

Supplemental Submission Regarding Scope of Search

OOR Docket AP 2026-0167

Dear Appeals Officer,

I do not object to OOR's request for an extension and appreciate the Office's effort to ensure a careful review of the record.

During the pendency of this appeal, I identified an additional document that I believe is relevant to evaluating the scope of the District's search. I respectfully submit this information not to expand the underlying Right-to-Know request, but to preserve it as part of the administrative record should it become relevant to the sufficiency of the District's search or any affidavit submitted in this matter.

Additional Observation

On July 9, 2026, I identified correspondence dated December 8, 2023, authored by then-sitting Board member Brian Fox.

The correspondence concerns District-related matters and was transmitted to multiple recipients using what appear to be personal email accounts, including addresses associated with iCloud, Comcast, Gmail, Epix, and other non-@octorara.org domains.

At present, I make **no assertion** regarding:

- whether those accounts were searched;
- whether any responsive records exist within those accounts;
- whether any records contained therein are responsive to the present request;
- or why those accounts were used.

Rather, I submit this observation solely because it raises a factual question regarding the potential scope of any search undertaken by the District.

Limited Purpose of this Submission

The purpose of this submission is limited.

If the District ultimately certifies that it conducted a comprehensive search or submits an affidavit describing the scope of that search, I respectfully request that the Office consider whether the affidavit sufficiently identifies the repositories searched and whether it adequately addresses any locations where responsive public records could reasonably exist.

I am **not requesting** that the Office require a search of any specific personal account absent the applicable legal standard.

Rather, I respectfully request that any affidavit describing the District's search clearly identify the scope of that search so that the record reflects what repositories were, or were not, included.

Sequencing

I recognize that AP 2026-1329 Final Determination Order production remains pending and that the District's production and any accompanying affidavit may resolve this question without further action.

Accordingly, this submission is intended only to preserve the issue and provide factual context should the adequacy of the District's search remain disputed following its response.

Thank you for your continued consideration of this appeal.

Respectfully,

John Ryan Miller