

WALL TOWNSHIP PUBLIC SCHOOLS
OFFICE OF THE BUSINESS ADMINISTRATOR/BOARD SECRETARY
PO Box 1199
Wall, New Jersey 07719-1199

Brian J. Smyth
Custodian of Records

Phone: 732-556-2016
FAX: 732-556-2102

June 7, 2024

Re: OPRA 24-122

Betsy Cross

opra+request-62150-e76330a3@requests.opramachine.com

Good afternoon,

The Wall Township Board of Education is in receipt of your request dated March 28, 2024, wherein you requested records as follows:

“May I please have the following under OPRA:1) Executive session minutes for March and April 2024.”

In response to your request enclosed please find the Executive Session Minutes for March 19, 2024, and April 23, 2024, consisting of 4 pages. The records have been redacted to protect confidential information. The numbers reference the corresponding numbers on the enclosed document.

March 19, 2024

1. The redactions were made in accordance with the attorney client privilege exception to OPRA.
2. The redactions were made in accordance with the attorney client privilege exception to OPRA.
3. The redactions were made in accordance with the advisory, consultative, and deliberate process exception to OPRA.
7. The redactions were made pursuant to confidential student record law, N.J.A.C. 6A:32-7.5, Family Education Rights and Privacy Act exceptions, and because you are not an authorized person or entity pursuant to the requirements of N.J.A.C. 6A:32-7.5 and, in accordance with the attorney client privilege exception to OPRA.
8. The redactions were made in accordance with the privacy interest exception to OPRA (N.J.S.A. 47:1A-1), and to protect confidential personnel information not subject to disclosure as per the requirements of N.J.S.A. 47:1A-10.
9. The redactions were made in accordance with the attorney client privilege exception to OPRA.

April 23, 2024

2. The redactions were made pursuant to confidential student record law, N.J.A.C. 6A:32-7.5, Family Education Rights and Privacy Act exceptions, and because you are not an authorized person or entity pursuant to the requirements of N.J.A.C. 6A:32-7.5.
5. The redactions were made in accordance with the advisory, consultative, and deliberate process exception to OPRA.
6. The redactions were made pursuant to confidential student record law, N.J.A.C. 6A:32-7.5, Family Education Rights and Privacy Act exceptions, and because you are not an authorized person or entity pursuant to the requirements of N.J.A.C. 6A:32-7.5 and, in accordance with the attorney client privilege exception to OPRA.
7. The redactions were made in accordance with the attorney client privilege exception to OPRA.

8. The redactions were made pursuant to confidential student record law, N.J.A.C. 6A:32-7.5, Family Education Rights and Privacy Act exceptions, and because you are not an authorized person or entity pursuant to the requirements of N.J.A.C. 6A:32-7.5 and, in accordance with the attorney client privilege exception to OPRA.
9. The redactions were made in accordance with the attorney client privilege exception to OPRA.
10. The redactions were made in accordance with the attorney client privilege exception to OPRA and in accordance with the advisory, consultative, and deliberate process exception to OPRA.

If your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision by the Wall Township Board of Education to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council (GRC) by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at P.O. Box 819, Trenton, NJ 08625, be-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The GRC can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.

Sincerely,



Brian J. Smyth
Records Custodian

BJS/dc

EXECUTIVE SESSION

March 19, 2024

Following a motion in public, the Board met in closed Executive Session at 5:45 p.m.

BOE Members present: Mr. Addonizio, Ms. Barbieri, Ms. DiGiovanni, Mr. Maliff, Mr. Nasr, Ms. Shimko, Mr. Wondrack, and Mrs. Steitz.

BOE Member not present: Mr. Buffa

Also, in attendance: Dr. Handerhan, Superintendent, Ms. Bond, Assistant Superintendent of Special Education, Mr. Smyth, Business Administrator/Board Secretary, Mr. Scarano, Director of Human Resources, and Ms. Cornell, Board Attorney. Ms. McCann, Assistant Superintendent of Curriculum and Instruction arrived at 6:07 p.m.

