



**Minutes of the Government Records Council
July 30, 2019 Public Meeting – Open Session**

I. Public Session:

- **Call to Order**

The meeting was called to order at 1:36 p.m. by Ms. Robin Berg Tabakin at the Department of Community Affairs, Conference Room 129, Trenton, New Jersey.

- **Pledge of Allegiance**

All stood and recited the pledge of allegiance in salute to the American flag.

- **Meeting Notice**

Ms. Berg Tabakin read the following Open Public Meetings Act statement:

“This meeting was called pursuant to the provisions of the Open Public Meeting Act. Notices of this meeting were faxed to the Newark Star Ledger, Trenton Times, Courier-Post (Cherry Hill), and the Secretary of State on July 25, 2019.”

Ms. Berg Tabakin read the fire emergency procedure.

- **Roll Call**

Ms. Bordzoe called the roll:

Present: Robin Berg Tabakin, Esq. (Chairwoman), Christopher Huber, Esq. (designee of Department of Education Commissioner Dr. Richard Lamont Repollet), Thurman Barnes (designee of Department of Community Affairs Commissioner, Lt. Governor Sheila Y. Oliver), and Steven Ritardi, Esq., Public Member

GRC Staff in Attendance: Frank F. Caruso (Acting Executive Director), Rosemond Bordzoe (Secretary), John Stewart (Mediator), Samuel Rosado (Staff Attorney), and Deputy Attorney General Debra Allen.

Ms. Berg Tabakin advised that copies of the agenda are available by the conference room door.

II. Acting Executive Director's Report:

OPRA Trainings

The GRC's next training will be its 13th Annual OPRA Seminar on August 8, 2019. The seminar will be held in the George Washington Ballroom at the War Memorial from 9:30 am to 3:30 pm. Parking is being provided for all attendees in Parking Lot 5A/5B. CEU and CLE credits have been approved for the event.

GRC Staffing

The GRC's new case manager will begin employment on August 5, 2019.

Current Statistics

- Since OPRA's inception in July 2002, the GRC has received 5,238 Denial of Access Complaints. That averages about 308 annual complaints per 17 program years. So far in the current program year (FY2020), the GRC has received 33 Denial of Access Complaints.
- 472 of the 5,238 complaints remain open and active (9.0%). Of those open cases:
 - 5 complaints are on appeal with the Appellate Division (1.0%);
 - 25 complaints are currently in mediation (5.3%);
 - 5 complaints are proposed for the Office of Administrative Law (1.0%);
 - 28 complaints await adjudication by the Office of Administrative Law (5.9%);
 - 69 complaints are tentatively scheduled for adjudication at an upcoming GRC meeting, which includes the current meeting (14.6%);
 - 340 complaints are work in progress (72.0%); and
 - 0 complaints are being held in abeyance (0%).
- Since Program Year 2004, the GRC has received and responded to 30,871 total inquiries, averaging about 1,929 annual inquiries per 16 tracked program years (the GRC did not track inquiries in the agency's first year). So far in the current program year (FY2020), the GRC has received 106 inquiries (5.3 inquiries per workday).

III. Closed Session:

- Michael Ehrenreich v. NJ Department of Transportation (2019-192) *In Camera* Review (N.J.A.C. 5:105-2.8(g)).
- Ronald Williams v. NJ Department of Corrections (2017-141) Attorney Advice (N.J.S.A. 10:4-12(b)(7)).

Ms. Berg Tabakin called for a motion to go into closed session. Mr. Huber made a motion, and Mr. Ritardi seconded the motion. The Council adopted the motion by a unanimous vote. The Council met in closed session from 1:42 p.m. until 2:06 p.m.

Ms. Berg Tabakin called for a motion to end the closed session. Mr. Barnes made a motion, which was seconded by Mr. Huber. The Council adopted the motion by a unanimous vote. Open Session reconvened at 2:13 p.m., and Ms. Bordzoe called roll.

