



Roger León  
Superintendent

# Newark Board of Education

Where Passion Meets Progress

## Committee Report

Committee Name: Legal Committee

Location	Date	Time
WebEx	October 20, 2021	5PM
<b>Board Members</b>		
Asia Norton, Committee Chair	Vereliz Santana, Board Vice President	
Daniel Gonzalez, Committee Vice Chair		
<b>District Liaison &amp; Superintendent Representative</b>		
Brenda C. Liss, General Counsel	Havier Nazario, Chief of Staff	
<b>Other District Staff</b>		
Arsen Zartarian, Deputy General Counsel	Homere Breton, Executive Legal Assistant	
Sabrina Styza, Associate Counsel		
<b>Guests</b>		
<b>Meeting Summary</b>		
<p>The Committee received reports from the General Counsel on the following topics: Recent Decisions, New Matters, Status of Pending Matters, and Requests for Board Action. Committee members discussed each topic and asked questions, which were answered by the General Counsel. The Committee authorized counsel to proceed on certain matters and agreed to recommend settlement of certain matters, subject to approval of the Superintendent and the full Board of Education. The specific topics and details are subject to the attorney-client privilege.</p> <p>The meeting was called to order by Committee Chair Norton at 5:07 PM. The meeting adjourned at 6:29 PM.</p>		

Item: Recent Decisions	
Lead(s): Brenda C. Liss	Priority/Strategy:

Comments:

Ms. Liss informed the Committee of the official closure of a United States Department of Education Office of Civil Rights (OCR) investigation into separate matters as a result of actions taken by a prior administration, collectively referred to as one of the “five legal matters” by Superintendent Leon. On September 30, 2021, OCR advised the District that it had complied with the Resolution Agreement entered into in 2014 and has concluded its monitoring of the District and closed its file. Ms. Liss responded to Chair Norton’s questions on this matter.

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

Comments:

Ms. Liss reported on two new complaints recently filed on behalf of students who allegedly were sexually abused by former district employees, one of which alleges that the incidents occurred in the 1970s and the other of which alleges incidents in the 1980s. She also informed the Committee of a complaint recently been filed alleging that negligence on the part of the district led to incidents of sexual assault against a student in the 2017-2018 school year.

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

Comments:

Ms. Liss updated the Committee on several pending legal matters, including (i) the Commissioner’s rejection of an initial decision granting summary decision to the Board and remand to the Office of Administrative Law; (ii) a lawsuit alleging harassment, intimidation and bullying of a student; (iii) a petition to the Commissioner challenging Science Park High School admissions; and (iv) a former teacher’s appeal of a decision upholding a TEACHNJ arbitrator’s decision upholding tenure charges of inefficiency against the teacher. Ms. Liss also advised the Committee that charter school renewal requests were due October 15 and our comments, if any, are due November 15. She responded to questions from Committee members and Chief of Staff Nazario on the several matters.

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

Comments:

Ms. Liss advised the Committee of two matters that may be on the agenda for the October 28, 2021 Board meeting, including: (i) approval of settlement of a lease dispute with a charter school and (ii) approval of a special education dispute. The Committee agreed with the settlement recommendations and agreed to recommend their approval by the full Board of Education.

The meeting adjourned at 6:29 PM.