1. Special Education Litigation [REDACTED] Update/Direction – Gabrielle Pettineo of Kenny, Kovats, & Parton advised the Board on a [REDACTED] Due Process hearing related to former student [REDACTED]. Ms. Pettineo advised, [REDACTED] Ms. Pettineo further advised [REDACTED]. Ms. Pettineo noted that the [REDACTED]. Ms. Pettineo requested direction from the Board [REDACTED]. Ms. Pettineo addressed questions of the Board and advised [REDACTED]. The Board directed Ms. Pettineo [REDACTED].
2. [REDACTED] – Ms. Cornell advised the DJIF-appointed attorney could not attend this evening's meeting and updated the Board on the ongoing litigation, advising that [REDACTED].
3. Ms. Shimko raised concerns about this matter. Board members and the Board President provided the background and steps taken by this, and [REDACTED]. Mr. Addonizio provided his thoughts [REDACTED]. Mr. Nasr provided his opinion [REDACTED]. The Board discussed the [REDACTED]. Ms. Shimko recounted [REDACTED]. Ms. Cornell advised that she would provide an update on the case; [REDACTED].
4. Ms. Steiner, Director of Intervention Services & Student Wellness joined the meeting at 6:44 pm.
5. Ms. Steiner, Director of Intervention Services & Student Wellness, provided the total number of HIB cases reported since the last executive session on February 13, 2024, reviewed two new HIB cases that were not previously provided to Board, summarized confirmed HIB incidents and addressed questions of the Board.
6. Ms. Steiner, Director of Intervention Services & Student Wellness departed the meeting at 6:57 pm.

EXECUTIVE SESSION

March 19, 2024

7. Special Education Student Matter Legal Update: Ms. Cornell advised [REDACTED]
8. [REDACTED] Settlement: Ms. Cornell advised that the settlement agreement on this matter is on this evening's agenda.
9. [REDACTED] Restitution/litigation – Ms. Cornell advised [REDACTED]
10. Ms. Steitz reminded the Board to start the process for completing the Superintendent's Evaluation.

Adjournment: Motion by Mr. Maliff, second by Mr. Wondrack to adjourn. Voice vote. All in favor.
Motion carried; meeting adjourned at 7:06 p.m.

EXECUTIVE SESSION

April 23, 2024

Following a motion in public, the Board met in closed Executive Session at 5:45 p.m.

BOE Members present: Mr. Addonizio, Ms. Barbieri, Mr. Buffa, Ms. DiGiovanni, Mr. Maliff, Mr. Nasr, Ms. Shimko,

Ms. Stietz joined the meeting at 6:30pm.

BOE Member not present: Mr. Wondrack

Also, in attendance: Dr. Handerhan, Superintendent, Ms. McCann, Assistant Superintendent of Curriculum and Instruction, Ms. Bond, Assistant Superintendent of Special Education, Mr. Scarano, Director of Human Resources, Ms. Steiner, Director of Intervention Services & Student Wellness, Mr. Smyth, Business Administrator/Board Secretary, and Ms. Cornell, Board Attorney.

1. Student matter - Ms. Steiner, Director of Intervention Services & Student Wellness, presented on the HIB cases reported since the last Executive Session meeting held on March 19, 2024, and addressed questions of the Board.

2. Student matter - Residency Hearing - [REDACTED]

[REDACTED] Ms. Cornell advised the parent the procedure for this residency hearing. [REDACTED]

[REDACTED] departed the meeting at 6:20 p.m. Mr. Potter joined the meeting shortly after [REDACTED] Mr. Potter reported on the residency investigation that he had conducted regarding the [REDACTED] family's residence. Mr. Potter advised that the family [REDACTED] Mr. Potter referred to the mom as [REDACTED] Mr. Potter departed the meeting at 6:30pm. [REDACTED]

3. Personnel Updates - Mr. Scarano advised the Board on non-instructional paraprofessional positions that are being eliminated for next year. The individuals in those positions will be accepting other vacant positions in the student transportation department.

4. Ms. Stietz joined the meeting at 6:30p.m.

5. Acquisition of Property for Student Transportation - [REDACTED]

6. Litigation - [REDACTED] Ms. Cornell advised on the [REDACTED] - [REDACTED]

7. Litigation - [REDACTED] Ms. Cornell advised and addressed questions of the Board, [REDACTED]

8. Litigation - [REDACTED] Ms. Cornell advised and addressed questions of the Board [REDACTED]

9. Attorney/Client - In response to questions regarding [REDACTED]

EXECUTIVE SESSION

April 23, 2024

Ms. Cornell advised as to [REDACTED] Dr. Handerhan advised on communication that has already taken place with staff and parents.

10. Attorney/Client – Ms. Cornell advised and answered questions regarding [REDACTED]

Adjournment: Motion by Mr. Buffa, second by Mr. Maliff to adjourn. Voice vote. All in favor.
Motion carried; meeting adjourned at 7:24 p.m.