

Saiber

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August 24, 2010

VIA EMAIL & REGULAR MAIL

Anonymous Requester
c/o Bobby Conner, Esq.
ACLU New Jersey
P.O. Box 32159
Newark, New Jersey 07102

Re: Lady Liberty Academy Charter School – Anonymous OPRA Request

Dear Sir or Madam:

We represent Lady Liberty Academy Charter School (the “School”). Pursuant to our discussions with Bobby Connor at the ACLU, we provide the following supplemental response to your anonymous OPRA request.

1. Executive Director Pinder’s contract, salary, signing bonus, resume, job description and New Jersey certification(s).

Please be advised that the contract was previously provided. In addition, please see the attached resume and New Jersey certification and job description, which complete the School’s response to this request.

2. A copy of the “written notice” “given to each Trustee at least ten (10) days prior to the “Special Meeting” held on May 3, 2010 (Please include proof of the distribution date: per “By-Laws of Lady Liberty Academy Charter School, Inc., Article IV Section 6”).

Please be advised that there are no records responsive to this request.

3. The Agendas for the April 21 and May 3, 2010 Board Meetings.

Please be advised that all records responsive to this request were previously provided.

4. The Board resolutions and votes reflecting the “formal action” taken by LLACS’s Board of Trustees on May 3, 2010.

Please see the attached resolution and vote record, which complete the School’s response to this request.

5. The nonexempt portions of the minutes of the nonpublic (i.e. executive or closed) Board of Trustee meeting for November 10, 2009; January 15, 2010; April 21, 2010; and May 3, 2010.

Please see the attached minutes, which complete the School's response to this request. Portions of the closed session meeting minutes for November 10, 2009 regarding the Executive Director's employment have been redacted to protect the privacy right of the employee under N.J.S.A. 10:4-12(b)(8) and remains exempt under the Open Public Records Act at this time.

6. The nonexempt portions of the digital audio tape proceedings (officially made by Executive Director, Glen T. Pinder) of the nonpublic (i.e. executive or closed) Board of Trustee meeting for November 10, 2009; Jan 15, 2010; April 21, 2010; and May 3, 2010.

Please be advised that there are no records responsive to this request.

7. Copies of LLACS's three most recent annual 990 or 990EZ returns (Per IRC 6104).

Please be advised that there are no records responsive to this request. While the School has no obligation to provide further information or records in response to this request, please be advised that while the School is considered a non-profit entity by the State of New Jersey, and while it has a pending 501(c)(3) application before the IRS, it has never been, nor is it now designated as a 501(c)(3) entity for IRS purposes. Accordingly, it is our understanding that the School has never filed any IRS 990 or 990EZ forms with the IRS. The School does file a comprehensive financial report which includes an independent auditors' report with the State on an annual basis, the most recent of which was for the fiscal year ending June 30, 2009 and is attached hereto.

8. The names and terms of service for the members of LLACS's Advisory Council (per By-Laws of Lady Liberty Academy Charter School, Inc., Article VII Section 2.)

Please be advised that there are no records responsive to this request.

9. Board minutes of the meetings at which the New Jersey Department of Education's Office of Fiscal Accountability and Compliance's (OFAC) investigations, report, audits, recommendations and/or corrective actions were read and/or discussed.

Please be advised that this request is improper because it would require the record custodian to research the records to determine the specific government record(s) being requested. The date(s) of the specific, applicable board meetings may be ascertained from the Corrective Action which was previously provided in response to this request. The vote tally reflecting the approval of the corrective plans was also previously provided in response to this request. Should you wish to submit a new request properly identifying the

specific board meetings for which you wish to request minutes, the Record Custodian will attempt to respond.

10. Specific board action and the disposition of each OFAC audit recommendation.

Please see response to request 9.

11. LLACS's Corrective Action Plan signed by both the chief school administrator and the board secretary/school business administrator.

Please be advised that all records responsive to this request were previously provided.

12. LLACS's Employment Postings, Job Announcements and/or Recruitment Outreach (Please provide: Publication Site/Periodical, Date and Text) for Executive Director, Principal, Executive Secretary, Headmaster, Leads, Teachers and all staff from the period 07/08 through present.

Please be advised that there are no records responsive to this request.

13. Copies of all publicly advertised requests for Competitive Bids and Responses thereto from the period 07/08 through present (per Section 6A:23-9 of the New Jersey Administrative Code and N.J.S.A. 18A:18A-1 et seq) Please specify the Publication site/Periodical, Date and Text of all bid requests.

Please be advised that there are no records responsive to this request.

14. LLACS's current Table of Organization and the Commissioner of Education's written permission for LLACS to amend the original operating charter so to reflect the current Table of Organization.

Please be advised that there are no records responsive to this request.

15. A List of all school employees (6/09-present) accompanied by their job title(s), job descriptions, New Jersey licenses/certifications and the date each certificate was granted by the State of New Jersey.

