2026, following a thirty-day extension during which to respond, 65 P.S. § 67.902(b), the District, in relevant part, denied the Request, arguing that Items 1-3,² 6-7 and 17 are insufficiently specific, 65 P.S. § 67.703, and that there are no records responsive to Item 4 in its possession, custody or control.

On June 26, 2026, the Requester appealed to the Office of Open Records ("OOR"), challenging the denial and stating grounds for disclosure.³ The OOR invited both parties to supplement the record and directed the District to notify the OOR if any third parties have a direct interest in the appeal. 65 P.S. § 67.1101(c).

On July 28, 2026, the District submitted a position statement, reiterating its grounds for denial. The District argues that "[I]tems 1-3, 6-7, and 17, on their face are insufficiently specific, overbroad, and unduly burdensome pursuant to 65 P.S. § 67.703 for failing to identify a transaction or activity of the District, discrete group of records sought, and/or timeframe to guide a search for

² The District granted Item 1 of the Request in part as to the request for drawings and sketches, making these items available for inspection.

³ The Requester granted the OOR a 30-day extension to issue a final determination. *See* 65 P.S. § 67.1101(b)(1) ("Unless the requester agrees otherwise, the appeals officer shall make a final determination which shall be mailed to the requester and the agency within 30 days of receipt of the appeal filed under subsection (a).").

responsive records.” In support of its position, the District submitted the attestation, made subject to the penalties of unsworn falsification to authorities, 18 Pa.C.S. § 4904, of Kimberley Moore (“Moore Attestation”), Open Records Officer (“AORO”) for the District, and Exhibit A (“Exact Search Criteria Used in Microsoft Purview” for Items 1-3, 4, 6-7, and 17 of the Request). In addition, the District provided the responsive Certificate of Insurance from HHSDR related to Item 4. *See* Exhibit B (email transmitting responsive records to the Requester).

LEGAL ANALYSIS

The District is a local agency subject to the RTKL. 65 P.S. § 67.302. Records in the possession of a local agency are presumed to be public, unless exempt under the RTKL or other law or protected by a privilege, judicial order or decree. *See* 65 P.S. § 67.305. As an agency subject to the RTKL, the District is required to demonstrate, “by a preponderance of the evidence,” that records are exempt from public access. 65 P.S. § 67.708(a)(1). Preponderance of the evidence has been defined as “such proof as leads the fact-finder ... to find that the existence of a contested fact is more probable than its nonexistence.” *Pa. State Troopers Ass’n v. Scolforo*, 18 A.3d 435, 439 (Pa. Commw. Ct. 2011) (quoting *Pa. Dep’t of Transp. v. Agric. Lands Condemnation Approval Bd.*, 5 A.3d 821, 827 (Pa. Commw. Ct. 2010)).

1. The appeal is moot in part

During the pendency of the appeal, the District provided a record (i.e. Certificate of Insurance from HHSDR) responsive to Item 4 of the Request. *See* Moore Attestation, ¶ 9; District Exhibit B. As such, the appeal is dismissed as moot as it relates to the record provided on appeal. *See Chester Water Auth. v. Pa. Dep’t of Cmty. & Econ. Dev.*, 249 A.3d 1106, 1114 (Pa. 2021) (finding that a matter was settled by provision of records and, thus, “the controversy has been mooted”).

2. The Request is insufficiently specific in part

The District argues that Items 1-3, 6-7, and 17 are insufficiently specific to enable the District to adequately respond. Section 703 of the RTKL states that “[a] written request should identify or describe the records sought with sufficient specificity to enable the agency to ascertain which records are being requested.” 65 P.S. § 67.703. When determining whether a particular request is sufficiently specific, the OOR uses the multifactor test employed by the Commonwealth Court in *Pa. Dep’t of Educ. v. Pittsburgh Post-Gazette*, 119 A.3d 1121 (Pa. Commw. Ct. 2015); *see also Pa. Office of the Governor v. Brelje*, 312 A.3d 928 (Pa. Commw. Ct. 2024).

First, “[t]he subject matter of the request must identify the ‘transaction or activity’ of the agency for which the record is sought.” *Id.* at 1125 (quoting 65 P.S. § 67.102). Second, “[t]he scope of the request must identify ‘a discrete group of documents, either by type ... or by recipient.’” *Id.* (quoting *Carey v. Pa. Dep’t of Corr.*, 61 A.3d 367, 372 (Pa. Commw. Ct. 2013)). Finally, “[t]he timeframe of the request should identify a finite period of time for which records are sought.” *Id.* at 1126 (citing *Carey, supra*). “The timeframe prong is, however, the most fluid of the three prongs, and whether or not the request’s timeframe is narrow enough is generally dependent upon the specificity of the request’s subject matter and scope.” *Id.*