- Present: Ms. Berg Tabakin, Mr. Huber, and Mr. Barnes, and Mr. Ritardi.

IV. Approval of Minutes of Previous Meetings:

June 25, 2019 Open Session Meeting Minutes

Ms. Berg Tabakin called for a motion to approve the draft open session minutes of the June 25, 2019 meeting. Mr. Huber made a motion, which was seconded by Mr. Barnes. The motion passed by a majority vote; Mr. Ritardi abstained.

June 25, 2019 Closed Session Meeting Minutes

Ms. Berg Tabakin called for a motion to approve the draft closed session minutes of the June 25, 2019 meeting. Mr. Barnes made a motion, which was seconded by Mr. Huber. The motion passed by a majority vote; Mr. Ritardi abstained.

V. New Business – Cases Scheduled for Adjudication

Ms. Berg Tabakin stated that an “Administrative Complaint Disposition” means a decision by the Council as to whether to accept or reject the Council Staff’s recommendation of dismissal based on jurisdictional, procedural, or other defects of the complaint. The reason for the Administrative Disposition is under each complaint below:

A. Administrative Disposition Adjudications with Recusals (Consent Agenda):

1. Scott Madlinger v. Township of Toms River (Ocean) (2018-286) (SR Recusal)

- All Records Responsive Provided in a Timely Manner.
- Ms. Berg Tabakin called for a motion to accept the recommendations as written in the above Administrative Complaint Dispositions. Mr. Huber made a motion, which was seconded by Mr. Barnes. The motion passed by a majority vote; Mr. Ritardi recused.

B. Administrative Disposition Adjudications with no Recusals (Consent Agenda):

1. Joel Diaz v. County of Union (2019-117)

- No Correspondence Received by the Custodian.

2. Russell Smith v. Moorestown Township (Burlington) (2019-135)

- Unripe Cause of Action.
- No Correspondence Received by the Custodian.

- Ms. Berg Tabakin called for a motion to accept the recommendations as written in all of the above Administrative Complaint Disposition. Mr. Huber made a motion, which was seconded by Mr. Barnes. The motion passed by a unanimous vote.

C. Administrative Disposition of Uncontested, Voluntary Withdrawals by Complainant (No Adjudication of the Council is Required):

1. **Luis F. Rodriguez v. Kean University (2017-208)**
 - Complaint Voluntarily Withdrawn.
2. **Patrick D. MacAvoy, Esq. (o/b/o Eric Davidson) v. Maple Shade Police Department (Burlington) (2017-216)**
 - Complaint Voluntarily Withdrawn.
3. **Y.B. v. Eastern Camden County Regional School District (2019-83)**
 - Complaint Voluntarily Withdrawn.
4. **Tanya Greene v. City of Newark (Essex) (2019-96)**
 - Complaint Voluntarily Withdrawn.
5. **Kelvyn Anderson v. City of Trenton (Mercer) (2019-105)**
 - Complaint Voluntarily Withdrawn.
6. **Perrault Jean-Paul v. City of Bayonne (Hudson) (2019-111)**
 - Complaint Voluntarily Withdrawn.
7. **Luis F. Rodriguez v. Kean University (2019-112)**
 - Complaint Voluntarily Withdrawn.
8. **Perrault Jean-Paul v. City of Bayonne (Hudson) (2019-126)**
 - Complaint Voluntarily Withdrawn.
9. **Anonymous v. Borough of Haledon (Passaic) (2019-128)**
 - Complaint Voluntarily Withdrawn.
10. **Sean Benoit v. City of Elizabeth (Union) (2019-137)**
 - Complaint Voluntarily Withdrawn.
11. **Luis F. Rodriguez v. Kean University (2019-143)**
 - Complaint Voluntarily Withdrawn.

