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Penncrest School District v. Cagle

Supreme Court of Pennsylvania - August 19, 2025 - A.3d - 2025 WL 2400297

Records requester appealed school district's denial of his request for district school board members' social networking website posts and comments related to same sex relations and district, its officials, employees, students, curriculum, physical resources, or electronic resources in an 18-month period.

The Office of Open Records granted relief to requester. District appealed. The Court of Common Pleas affirmed. District appealed. The Commonwealth Court vacated and remanded with instructions.

The Supreme Court held that:

- Resolving whether social media posts of school board members were records within meaning of Right-to-Know Law (RTKL) required consideration of whether information documented transaction or activity of agency and whether information was created, received or retained pursuant to law or in connection with a transaction, business or activity of the contracting agency, and
- Resolving under RTKL whether profile or page on social media website was record "of an agency" required consideration of facts that would be relevant only to that particular form of communication, under those specific facts.

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