The above factors are intended “to facilitate an analysis in order to determine whether an agency can ascertain which records are being requested.... The subject matter, scope, and timeframe of a request are flexible, analytical elements, not evidentiary requirements.” *Pa. Dep’t of Health v. Shepherd*, No. 377 C.D. 2021, 2022 Pa. Commw. Unpub. LEXIS 207 *6-7 (Pa. Commw. Ct. 2022), *appeal denied*, No. 334 MAL 2022, 2022 Pa. LEXIS 1862 (Pa. 2022). Finally, we must analyze the entirety of a request, as it is possible that portions of a request are insufficiently specific, while other portions provide sufficient guidance. *See Pa. State Police v.*

Office of Open Records, 995 A.2d 515, 517 (Pa. Commw. Ct. 2010) (noting “the valid part of the request was included in a laundry list of requested materials”).

As noted above, the relevant items of the Request state as follows:

1. All correspondence, communications, drawings, sketches, reports, meeting minutes, evaluations, estimates, recommendations, photographs, videos or written/electronic documents or data from HHSDR related to the Project from January 1, 2021, to the current date documents are produced for this [R]equest.
2. All communications from or on behalf of [the District] sent to or shared with HHSDR related to the Project from January 1, 2021, to the date documents are produced for this [R]equest.
3. All communications from or on behalf of [the District] sent or shared with HHSDR related to the Project from January 1, 2021, to the date documents are produced for this [R]equest.
6. All documents from GeoMechanics, whether from GeoMechanics itself to [the District], or from GeoMechanics to HHSDR.
7. All documents shared with or provided to GeoMechanics by or on behalf of [the District], including any documents provided to GeoMechanics from [the District] or from HHSDR.
17. All communications from, to, or among [the District], HHSDR and Murn Incorporated related to the Project.

The Request in this matter seeks an overarching subject matter – records related to the building demolition of the Finley Middle School (the “Project”). This subject matter is wide, but not unreasonably broad, identifying a specific Project of the District.

Items 2, 3, and 17 seek all communications, and Items 6 and 7 seek all documents related to the Project between, in some form or fashion, HHSDR, the District, GeoMechanics, or Murn incorporated. In addition to communications, Item 1 seeks correspondence, drawings, sketches, reports, meeting minutes, evaluations, estimates, recommendations, photographs, videos, written/electronic documents or data related to the Project. Thus, the Request essentially seeks all communications and documents related to the Project for a time period of approximately five and

a half years,⁴ sent or received by a list of individuals who are not fully identified but instead relate to the entire District, and outside companies involved in the Project. However, the RTKL is not intended to be used as a fishing expedition for records, *see Pa. Dep't of Educ.*, 119 A.3d at 1126, where the agency is left to make judgment calls as to which records are sufficiently connected to the incidents to be responsive. *See Pa. Dep't of Envtl. Prot. v. Legere*, 50 A.3d 260, 265 (Pa. Commw. Ct. 2012) (finding that a request requiring an agency to review all potentially responsive files and “make judgments as to the relation of the documents to the specific request” would be insufficiently specific); *see also In re: Mazin*, 2025 Pa. Commw. Unpub. LEXIS 190 (Pa. Commw. Ct. 2025) (concluding that, although the subject matter of the request was well known to the agency, the request failed to identify any particular record and included expansive language which expanded the potential universe of records significantly, putting the agency in the position of having to make judgment calls regarding some of the records). The District argues that it “has no means by which it can conduct and retrieve emails and documentation without exercising its own judgment and discretion as to whether a particular record is ‘related to the Project’ over the requested time frame.” Moore Attestation, ¶ 3(c), 4(c), 5(c). Thus, this weighs in a finding that these items are insufficiently specific.

In addition, the OOR has also found that a request may be insufficiently specific where that request places an unreasonable burden on the agency due to too broad of a scope or timeframe. *Blystone v. North Penn Sch. Dist.*, OOR AP Dkt. 2021-2407, 2022 PA O.O.R.D. LEXIS 100 (holding that a request is insufficiently specific where the initial search for responsive emails with the keywords returned over 3 million potentially responsive records); *Boyle v. Neshaminy Sch. Dist.*, OOR AP Dkt. 2021-0669, 2021 PA O.O.R.D. LEXIS 968 (holding that emails between

⁴ The OOR notes that Items 6, 7, and 17 do not include a timeframe; however, one can be inferred from Items 1-3 of the Request.