VI. New Business – Cases Scheduled for Individual Complaint Adjudication

A. Individual Complaint Adjudications with Recusals:

A brief summary of the Council Staff's recommended action is under each complaint:

1. **Sacha Pouliot v. NJ Department of Education (2015-281) (CH Recusal)**
 - The Council shall determine the reasonable amount of attorney's fees to award because the parties failed to settle the issue.
 - Counsel is awarded \$1,249.00 representing 5.9 hours of work at a cumulative hourly rate of \$211.69. No enhancement should be awarded.
 - Ms. Berg Tabakin called for any discussion on the Council Staff's findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff's findings and recommendations as written. Mr.

Ritardi made a motion and Mr. Barnes seconded the motion. The motion passed by a majority vote; Mr. Huber recused.

2. **Robert S. Daniel v. NJ Transit (2017-164) (SR Recusal)**

- The Custodian's extensions were unwarranted and unreasonable.
- The GRC must conduct an *in camera* review of the four (4) redacted meeting minutes.
- The knowing and willful analysis is deferred.
- Ms. Berg Tabakin called for any discussion on the Council Staff's findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff's findings and recommendations as written. Mr. Barnes made a motion and Mr. Huber seconded the motion. The motion passed by a majority vote; Mr. Ritardi recused.

3. **David Weiner v. County of Essex (2017-189) (SR Recusal)**

- The current Custodian complied with the Council's June 25, 2019 Interim Order.
- There is no knowing and willful violation.
- Ms. Berg Tabakin called for any discussion on the Council Staff's findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff's findings and recommendations as written. Mr. Huber made a motion and Mr. Barnes seconded the motion. The motion passed by a majority vote; Mr. Ritardi recused.

4. **Stephen Schnitzer, Esq. (o/b/o Vito's Trattoria, Inc.) v. NJ Transit (2016-140) (RBT and SR Recusal)**

- This case cannot be adjudicated due to lack of quorum.

B. Individual Complaint Adjudications with no Recusals:

1. **Shawn G. Hopkins v. Borough of Manasquan (Monmouth) (2014-36)**

- The Custodian complied with the Council's June 25, 2019 Interim Order.
- There is no knowing and willful violation.
- Ms. Berg Tabakin called for any discussion on the Council Staff's findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff's findings and recommendations as written. Mr. Barnes made a motion and Mr. Ritardi seconded the motion. The motion passed by a unanimous vote.

2. **Jeffrey W. Sauter v. Township of Colts Neck (Monmouth) (2014-187)**

- This complaint is dismissed because the Complainant withdrew it on June 27, 2019. No further adjudication is required.
- Ms. Berg Tabakin called for any discussion on the Council Staff's findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff's findings and recommendations as written. Mr. Ritardi made a motion and Mr. Barnes seconded the motion. The motion passed by a unanimous vote.

3. **Dudley Burdge v. NJ Office of Information Technology (2014-338)**
 - The Custodian complied with the Council's May 21, 2019 Interim Order.
 - There is no knowing and willful violation.
 - Ms. Berg Tabakin called for any discussion on the Council Staff's findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff's findings and recommendations as written. Mr. Huber made a motion and Mr. Ritardi seconded the motion. The motion passed by a unanimous vote.

4. **Robert J. Chester v. Pleasantville Housing Authority (Atlantic) (2015-50)**
 - The Council should accept the ALJ's Initial Decision dismissing this complaint with prejudice. No further adjudication is required.
 - Ms. Berg Tabakin called for any discussion on the Council Staff's findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff's findings and recommendations as written. Mr. Barnes made a motion and Mr. Ritardi seconded the motion. The motion passed by a unanimous vote.

5. **Jeff Carter v. Borough of Paramus (Bergen) (2015-104)**
 - Complainant Counsel's request for reconsideration should be denied.
 - Ms. Berg Tabakin called for any discussion on the Council Staff's findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff's findings and recommendations as written. Mr. Ritardi made a motion and Mr. Barnes seconded the motion. The motion passed by a unanimous vote.

