



FINAL DETERMINATION

IN THE MATTER OF	:
	:
ELIZABETH ANDERSON,	:
Requester	:
	:
v.	: Docket No: AP 2026-3612
	:
WARREN COUNTY SCHOOL DISTRICT,	:
Respondent	:

As the Appeals Officer assigned to this matter by the Office of Open Records (“OOR”), I have reviewed the appeal filed with the OOR, as well as the parties’ submissions in support of their positions.¹ Based upon my review of the appeal and necessary evidence, I make the following conclusions of law and findings of fact:

- The Warren County School District (“District”) met its burden of proving that the requested “Professional Staff Team Report or any equivalent summary report or recommendation form” and the requested “completed interview rubric” for the Requester are exempt from disclosure.² For an agency to claim the exemption found at 65 P.S. § 67.708(b)(10)(i)(A), the agency must prove that the records reflect its internal, predecisional deliberations. The verified position statement provided by the District (“District Statement”)³ shows that the records are internal

¹ While the Requester sought an *in camera* review of the withheld records, the OOR has the information and evidence before it to properly adjudicate the matter. Therefore, the request for *in camera* review is denied.

² The records are requested in Item 3 of the Request.

³ See attestation of District Open Records Officer, Taylor Trisket (Trisket Attestation), ¶ 8.

because the documents are “forms...used by the interview team (here, consisting of school building principals) to conduct interviews” and that “documents are not transmitted to the Board but instead are maintained confidentially in the HR office as part of the internal process of developing personnel recommendations to the Board.” District Statement, p. 4; *see also* Trisket Attestation, ¶ 7. It is also clear from the District’s evidence that the records are predecisional because the District’s statement establishes that the documents are used “before hiring decisions are made” and before hiring recommendations are presented to the District’s Board of Directors. District Statement, p. 4. Finally, the District Statement demonstrates that the records are predecisional, verifying that the documents “pertain to proposed action by the District” and explaining that the rubric does not tally scores that automatically determined the District’s hiring decision. *Id.*, p. 5. Rather, as explained in the District Statement, “the rubrics...are not determinative of the final candidate or candidates for a position but are part of the senior administration’s internal discussion about which candidate’s name should be presented to the Board for hiring.” *Id.*; *see also e.g., Anderson v. Warren Cnty. Sch. Dist.*, OOR Dkt. AP 2026-0753, 2026 PA O.O.R.D. LEXIS 1585. Accordingly, based on the evidence presented, the District demonstrated that the requested records are exempt from disclosure as reflecting its internal, predecisional deliberations.⁴ Furthermore, because the District demonstrated that the records are exempt under Section 708(b)(10) of the RTKL, the records do not constitute “public records” that are subject to the redaction provisions in 65 P.S. § 67.706.⁵

- The appeal is moot as to the requested “Interview Protocol associated with the 2025 Technology Education position” because the records were provided to the Requester during the appeal. *See*

⁴ 65 P.S. § 67.708(b)(10)(i)(A).

⁵ *See Castillo v. Pa. State Police*, 310 A.3d 831 (Pa. Commw. Ct. 2024) (holding that an agency is not required to redact a record if the record falls within an exemption under Section 708(b)).

Chester Water Auth. v. Pa. Dep't of Cmty. & Econ. Dev., 249 A.3d 1106, 1114 (Pa. 2021).

Additionally, the appeal is moot to the portion of Item 5 of the Request seeking the emails and electronic communications to or from Neil Kent because the District Statement verifies that the responsive “records sent by...[the District] contain emails involving [Neil] Kent” and that the emails “were provided along with the other responsive records.” *Id.*; District Statement, p. 2.

For the foregoing reasons, the appeal is **denied in part** and **dismissed as moot in part**, 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 Warren 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 website at: <http://openrecords.pa.gov>.

FINAL DETERMINATION ISSUED AND MAILED: October 23, 2026

/s/ Erika Similo

ERIKA SIMILO
APPEALS OFFICER

Sent via e-file portal to: Elizabeth Anderson; Patrick J. Fanell, Esq.; Taylor Trisket

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