



# pennsylvania

OFFICE OF OPEN RECORDS

## FINAL DETERMINATION

<b>IN THE MATTER OF</b>	:	
	:	
<b>LUCAS WOLK AND EDUCATION</b>	:	
<b>VOTERS OF PA,</b>	:	
<b>Requester</b>	:	
	:	
<b>v.</b>	:	<b>Docket No.: AP 2026-1392</b>
	:	
<b>COMMONWEALTH CHARTER</b>	:	
<b>ACADEMY CYBER CHARTER SCHOOL,</b>	:	
<b>Respondent</b>	:	

## FACTUAL BACKGROUND

On February 24, 2026, Lucas Wolk and Education Voters of PA (collectively “Requester”) emailed a request (“Request”) to the Commonwealth Charter Academy Cyber Charter School (“Charter School”) pursuant to the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.*, seeking “[c]ontracts and invoices related to any and all of the 1000+ field trips and events referenced in the attached graphic, between January 1, 2025-January 1, 2026.”<sup>1</sup>

On April 2, 2026, following a thirty-day extension during which to respond, 65 P.S. § 67.902(b), the Charter School denied the Request, arguing that the Request is insufficiently specific. 65 P.S. § 67.703.

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<sup>1</sup> The Request included a screenshot of the Charter School’s website, which includes the statement “1,000+ Field Trips and Events Per Year[.]”

On April 7, 2026, the Requester appealed to the Office of Open Records (“OOR”), challenging the denial and stating grounds for disclosure.<sup>2</sup> The OOR invited both parties to supplement the record and directed the Charter School to notify the OOR if any third parties have a direct interest in the appeal. 65 P.S. § 67.1101(c).

On April 20, 2026, the Charter School submitted a position statement, reiterating its argument that the Request is insufficiently specific for the Charter School to conduct a search for responsive records. In support of its position, the Charter School submitted the attestation of Roberto Datorre, the Executive Vice President and Chief Operations Officer of the Charter School (“Datorre Attestation”).

### LEGAL ANALYSIS

The Charter School 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 Charter School 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)).

The Charter School is a public cyber charter school for students in grades kindergarten through twelfth grade and serves over 40,000 students across Pennsylvania.<sup>3</sup> The Charter School

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<sup>2</sup> 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).”)

<sup>3</sup> *See* <https://ccaeducate.me/frequently-asked-questions/> (last visited June 1, 2026).

is divided into six regions, with thirty-nine territories, and has eighteen Family Service Centers across the state.<sup>4</sup> The Charter School argues that the volume of field trips and events and the nature of how such events are conducted throughout the communities that the Charter School serves and at the Charter School's Family Service Center locations renders the Request insufficiently specific.

Section 703 of the RTKL provides, in part, 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 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). *See 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[,]” and “should provide a context to narrow the search.” *Pittsburgh Post-Gazette*, 119 A.3d at 1125 (quoting 65 P.S. § 67.102; *Montgomery Cnty. v. Iverson*, 50 A.3d 281, 284 (Pa. Commw. Ct. 2012)). 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*, 61 A.3d at 372). “The timeframe prong is, however, the most fluid of the three prongs, and

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<sup>4</sup> *See* <https://ccaeducate.me/learner-handbook/family-service-centers-contact-information/> (last visited June 1, 2026); <https://ccaeducate.me/learner-handbook/regional-maps/> (last visited June 1, 2026). Relating to 1,000+ field trips and events, the Charter School's Learner Handbook, which is available on their website states:

[The Charter School] provides a team of Family Involvement Coordinators (FICs) . . . across the school's six (6) regions and thirty-nine (39) territories. The FICs serve families by planning over 1,000 social and educational field trips throughout the state each year. All educational field trips are aligned with the scope and sequence of CCA's curriculum which are aligned to the Pennsylvania State Standards. There are both in-person and virtual field trip opportunities. Families are welcome to attend field trips in any region of the state.

*See* <https://ccaeducate.me/learner-handbook/parent-and-community-support/> (last visited June 1, 2026).

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. May 13, 2022), *appeal denied*, No. 334 MAL 2022, 2022 Pa. LEXIS 1862 (Pa. 2022) (citations omitted). Furthermore, 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 ....").

The Request has a timeframe of one year. The scope of the Request is invoices and contracts of the Charter School. The subject matter is relating to any of the field trips or events of the Charter School and references a statement on the Charter School's website. Relating to the subject-matter of the Request, the Charter School states that the "1,000+ field trips and events" statement on its website is a generalized statement put in marketing and outreach materials and not representative of an actual, specific list of field trips or events in the possession of the Charter School.<sup>5</sup> The Charter School notes that what it defines as events is very broad, spanning from orientations to graduations to book fairs to career expos. *See Datorre Attestation* ¶ 27. Some of these events and field trips occur in person, either at one of the Charter School's Family Service Centers or at other locations in the community, and some are conducted virtually. *Id.* at ¶¶ 10-11.