multiple parties with a broad subject matter is insufficiently specific where the timeframe is such that the responsive emails range from 35,000 to two million). *In Keystone Nursing & Rehab of Reading, LLC v. Simmons-Ritchie*, the Commonwealth Court acknowledged that due to the number of responsive records likely to be within the agency’s possession, which also likely contain exempt information, the request placed an unreasonable burden on the agency to compile responsive records. 2020 Pa. Commw. Unpub. LEXIS 8, *54-55 (Pa. Commw. Ct. 2020); *see also Sanchez v. Chester County*, OOR Dkt. AP 2021-1129 (finding a request for all emails from three identified individuals over one month to be insufficiently specific where the agency submitted evidence “regarding the amount of potentially responsive records, the length of time it would take to review those records, and the burden . . . impose[d] on the agency due to the lack of a subject matter”). Conversely, an agency’s actual ability to search for and find responsive documents, although not controlling, does weigh in favor of a finding that a request is sufficiently specific. *See, e.g., Brelje*, 312 A.3d at 933; *Borough of Pottstown v. Suber-Aponte*, 202 A.3d 173, 179 (Pa. Commw. Ct. 2019); *Easton Area Sch. Dist. v. Baxter*, 35 A.3d 1259, 1265 (Pa. Commw. Ct. 2012), *appeal denied*, 54 A.3d 350 (Pa. 2012) (noting that “the request was obviously sufficiently specific because the School District has already identified potential records included within the request”); *Youman v. Juniata Township*, OOR Dkt. AP 2025-3043, 2025 PA O.O.R.D. LEXIS 3184.

Here, despite the lack of keywords to aid in the search and the broad nature of the Request, the District did utilize selective keywords to conduct a search. Moore Attestation, ¶ 7(a-f). As a result of this search, noting that “[a]ny attachments to said emails would likewise require further review for purposes of determining records responsive to this [R]equest[,]” the District identified 2,156,603 emails responsive to Item 1, 13,668 emails responsive to Item 2, 643 emails responsive to Item 3, 3,697 emails responsive to Item 6, 838 emails responsive to Item 7 and 23,307 emails

responsive to Item 17.⁵ *Id.* Thus, while the District was able to conduct a search for responsive emails with specific keywords, over 2 million potentially responsive records were identified that would require review and, therefore, this places an unreasonable burden on the District. As such, this weighs in finding that Items 1-3, 6-7 and 17 are insufficiently specific.

However, portions of Item 1 also seek “drawings, sketches, meeting minutes, photographs, and videos” related to the Project. These are specific types of records that the District, generally, would keep separately from email communications or correspondence, and the District should be able to identify a custodian who would have general knowledge about the Project. Likewise, the OOR has previously found that requests for meeting minutes, of similar scope, are sufficiently specific. *See, e.g., O’Neill v. Chadds Ford Twp. Sewer. Auth.*, OOR Dkt. AP 2021-2013, 2021 PA O.O.R.D. LEXIS 2005. Because these subparts to Item 1 have a sufficiently specific scope, the District must conduct a good faith search for these records and provide them. *See Southeastern Pennsylvania Transportation Authority v. Anderson and All That Philly Jazz*, No. 48 C.D. 2024, 2025 Pa. Commw. LEXIS 81 (May 1, 2025) (finding that the portions of a request that identified specific types of documents or senders and recipients of emails was sufficiently specific); *see also Pa. State Police v. Off. of Open Records*, 995 A.2d 515 (Pa. Commw. Ct. 2010) (holding that, while the portion of the request that sought “any and all records, files or communications” was not sufficiently specific, the portion that sought manuals related to vehicle stops, searches and seizures was).

Therefore, applying the multifactor test articulated in *Pittsburgh Post-Gazette* and because Items 1 (in part), 2-3, 6-7 and 17 contain expansive language that requires the District to make judgment calls as to which records are sufficiently connected with the incidents to be responsive,

⁵ The OOR notes that Items 6 and 7 seek “documents.”

they are insufficiently specific. The OOR acknowledges the difficulties in conducting searches for records over such lengthy timeframes, which is why much of the Request does not pass muster under Section 703. However, the RTKL's requirement is only that the District design and execute a good faith search to the best of its ability, not that it reviews every possible location where a responsive record might theoretically exist.

CONCLUSION

For the foregoing reasons, the appeal is **granted in part, denied in part, and dismissed as moot in part**, and the District is required to conduct a search for “drawings, sketches, meeting minutes, photographs, and videos” responsive to Item 1 of the Request and to provide all responsive records within 30 days. This Final Determination is binding on all parties. Within thirty days of the mailing date of this Final Determination, any party may appeal to the Washington 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.⁶ 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 OOR website at: <http://openrecords.pa.gov>.

FINAL DETERMINATION ISSUED AND MAILED: September 3, 2026

/s/ Lyle Hartranft

LYLE HARTRANFT
APPEALS OFFICER

Sent via OOR Portal to: Joseph Bucci, Esq.; Kimberley Moore, AORO;
Jennifer Dambeck, Esq.

⁶ *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).