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May 21, 2018

Ms. Elizabeth Baker
President
South Orange-Maplewood Board of Education
525 Academy Street
Maplewood, New Jersey 07040

Via Electronic Mail

Dear Ms. Baker:

It has now been reported that you were in receipt of a memorandum dated May 7, 2018 from the Township of South Orange Village Acting Administrator Adam D. Loehner regarding the April 27, 2018 incident involving Board Member Stephanie Lawson-Muhammad and a South Orange Police officer. A USB flash drive containing the police dashcam video file of the incident accompanied the correspondence. The memorandum also informed you that a police report was available upon request. In a post on social media (Facebook) South Orange Village President Sheena Collum has verified that the memorandum and a USB flash drive with the police dashcam video file was hand delivered to the Board of Education on May 8, 2018.

The timeline of events, as we currently know them, include the incident in question on April 27, 2018 and the notification to you from the Acting Village Administrator, on behalf of the Township of South Orange Village Board of Trustees, on May 8, 2018 of their “great concerns regarding Ms. Lawson-Muhammad response to a routine traffic stop for speeding.”

It is clear that the Township of South Orange Village Acting Administrator sent you the memorandum of May 7, 2018 in your capacity as President of the South Orange-Maplewood School District. Your official title is used on the memorandum. Therefore, we consider it official Board business and would expect that such communication would be shared with the other duly elected members of the Board of Education. We would also expect the memorandum to be treated as any official correspondence to the Board and recorded as such in whatever system the Board has in place to document receipt of correspondence. Was this memorandum logged as Board correspondence? If not, why?

Since your receipt of this correspondence on May 8 we are unaware of any action taken by you, as Board President, to address the concerns detailed in the letter or to disclose to the public your knowledge of this incident. Given that you received this correspondence prior to the May 14, 2018 Board of Education meeting, we are troubled that, to our knowledge, this matter was not taken up in open or executive session at the meeting. Thirteen days have passed since your receipt of the memorandum from the Township of South Orange Village Acting Administrator and there is no account for what, if any, actions that you took in response to the correspondence.

The disclosure of this memorandum raises a number of important questions that we believe the public has the right to demand answers:

1. Were you informed by Ms. Lawson-Muhammad of her interaction with the South Orange Police officer on April 27 prior to your receipt of the memorandum from the Township of South Orange Village Acting Administrator on May 8?
2. If Ms. Lawson-Muhammad informed you of the April 27 incident prior to May 8, who else did you inform?
3. Did you see the police dashcam video of the April 27 incident prior to May 8?
4. Did you request a copy of the police incident report?
5. Did you inform all of your colleagues on the Board of Education of the existence of the memorandum of May 7 and its contents, and provide them with copies?

6. At any time did you meet with one or more Board members to discuss the April 27, 2018 incident?
7. Did you seek advice from Board counsel on the handling of this correspondence?
8. If so, did you follow the advice of Board counsel?
9. In your capacity as Board president, did you advise any member(s) of the South Orange-Maplewood Board of Education regarding the April 27, 2018 incident between Board Member Stephanie Lawson-Muhammad and the South Orange Police officer, and how to respond if questioned about it?
10. Was this matter discussed in executive or open session on the May 14, 2018 meeting date of the South Orange-Maplewood Board of Education?
11. Did you have any discussions or written communication with any employee or elected official from the Township of South Orange Village regarding this correspondence after its receipt on May 8?
12. If so, when did those discussions occur and written communication transmitted?
13. Subsequent to your receipt of the memorandum from the Township of South Orange Village on May 8, did you inform any members of the community or groups in the community of the April 27, 2018 incident, and did you share with any individuals or groups the memorandum of May 7 or allow them to see the police dashcam video of the April 27 incident?
14. If so, what was the criteria used to select the individuals and/or groups that were informed of the April 27 incident and allowed to view the police dashcam video of the incident?

For the sake of full transparency, these questions need to be answered. The need to ask these questions indicate our belief that you have committed a serious ethical breach and that your leadership of the South Orange-Maplewood Board of Education should come to an end. It raises questions about the manner in which business is being transacted by the Board under your leadership and the lack of transparency, and a deliberate attempt to conceal information and deceive the public regarding the incident of April 27, 2018. It is beyond a doubt that you never had any intention of publicly disclosing your knowledge of the April 27, 2018 incident and withheld the information with the intent of burying and covering up the truth. Had the video of

the incident not been made public, the public would have never become aware of its occurrence or the memorandum from the Township of South Orange Village you received on May 8 informing you of the incident.

