



FINAL DETERMINATION

DATE ISSUED AND MAILED: September 10, 2026

IN RE: *Lindsey Wanner and The Fairness Center v. Apollo-Ridge School District*;
OOR Dkt. AP 2026-3667

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 untimely. The Request was submitted to Apollo-Ridge School District (“School District”) on July 17, 2026.¹ The School District did not issue a final response to the Request within the five business days, and the Request was, therefore, deemed denied on or about July 24, 2026.² See 65 P.S. § 67.901. Appeals of deemed denied Right-to-Know requests must be filed within 15 business days of the date of the deemed denial, or by August 14, 2026 in this instance. 65 P.S. § 67.1101(a)(1). The appeal was submitted to the OOR on September 3, 2026. The Requester is not prohibited from refiling the Request and, if necessary, filing a new appeal pursuant to the requirements of 65 P.S. § 67.1101(a)(1).

For this reason, the School District is not required to take any further action. Within thirty days of the mailing date of this Final Determination, either party may appeal or petition for review with the Armstrong 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.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/ Joshua T. Young

Joshua T. Young, Esq.
Senior Deputy Chief Counsel

Sent via OOR e-file portal to: Lindsey Wanner; Deana Turner, AORO

¹ On July 20, 2026, the School District sought additional information from the Requester to guide its search for records and, on July 22, 2026, the Requester provided certain keywords to the School District. However, as noted in the Requester’s appeal statement, the School District did not issue a final response to the Request thereafter, resulting in a deemed denial.

² On August 6, 2026, the Requester wrote to the School District asking for a response by August 12, 2026; however, the Request had already been deemed denied as a matter of law.

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