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<sup>5</sup> The OOR makes no determination as to whether records listing filed trips or events should exist, only whether the Charter School possesses them.

Relating to the Charter School's attempt to search for responsive records, the Datorre

Attestation states, in relevant part:

28. Without a single list of "field trips and events," or further description from the Requester about the type of field trips or events for which records were sought, I could not possibly identify the records responsive to the Request, and it was determined that the Request lacks sufficient specificity to determine which records were sought.
29. . . . [I] made a good faith effort to determine if I could identify the records responsive to the Request through additional investigation.
30. I requested a review of transactions for the period of January 1, 2025 - December 31, 2025, which could be classified as "field trip" expenses. This was a review of "transactions," not invoices or contracts and not of all activities that could possibly be classified as "field trips" or "events." However, I determined this review could assist me in determining whether we could read sufficient specificity into the Request.
31. I was informed that there were approximately 650 transactions in response to my request for a review.
32. Some of these transactions constitute credits or refunds to [the Charter School]. Also, due to the small amounts of some of the transactions, it is reasonable to conclude that some payments were made by purchasing card without the need for an invoice or contract.
33. It is also likely that while some of the transactions were made during the period of January 1, 2025 - December 31, 2025, they relate to activities that occurred prior to January 1, 2025 or after December 31, 2025.
34. Therefore, the existence of a transaction does not automatically reveal or require a conclusion that invoices or contracts would be associated with each of these transactions, or that the transactions relate to "field trips and events" that occurred between January 1, 2025 and December 31, 2025, and [the Charter School] would be required to conduct additional research to determine if an invoice, contract, or both exists for each specific transaction.
35. Even if [the Charter School] could identify the invoices for field trips and events that occurred between January 1, 2025 and December 31, 2025, it would not be able to locate all associated "contracts." Many venues and vendors do not require formal contracts; instead, the "contracts" are "agreed to" at the time of payment through references standard terms and conditions associated with the venue or field trip. Identifying all these "contracts" would require an individual review of each transaction to determine if a formal

contract was executed or if the “contract” was simply the result of payment for the goods or services.

36. Additionally, the transactions and any associated invoices, contracts, receipts, or other information regarding the payments are not an accurate reflection of the costs incurred by [the Charter School] for the activity. For many field trips and events, [the Charter School] requires that families pay a portion of the cost, which significantly reduces the costs incurred by [the Charter School]. However, due to the number of persons who attend field trips and events and the logistics of working with many of the venues and vendors, [the Charter School] makes payments to the venue or vendor and separately collects each family’s payment as reimbursement to [the Charter School] for their portion of the cost.
37. Additionally, as mentioned above, the statement on the homepage includes field trips and events, whether held at one of [the Charter School]’s Family Service Centers or at a location in the community, such as kindergarten and high school graduations, which could have numerous invoices for supplies or professional services. [the Charter School] would be required to research each specific field trip or event to identify all the potential costs associated with the activity and the vendors, venues, or other providers. This is another reason why [the Charter School] could not identify responsive records and adds to the lack of specificity in the Request.

*See Datorre Attestation ¶¶ 29-37.*

Based on the evidence submitted in this appeal and specifically because of the nature of the subject matter seeking invoices and contracts related to many types of formal and informal events and trips coordinated by various Charter School employees, the OOR finds that the Request is insufficiently specific for the Charter School to conduct a search likely to discover all responsive records.<sup>6</sup>

### **CONCLUSION**

For the foregoing reasons, the appeal is **denied**, and the Charter School is not required to take any further action. This Final Determination is binding on all parties. Within thirty days of

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<sup>6</sup> The Requester is not prohibited from filing a new request that satisfies the requirements of 65 P.S. § 67.703.

the mailing date of this Final Determination, any party may appeal to the Dauphin 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.<sup>7</sup> All documents or communications following the issuance of this Final Determination shall be sent to [oor-postfd@pa.gov](mailto:oor-postfd@pa.gov). This Final Determination shall be placed on the OOR website at: <http://openrecords.pa.gov>.

**FINAL DETERMINATION ISSUED AND MAILED: June 8, 2026**

*/s/ Catherine R. Hecker*

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CATHERINE R. HECKER  
APPEALS OFFICER

Sent via portal to: Lucas Wolk  
Evelyn DeJesus

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<sup>7</sup> *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).