6. **Michael Ehrenreich v. NJ Department of Transportation (2016-192)**
 - The Custodian complied with the Council's April 24, 2018 Interim Order.
 - The Custodian shall comply with the Findings of the *In Camera* Examination.
 - The Custodian shall disclose all other portions of the responsive e-mails as prescribed in Ray v. Freedom Acad. Charter Sch. (Camden), GRC Complaint No. 2009-185 (Interim Order dated August 24, 2010).
 - The knowing and willful analysis is deferred.
 - Ms. Berg Tabakin called for any discussion on the Council Staff's findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff's findings and recommendations as written. Mr. Ritardi made a motion and Mr. Huber seconded the motion. The motion passed by a unanimous vote.

7. **Rhonda Peters v. Township of Mansfield (Warren) (2017-33)**
 - The Custodian failed to comply with the Council's April 30, 2019 Interim Order.
 - The Council's Order is enforceable in the Superior Court. N.J.A.C. 5:105-2.9(c).
 - This complaint should be referred to the OAL for a hearing to determine whether the Custodian knowingly and willfully violated OPRA. N.J.S.A. 47:1A-11.
 - For administrative ease, the OAL should determine whether the Complainant is a prevailing party and if so, the reasonable amount of fees.

- Ms. Berg Tabakin called for any discussion on the Council Staff’s findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff’s findings and recommendations as written. Mr. Barnes made a motion and Mr. Ritardi seconded the motion. The motion passed by a unanimous vote.

8. **Carmen D. Parish v. City of Trenton (Mercer) (2017-125)**

- The Custodian’s failure to timely respond resulted in a “deemed” denial of access. N.J.S.A. 47:1A-5(g); N.J.S.A. 47:1A-5(i).
- No unlawful denial of access occurred because all responsive records were provided. Danis v. Garfield Bd. of Educ. (Bergen), GRC Complaint No. 2009-156, *et seq.* (Interim Order dated April 28, 2010).
- There is no knowing and willful violation.
- Ms. Berg Tabakin called for any discussion on the Council Staff’s findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff’s findings and recommendations as written. Mr. Ritardi made a motion and Mr. Barnes seconded the motion. The motion passed by a unanimous vote.

9. **Luis F. Rodriguez v. Kean University (2017-128)**

- The Custodian’s extensions were warranted and substantiated.
- Ms. Berg Tabakin called for any discussion on the Council Staff’s findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff’s findings and recommendations as written. Mr. Huber made a motion and Mr. Barnes seconded the motion. The motion passed by a unanimous vote.

10. **Luis F. Rodriguez v. Kean University (2017-133)**

- The Complainant’s April 25, 2017 OPRA request is invalid because it would require research. Lagerkvist v. Office of the Governor, 443 N.J. Super. 230, 236-237 (App. Div. 2015).
- Ms. Berg Tabakin called for any discussion on the Council Staff’s findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff’s findings and recommendations as written. Mr. Ritardi made a motion and Mr. Barnes seconded the motion. The motion passed by a unanimous vote.

11. **Michael Nathaniel Bright v. NJ Department of Corrections (2017-138)**

- The Custodian’s search was insufficient. Schnebel v. N.J. Dep’t of Env’tl. Protection, GRC Complaint No. 2007-220 (April 2008).
- There is no knowing and willful violation.
- Ms. Berg Tabakin called for any discussion on the Council Staff’s findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff’s findings and recommendations as written. Mr. Huber made a motion and Mr. Ritardi seconded the motion. The motion passed by a unanimous vote.

12. **Ronald Williams v. NJ Department of Corrections (2017-141)**

- This complaint should be tabled for additional review.
- Ms. Berg Tabakin called for a motion to have the above matter tabled. Mr. Ritardi made a motion and Mr. Barnes seconded the motion. The motion passed by a unanimous vote.

