



# Newark Board of Education

Where Passion Meets Progress

## Committee Report

Committee Name: Legal Committee

Location	Date	Time
WebEx	June 14, 2023	5:00 PM
<b>Board Members</b>		
Vereliz Santana, Board Co-Vice President and Committee Chair	Dawn Haynes, Board Co-Vice President	
Crystal Williams, Board Member		
<b>District Liaison &amp; Superintendent Representative</b>		
Brenda C. Liss, General Counsel		
<b>Other District Staff</b>		
Arsen Zartarian, Deputy General Counsel	Havier Nazario, Chief of Staff	
Pamela Luke, Executive Legal Assistant		
<b>Guests</b>		
N/A		
<b>Meeting Summary</b>		
<p>The Committee received reports from the General Counsel on the following topics: Board Committees, Requests for Board Action, Pending Matters Update, and New Matters. Committee members discussed each topic and asked questions, which were answered by the General Counsel and Chief of Staff. The specific topics and details of the discussion are subject to the attorney-client privilege.</p> <p>The meeting was called to order at 5:04 PM. The meeting adjourned at 6:44 PM.</p>		

Item: Board Committees	
Lead(s): Brenda C. Liss	Priority/Strategy:

Comments:

Ms. Liss led a discussion of board committees. Topics discussed included the role and function of committees based on Board Policy 9130, Committees, and Board Policy 9000, The Role of the Board; committee staffing, specifically the committee lead and Superintendent's representative and the role of each; committee reports/minutes; and committee discussion, which is intentionally free-flowing but on topic, and confidential. Of particular note were:

- The committee system is utilized in order to use board members' time, effort, and expertise efficiently and effectively;
- Each committee's role and authority are derivative of the Board's role as stated in the School Ethics Act, which is policy making, planning, and appraisal; and

- Committee reports are distributed on Friday of committee week, and each Board member should review all committee reports and, if they have questions, ask the committee chair before the Board business meeting.

Item: Pending Matters Update	
Lead(s): Brenda C. Liss	Priority/Strategy:

Comments:

The Committee received a report on the status of pending litigation against the Newark Housing Authority and other parties. As previously reported, a settlement has been reached with one group of defendants as to the State Street School litigation, which will result in the return of that property to the Board of Education. Additionally, this month the court ruled that the NHA must turn over funds it received for the sale of that property. In the Maple Avenue School litigation, the court has denied all parties' motions for summary judgment, which means that the case will go to trial on the issues of whether the NHA breached its agreement to sell the property on the Board's behalf, whether purchasers had or should have had notice of the Board's rights in the property, and if so, whether the property should be returned to the Board.

Item: Requests for Board Action	
Lead(s): Brenda C. Liss	Priority/Strategy:

Comments:

The Committee discussed three items on which Board action is requested:

- Approval of settlement of litigation with the Newark Teachers Union
- Approval and additional law firms authorized to represent the Board of Education as outside counsel
- Approval of counsel for a Board member served with a second complaint under the School Ethics Act

One committee member recused herself from discussion of the third item.

After discussion, the Committee agreed to recommend that the full Board approve each of the three items.

Item: New Matters	
Lead(s): Brenda C. Liss	Priority/Strategy:

Comments:

Ms. Liss reported to the Committee regarding a notice of tort claims recently received by the district.

Two committee members recused themselves from discussion of this item.

The details of the notice and discussion of this item are confidential, subject to the attorney-client privilege. Further, Ms. Liss noted the confidential nature of all information relating to matters in pending or threatened litigation. Board members are reminded that no individual is authorized to waive the attorney-client privilege and no one other than the Board President or Superintendent is permitted to comment on any matter on behalf of the Board unless specifically authorized to do so.

The meeting adjourned at 6:44 PM.