To reiterate, our demand for Ms. Lawson-Muhammad's resignation is based upon the following:

1. Ms. Lawson-Muhammad's identification of her status as a School Board member upon first interaction with the police officer as a means to infer privilege
2. Ms. Lawson-Muhammad's repeated references to the South Orange Village president in an attempt to suggest that the officer was in the wrong and that a government official would intervene on her behalf
3. Ms. Lawson-Muhammad's use of profanity toward the officer when he offered assistance because he thought she was in distress
4. Ms. Lawson-Muhammad's asking the officer to call her daughter's school to inform the school her daughter would be late, despite Ms. Lawson-Muhammad having a phone to make the call herself
5. Ms. Lawson-Muhammad's suggestion that she could not go to court; an obligation experienced by millions of Americans on a daily basis despite the inconvenience
6. Ms. Lawson-Muhammad's attempt to get the police officer to rescind the two summons he lawfully issued to her
7. Ms. Lawson-Muhammad's calling the South Orange police chief a "skinhead"

We cannot fathom how Ms. Lawson-Muhammad can continue in her capacity as a Board member or how the Board of Education could sanction her behavior and expect the public to have confidence in its governance of our schools. To suggest an apology is sufficient, makes a mockery of the school district and is an insult to taxpayers. Most importantly, it shows that our children should have little faith in the Board's ability to be impartial and unbiased when issues of student conduct come before the body.

Whether an individual voted for you or not, should not determine their confidence in your leadership as Board President. The public should have the expectation that you are not exhibiting favoritism or acting deferential to any particular Board member or school district employee. It seems in this instance you have gone to significant lengths to shield a Board member from public accountability. Whether this has occurred for personal or political reasons makes no difference. The public should expect you to lead with the utmost objectivity and fairness.

How can you possibly preside over discussions and deliberations on the proposed Code of Conduct when you have not addressed the misconduct of a fellow Board member? You have significantly compromised your moral authority. When we have serious issues of racially disproportionate student discipline and bullying in our school district, your silence on the behavior of a fellow Board member undermines your voice on these issues. Public leadership is only worth the value and trust granted by citizens. Once that trust has been impaired, as it has been in this case, leadership is devalued and no longer carries the legitimacy as an objective arbiter in public decision-making or in leading civic discourse. There is no default consideration afforded simply because one bears a title of leadership. Leadership is earned and not bestowed simply by way of election or popularity. Effective leaders take strong and ethical positions even when it may subject them to ridicule or the loss of popularity, or the loss of personal and professional privilege and standing.

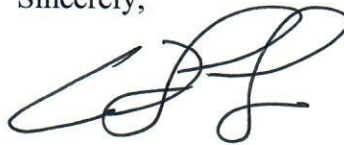
We can pretend that this is an acceptable way for a public body to operate, but it is not. For too long this school district has operated in this fashion; withholding or selectively releasing information to the public, shielding wrongdoing, leaving questions unanswered and ignoring calls by the public for accountability. The Board of Education is not a social club where leadership can determine if and when taxpaying residents have a legitimate right-to-know when Board members have exercised poor judgment and attempted to use their position to evade taking responsibility when accused of breaking the law. Election did not confer that privilege on any Board member.

One of our region's most influential and impactful public bodies, the Port Authority of New York and New Jersey, made clear that it was adhering to a reasonable ethical standard when it

refused to condone the behavior of Commissioner Caren Turner, chair of the Authority's ethics committee, during her encounter with Tenafly police officers, calling her treatment of the officers "indefensible." Like Ms. Lawson-Muhammad, the incident involving Ms. Turner was clearly captured on police dashcam video and the nature of the interactions was not ambiguous. Commissioner Turner resigned and had she not, the Port Authority was prepared to remove her. In a statement, the agency said her resignation was appropriate "given her outrageous conduct." Yet, we see no such leadership from our Board of Education in regard to Ms. Lawson-Muhammad.

The public has a right to expect that those individuals entrusted with the leadership of our school district are conducting themselves and engaging in the governance of our schools according to the highest ethical standards. We believe you have betrayed that trust. It is our intention to file a formal complaint with the New Jersey School Ethics Commission against you, under N.J.S.A. 18A: 12-24.1(j), in your capacity as president of the South Orange-Maplewood Board of Education.

Sincerely,

A handwritten signature in black ink, appearing to be 'Walter Fields', written in a cursive style.

Walter Fields
Chairman
(973) 738-7876 – Direct

cc: South Orange-Maplewood Board of Education Members
Mr. Lawrence S. Feinsod, Executive Director, New Jersey School Boards Association
/Attachment



Township of South Orange Village

Adam D. Loehner
Acting Village Administrator

TO: Ms. Elizabeth Baker, Board President, South Orange-Maplewood School District
FROM: Adam D. Loehner, Acting Village Administrator
RE: Confidential Communication
DATE: May 7, 2018

Ms. Baker

Upon the request of the South Orange Board of Trustees, enclosed please find a USB drive of an incident that took place Friday, April 27, 2018, involving a South Orange Maplewood Board of Education, Board Member, Stephanie Lawson-Muhammad and South Orange Police Officer, Shaun Horst.

The Village has great concerns regarding Ms. Lawson-Muhammad response to a routine traffic stop for speeding. A police report is available upon request.

Thank you for your attention to this,

A handwritten signature in black ink, appearing to read "A. Loehner", is written over a horizontal line.

Adam D. Loehner
Acting Village Administrator