Please be advised that there are no records responsive to this request. While the School has no obligation to provide further information in response to this request, please be advised that a list of all school employees, with job titles, dates of hire, and certifications was previously provided.

16. The Exit Interviews/Exit Surveys for board members, staff members and students (data from 5/09 through present).

Please be advised that there are no records responsive to this request.

17. A List of all contractors and consultants (names, qualifications and licenses held) involved in evaluations, proposals, repairs, renovations, wiring and all expenditures pertaining to LLACS's cafeteria, gymnasium and stage during the period of 01/1/09 through present (Note: Entities listed do not necessarily have to have been paid by LLACS).

Please be advised that all records responsive to this request were previously provided.

18. An accounting of all consultants, contractors and administrators who conducted teacher observations and/or teacher evaluations during the period of 01/09 through present and said consultants'/contractors/ New Jersey licenses; fingerprint/background status; official title; remuneration; and visit dates (Note: These individuals do not necessarily have to have been paid by LLACS).

Please be advised that there are no records responsive to this request.

19. A list of consultants/contractors conducting model lessons involving LLACS students during the 2009-2010 school year; said consultants'/contractors' New Jersey licenses; fingerprint/background status; official title; remuneration; and visit dates (Note: These individuals do not necessarily have to have been paid by LLACS).

Please be advised that there are no records responsive to this request.

20. A list of temps, contractors and consultants that occupied LLACS while students were present during the 2009-2010 school year; their fingerprint/background check status; remuneration; duties and employment dates (Note: These individuals do not necessarily have to have been paid by LLACS).

Please be advised that there are no records responsive to this request.

21. LLACS's Recycling Status during the period of 07/09 through present (Per New Jersey's Recycling Rules – New Jersey Administrative Code (N.J.A.C.) 7:26A New Jersey Statewide Mandatory Source Separation and Recycling Act – New Jersey Statutes Annotated (N.J.S.A.) 13:1E-99.11 et seq.)

Please be advised that this request is vague and unclear and requires clarification with respect to the term "Recycling Status." Please be further advised that this request is improper because it fails to identify a specific government record. Should the requester clarify and/or submit a proper request, the Record Custodian will attempt to respond.

22. The mode of disposal for discarded textbooks during the period between 7/09 through present.

Please be advised that this request is improper because it fails to identify a specific government record. Should the requester clarify and/or resubmit a proper request, the Record Custodian will attempt to respond.

23. A list of LLACS's current K-3 Shared Reading (excluding "big books") Resources (per 6A:13-3.4 Language Arts Literacy 3.v. Shared reading).

Please be advised that there are no records responsive to this request.

24. LLACS's current compliance status with N.J.A.C. 6A:15.(h) "All school districts shall provide library-media services – Each school district shall provide these library-media services under the direction of a certified school library media specialist."

Please be advised that this request is improper because it fails to identify a specific government record. While the School has no obligation to provide information in response to this request, please be advised that the School has previously provided records which identify all employees and their certifications, from which the information requested may be ascertained.

25. Copies of LLACS's Visitor Registry/Visitor Sign-In Book pages for December 11, 2009 – January 29, 2010.

Please be advised that there are no records responsive to this request.

26. All documents and/or correspondence from LLACS's landlord for the period between 9/2006-present.

Please be advised that there are no records responsive to this Request.

27. LLACS's Lease for 23 Pennsylvania Avenue, Newark, New Jersey.

Please be advised that requested record was previously provided.

28. A list of all grants, awards, donations and in-kind donations (e.g., services, personnel, consultations, materials, projects, tools, bonuses, assistance of any kind...); the donor's name; value of said donations; and donation or grant conditions for the period of 8/08 through present.

Please be advised that there are no records responsive to this request. While the School has no obligation to provide further information in response to this request, please

be advised that the School previously provided three grant award letters, from which the information requested may be ascertained.

29. A list of the people who performed teacher observations and evaluations at LLACS during the 2009-2010 school year.

Please be advised that there are no records responsive to this request.

30. Per LLACS's 2009 Charter School Application, the list of people who were supposed to do teacher observations and evaluations during the 2009-2010 school year.

Please be advised that there are no records responsive to this request. Notwithstanding the foregoing, and while the School has no obligation to provide further information in response to this request, please be advised that the School previously provided its 2009 Charter School Application, from which the information requested may be ascertained.

31. LLACS's 2009-2010 Code of Ethics; date(s) of distribution; and names of recipients.

Please be advised that the School has previously provided the requested record. Please be further advised that the second portion of this request is improper because it fails to identify a specific government record.

32. LLACS's 2009-2010 Personnel Handbook; date(s) of distribution; and names of recipients.

Please be advised that the School has previously provided the requested record. Please be further advised that the second portion of this request is improper because it fails to identify a specific government record.

We trust that the foregoing brings this matter to a close. Should you have any questions, please do not hesitate to contact us, either directly or through Mr. Conner.

Very truly yours,



Una Young Kang

UYK/acp
Encls.

cc: via email and regular mail:
Gil Berrios
Board of Trustees