13. **John Beggiano v. Township of Hillsborough (Somerset) (2017-144)**

- The Custodian lawfully denied access to the requested e-mail newsletter list based on the privacy interest exemption. N.J.S.A. 47:1A-1; Burnett v. Cnty. of Bergen, 198 N.J. 408, 422-23, 427 (2009).
- Ms. Berg Tabakin called for any discussion on the Council Staff's findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff's findings and recommendations as written. Mr. Ritardi made a motion and Mr. Barnes seconded the motion. The motion passed by a unanimous vote.

14. **Omari Shabazz v. NJ Office of the Public Defender (2017-145)**

- The Custodian lawfully denied access to the requested records pertaining to his criminal case. N.J.S.A. 47:1A-5(k); Lemon v. N.J. Office of the Public Defender, GRC Complaint No. 2015-297 (November 2015).
- Ms. Berg Tabakin called for any discussion on the Council Staff's findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff's findings and recommendations as written. Mr. Barnes made a motion and Mr. Ritardi seconded the motion. The motion passed by a unanimous vote.

15. **Scott Siegel v. Township of Franklin (Somerset) (2017-153)**

- The Complainant's request was invalid because it asked questions and failed to contain the criteria necessary to seek communications. Watt v. Borough of North Plainfield (Somerset), GRC Complaint No. 2007-246 (September 2009); Elcavage v. West Milford Twp. (Passaic), GRC Complaint No. 2009-07 (April 2010).
- Ms. Berg Tabakin called for any discussion on the Council Staff's findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff's findings and recommendations as written. Mr. Huber made a motion and Mr. Ritardi seconded the motion. The motion passed by a unanimous vote.

16. **John Allen v. Borough of Stratford (Camden) (2017-155)**

- The Custodian's extensions were warranted and substantiated.
- Ms. Berg Tabakin called for any discussion on the Council Staff's findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff's findings and recommendations as written. Mr. Barnes made a motion and Mr. Huber seconded the motion. The motion passed by a unanimous vote.

17. **Pamela Macek v. Bergen County Sheriff's Office (2017-156)**
18. **Pamela Macek v. Bergen County Sheriff's Office (2017-157)**
19. **Pamela Macek v. Bergen County Sheriff's Office (2017-158) Consolidated**
 - The Custodian did not fully comply with the Council's June 25, 2019 Interim Order.
 - There is no knowing and willful violation.
 - Ms. Berg Tabakin called for any discussion on the Council Staff's findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff's findings and recommendations as written. Mr. Ritardi made a motion and Mr. Barnes seconded the motion. The motion passed by a unanimous vote.
20. **Gavin C. Rozzi v. Township of Lacey (Ocean) (2017-167)**
 - The Custodian's response was insufficient. N.J.S.A. 47:1A-5(g); Paff v. Borough of Lavallette, GRC Complaint No. 2007-209 (Interim Order dated June 25, 2008).
 - The GRC must conduct an *in camera* review of the redacted correspondence.
 - The knowing and willful analysis is deferred.
 - Ms. Berg Tabakin called for any discussion on the Council Staff's findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff's findings and recommendations as written. Mr. Huber made a motion and Mr. Barnes seconded the motion. The motion passed by a unanimous vote.
21. **Philip E. Shapiro v. NJ Civil Service Commission (2017-212)**
 - The Custodian lawfully denied access to the responsive "list of applicants." N.J.S.A. 47:1A-10; N.J.S.A. 47:1A-9(a); N.J.A.C. 4A:4-2.16(b); Toscano v. N.J. Dep't of Human Serv., Div. of Health Serv., GRC Complaint No. 2010-147 (May 2011).
 - Ms. Berg Tabakin called for any discussion on the Council Staff's findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff's findings and recommendations as written. Mr. Ritardi made a motion and Mr. Barnes seconded the motion. The motion passed by a unanimous vote.
22. **Michael Ranallo v. City of Trenton (Mercer) (2017-222)**
 - The Custodian's failure to timely respond resulted in a "deemed" denial of access. N.J.S.A. 47:1A-5(g); N.J.S.A. 47:1A-5(i).
 - There is no knowing and willful violation.
 - Ms. Berg Tabakin called for any discussion on the Council Staff's findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff's findings and recommendations as written. Mr. Huber made a motion and Mr. Barnes seconded the motion. The motion passed by a unanimous vote.

