



FINAL DETERMINATION

IN THE MATTER OF

**ERIKA SANCHEZ,
Requester**

v.

**WALLINGFORD-SWARTHMORE
SCHOOL DISTRICT,
Respondent**

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Docket No: AP 2026-3248

On June 12, 2026, Erika Sanchez (“Requester”) submitted two requests (individually “Request,” collectively “Requests”) to the Wallingford-Swarthmore School District (“District”) pursuant to the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.*, seeking, in pertinent part:

1. ...

B. All records, including but not limited to emails, correspondence, memoranda, meeting notes, agendas, attachments and other written communications

i. exchanged between the group comprised of:

1. Members of the [] School Board
2. Russell Johnston, Superintendent
3. Sharon Baddick, Assistant Superintendent
4. Al Heinle, Principal

ii. from February 12, 2026, through the [present], concerning any of the below individual topics:

1. [S.S.]¹

¹ This Final Determination references the identified minor student by initials only.

2. Alfredo Sanchez
3. Erika Sanchez
4. Complaints, concerns, or inquiries submitted by the Sanchez family
5. Requests for records submitted by the Sanchez family
6. FERPA requests submitted by the Sanchez family
7. [RTKL] requests submitted by the Sanchez family
8. Classroom transfer requests
9. Counselor meetings involving [S.S.]

C. Records that memorialize communications between the Board members and District Administrators regarding these requests.

2. ...

b. This [] includes, but is not limited to:

...

vi. Any records sufficient to identify the locations searched in response to the District's June 12, 2026, FERPA response, including whether email accounts, electronic files, calendars, or other record systems were searched.

When the District did not provide a final response by July 22, 2026, after invoking a thirty-day extension to respond,² *see* 65 P.S. § 67.902(b), the Requests were deemed denied. *See* 65 P.S. § 67.902(b)(2). On July 28, 2026, the District purported to grant the Requests in part, denying Item 1.B. as insufficiently specific, 65 P.S. § 67.703. In the alternative, the District argues that no records exist or the Item seeks protected records; the District also makes these arguments with respect to Item 1.C. *See* 20 U.S.C. § 1232g; 65 P.S. § 67.708(b)(30). The District also argues that records responsive to Request 1.C. do not exist or are confidential. Finally, the District also argues that records responsive to Item 2.b.vi. are confidential.

On August 10, 2026, the Requester appealed to the Office of Open Records ("OOR"), challenging only the responses to the portion of the Requests quoted above and stating grounds for

² The record does not reflect the exact date on which the District invoked an extension.

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).

As the Appeals Officer assigned to this matter by the Office of Open Records (“OOR”), I have reviewed the appeal filed with the OOR; the District’s submission of August 28, 2026, which includes a statement made under the penalty of unsworn falsification to authorities by Sharon Dugan (“Dugan Attestation”), Confidential Administrative Assistant and Open Records Officer (“AORO”); and the District’s response to the OOR’s request for clarification dated September 8, 2026. Based upon my review of the appeal and necessary evidence, I make the following conclusions of law and findings of fact:

- The District argues that Items 1.B. and 1.C. are insufficiently specific. Section 703 of the RTKL requires that a request “identify or describe the record sought with sufficient specificity to enable which records are being requested.” 65 P.S. § 67.703. In making this determination, we look to the nonexclusive, 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), specifically: whether the request identifies a subject matter, a scope (i.e. the type of record or its recipients), and a timeframe. Here, the scope subject matter of the Items is broad; Item 1.B. seeks seeking all records concern nine topics and Item 1.C. seeks communications related to the requests identified by 1.B. The fact that the Request includes a relatively short timeframe does not compensate for its failure to identify a clearly defined universe of responsive records. *See Pa. Dep’t of Env’t Protection v. Legere*, 50 A.3d 260, 265 (Pa. Commw. Ct. 2012); *In re: Mazin*, 1126 C.D. 2022, 2025 Pa. Commw. Unpub. LEXIS 190 (Pa. Commw. Ct. 2025). As such,

³ The Requester granted the OOR a thirty-day extension to issue a final determination. *See* 65 P.S. § 67.1101(b)(1).

Items 1.B. and 1.C. are insufficiently specific. The Requester is not prohibited from filing a new request that meets the requirements of 65 P.S. § 67.703.

- AORO Dugan attests that the District did not create or maintain any records documenting the locations searched in response to its FERPA response of June 12, 2026. *See* Dugan Attestation, ¶¶ 11, 13. The Requester has not submitted sufficient, credible evidence to rebut the Dugan Attestation.

For the foregoing reasons, the appeal is **denied**, and the District is not required to take any further action. This Final Determination is binding on all parties. Within thirty days of the mailing date of this Final Determination, any party may appeal or petition for review to the Delaware 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.⁴ 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>.

FINAL DETERMINATION ISSUED AND MAILED: October 15, 2026

/s/ Blake Eilers
Blake Eilers, Esq.
Senior Appeals Officer

Delivered via e-file portal to: Erika Sanchez; Barry N Handwerger

⁴ *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).