

TEANECK BOARD OF EDUCATION

Dr. Andre D. Spencer, Ed. D.
Superintendent

Haquisha Q. Taylor
Business Administrator/Board Secretary
htaylor@teaneckschools.org



December 18, 2023

To: Teaneck Today by email only to news@teanecktoday.com

From: **Haquisha Q. Taylor**
School Business Administrator/ Board Secretary/ Custodian of Records

Re: **Teaneck BOE First Response to OPRA Request dated November 19, 2023**
Additional Extension of Time (emails) and Partial Response (minutes)

Dear OPRA Requestor:

We are in receipt of your OPRA request dated Sunday, November 19, 2023. Our response was originally due on December 1, 2023 and the time was extended until today, December 18, 2023. Due to the volume of responsive records and other factors additional time is needed to respond to your request. As is permitted under Open Public Records Act (OPRA), applicable case law, and Government Records Council (GRC) opinions, we request an extension until Friday, December 22, 2023. We will either provide the responsive records on that date or advise of the need for more time. We thank you for your patience. We will either provide the responsive records (if any) with redactions (where proper) on that date or advise of the need for more time. We thank you for your patience.

Closed Session Minutes

We will address your request for Board minutes herein. This is the complete response of the BOE with respect to this part of your OPRA Request.

You sought three (3) sets of closed session minutes for the Teaneck BOE's Executive Sessions on October 18, November 8, and November 15, 2023. Closed session minutes are not subject to release until the public body has approved the minutes in an open public session. The October 18th minutes were approved on November 15, 2023. The minutes for November 8 and November 15, 2023 were approved by the Board on December 13, 2023.

Your request for all three sets of minutes is denied because:



1. You fail to specify a topic or subject and therefore the request for Executive Session minutes is overbroad, akin to a fishing expedition and invasive of the confidential matters that were discussed by the Board;
2. Some of the materials are advisory, consultative and deliberative at this time and may remain so for an extended period of time and are therefore exempt under the OPRA statute;
3. Some of the materials contain attorney-client protected information and are therefore exempt from release under the OPRA Statute;
4. Some of the materials may contain references to confidential personnel issues which are exempt from release under OPRA;
5. Some of the materials may contain references to confidential student information which are exempt from release under OPRA, the NJ Pupil Records Act and the federal Family Education Rights and Privacy Act (FERPA);
6. The BOE reserves the right to supplement this response should there be any legal action with respect to this OPRA request.

Based upon legal counsel's recommendation with respect to this part of the OPRA Request, we state and provide the following and the attachment:

- A. The closed session of October 18, 2023 involved one topic, a confidential personnel matter. This matter has no relevance to the topics specified in your requests for emails and are exempt under Paragraphs 1-6 above. The minutes are not provided.
- B. The closed session of November 8, 2023 involved three topics: a demographic study, status reports of legal/litigation matters by two law firms and a busing study. These matters have no relevance to the topics specified in your requests for emails and are exempt under Paragraphs 1-6 above. The minutes are not provided.
- C. The closed session of November 15, 2023 involved three topics: legal updates, Keith Kaplan letter and transportation costs for aid-in-lieu recipients. Two of the three matters have no relevance to the topics specified in your request for emails and are exempt under Paragraphs 1-6 above.
- D. **Responsive Record with redactions.** The minutes of November 15, 2023, approved on December 13, 2023, are attached hereto and are provided with redactions. The redactions are of the two matters with no relevance to your OPRA request and the redactions with respect to the Keith Kaplan letter are to protect confidentiality and the advisory, consultative and deliberative process of the Board in Executive Session.



This concludes the BOE's partial response to your OPRA request as to the three sets of minutes. The matter will remain open and your appeal period will not begin until the BOE has responded to ALL of the request items in full.

Thank you for your consideration.

Very truly yours,
TEANECK BOARD OF EDUCATION

By: Haquisha Q. Taylor
Haquisha Q. Taylor, School Business Administrator
Board Secretary and Custodian of Records

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