23. **Stacie Percella v. City of Bayonne (Hudson) (2017-226)**

- No unlawful denial of access occurred because all responsive records were provided. Danis v. Garfield Bd. of Educ. (Bergen), GRC Complaint No. 2009-156, *et seq.* (Interim Order dated April 28, 2010).
- Ms. Berg Tabakin called for any discussion on the Council Staff's findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff's findings and recommendations as written. Mr. Barnes made a motion and Mr. Ritardi seconded the motion. The motion passed by a unanimous vote.

24. **Scott Madlinger v. Berkeley Township (Ocean) (2018-130)**

- The Custodian did not fully comply with the Council's June 25, 2019 Interim Order.
- There is no knowing and willful violation.
- Ms. Berg Tabakin called for any discussion on the Council Staff's findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff's findings and recommendations as written. Mr. Huber made a motion and Mr. Barnes seconded the motion. The motion passed by a unanimous vote.

25. **Scott Madlinger v. Monmouth County (2019-123)**

- This complaint should be dismissed because the Complainant failed to state a claim. Loigman v. Monmouth Cnty. Prosecutor's Office, GRC Complaint No. 2013-342 (July 2014).
- Ms. Berg Tabakin called for any discussion on the Council Staff's findings and recommendations as written. Hearing none, Ms. Berg Tabakin called for a motion to accept the Council Staff's findings and recommendations as written. Mr. Ritardi made a motion and Mr. Barnes seconded the motion. The motion passed by a unanimous vote.

VI. Court Decisions of GRC Complaints on Appeal: None

VII. Complaints Adjudicated in NJ Superior Court & NJ Supreme Court:

- Twp. of Teaneck v. Jones, 2019 N.J. Super. Unpub. LEXIS 1606 (App. Div. 2019): After receiving 380 OPRA requests within a three (3) month period, the Plaintiffs filed suit to enjoin Defendant from filing additional OPRA requests. Before answering, the Defendant voluntarily withdrew 290 of the 380 OPRA requests. The trial court denied the Plaintiff's application, finding that OPRA does not allow a public entity to seek preliminary relief from the courts when receiving a burdensome number of OPRA requests. On appeal, the Appellate Division held that the Plaintiff's request to enjoin the Defendant was moot, as the Plaintiff largely fulfilled the outstanding requests once the trial court denied their application for preliminary relief. The Court held that the parties worked out a resolution which ultimately led to the dismissal of their claims with prejudice.

- L.R. v. Camden City Pub. Sch. Dist., 2019 N.J. LEXIS 988 (2019): In consolidating four (4) trial court matters, the Appellate Division held that the records sought in all of the matters were “government records” under OPRA, and “education records” under the Federal Family Education Rights and Privacy Act (“FERPA”). The court also held that the records would comprise “student records” within the meaning of N.J.A.C. 6A:32-2.1, which are protected from disclosure under N.J.S.A. 18A:36-19, even if redacted to eliminate personally identifiable information according to FERPA. The court held that that a requestor cannot gain access to a student record unless the requestor is within one of the categories of authorized individuals and entities identified under N.J.A.C. 6A:32-7.5(e)(1) through (16). The New Jersey Supreme Court was divided equally, thus affirming the judgement by the Appellate Division.

VIII. Public Comment: None

IX. Adjournment:

Ms. Berg Tabakin called for a motion to end the Council meeting. Mr. Ritardi made a motion, which was seconded by Mr. Barnes. The motion passed by a unanimous vote.

The meeting adjourned at 2:33 p.m.

Respectfully submitted,

Robin Berg Tabakin, Esq., Chair

Date Approved: August 27, 2019