



Newark Board of Education

Where Passion Meets Progress

Roger León
Superintendent

Committee Report Legal Committee

Location	Date	Time
WebEx	May 19, 2025	5:32 PM
Board Members		
Vereliz Santana, Board Co-Vice President and Committee Chair		
Kanileah Anderson, Vice-Chair	David Daughety, Board Member	
District Liaison & Superintendent Representative		
Brenda C. Liss, General Counsel		
Other District Staff		
Havier Nazario, Chief of Staff		
Meeting Summary		
<p>The Legal Committee met on Monday, May 19, 2025.</p> <p>Call to order: 5:02 p.m.</p> <p>Adjourn: 7:15 p.m.</p> <p>After welcome, introductions, and discussion of committee protocols, the Committee received reports and discussed the following topics:</p> <ul style="list-style-type: none">- Office of General Counsel- Compliance with State and Federal Law- Decisions and Other Recent Legal Developments- New Matters- Requests for Board Action		

Item: Office of General Counsel	
Lead(s): B. Liss	<p>Priority/Strategy 1.2: Adopt a sustainable fiscal strategy and operating budget that is aligned with the strategic plan and drives district priorities.</p> <p>Priority/Strategy 6.2: Implement a partnership framework that communicates a vision for mutually beneficial and accountable partnerships, strengthens relational ties, and integrates partnership evaluation.</p>

The Committee received an overview of the Office of General Counsel, which is responsible for representing the Newark Public Schools in all legal matters. That involves providing legal representation in defense of legal claims and complaints, monitoring compliance with statutory and regulatory requirements, and providing legal advice and guidance to the Board, Board members, the Superintendent, and other administrators. As matter arise, many are handled by attorneys in the

Office of General Counsel, and others are assigned to one of the law firms authorized to serve as outside counsel to the Board of Education.

Item: Compliance with State and Federal Law	
Lead(s): B. Liss	Priority/Strategy 1.2: Adopt a sustainable fiscal strategy and operating budget that is aligned with the strategic plan and drives district priorities Priority/Strategy 1.6: Create a district-wide equity framework to promote equity in all systems, policies, procedures, and practices; close existing gaps in opportunity, access, achievement, expectations, and resources; and eliminate race and class as predictors of student success.

The Committee discussed the importance of compliance with all provisions of state law and federal law; and the relationship, overlap, and occasional differences between state and federal law governing public education. It noted that the resolution adopted by the Board at the annual reorganization meeting, readopting existing policies, stated that that action was in compliance with state and federal law.

Item: Decisions and Other Recent Legal Developments	
Lead(s): B. Liss	Priority/Strategy 1.1: Organize and align departments and resources to support district priorities, strategies, and initiatives.

General Counsel informed the committee of recent developments:

- The determination by the U.S. Department of Justice (DOJ) that the district has satisfied its obligations under the 2021 settlement agreement concerning its English Learner programs and practices, which stemmed from a complaint to DOJ made in 2017, and therefore DOJ is concluding its monitoring of district compliance with the settlement.
- In two separate matters, Notices of Determination issued by the U.S. Equal Employment Opportunity Commission (EEOC), indicating that a charge of discrimination filed by an employee and another filed by a former employee have been dismissed and no further action will be taken by the EEOC on those charges.
- A decision by the Superior Court, Appellate Division, affirming a judgment against the district in a suit by two employees who were not retained or rehired when their positions were eliminated by the district in 2013.
- Updates on pending matters involving former board members.

Item: New Matters	
Lead(s): B. Liss	Priority/Strategy 1.1: Organize and align departments and resources to support district priorities, strategies, and initiatives.

General Counsel reported that since April 1, 2025, the following numbers of new legal matters have been received: 3 notices of tort claim, 1 Superior Court complaint, 4 employment matters, and two special education requests for due process.

Item: Requests for Board Action	
Lead(s): B. Liss	Priority/Strategy 1.1: Organize and align departments and resources to support district priorities, strategies, and initiatives.

	Priority/Strategy 1.2: Adopt a sustainable fiscal strategy and operating budget that is aligned with the strategic plan and drives district priorities
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The Committee discussed one item as to which Board action is requested: approval and authorization of settlement of a matter currently in litigation. After discussion, the Committee agreed to recommend Board approval of this item.

The details of all items discussed are confidential, subject to the attorney-client privilege. Board members are reminded that information relating to matters in pending or threatened litigation is confidential, 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 7:15 PM.