

To: Records Access Officer, Malden School Committee c/o Mayor Gary Christenson, Chair
Malden City Hall 215 Pleasant Street Malden, MA 02148

RE: Massachusetts Public Records Request – Executive Session Minutes and Periodic Review Records

This is a request under the Massachusetts Public Records Law (G.L. c. 66, § 10), not Open Meeting Law. Please provide the records described below, which are believed to be held by or in the custody and control of the Malden School Committee:

1. Unredacted Executive Session Minutes

I am requesting the complete, unredacted minutes, including the record of all roll call votes and specific vote counts (^FN1), for the following executive session meetings:

- **June 7, 2021**
- **November 8, 2021**
- **November 13, 2023**
- **December 4, 2023**

To the extent any of the above minutes remain redacted, I request that you cite the specific, ongoing reason for each continued redaction, record by record. Please note that the Open Meeting Law requires disclosure of such minutes once the underlying purpose for secrecy has been served, as records may be withheld only as long as publication may defeat the lawful purpose of the session, "but no longer." (^FN2)

2. Records of Periodic Review

Pursuant to G.L. c. 30A, § 22(g)(1), a public body is required to review executive session minutes at "reasonable intervals" to determine whether continued non-disclosure is warranted. (^FN3) The Attorney General's Division of Open Government has already found, in OML 2024-204 (^FN4), that the Malden School Committee violated the Open Meeting Law by failing to periodically review its executive session minutes for release, and separately, by discussing a topic in executive session that was not appropriate for executive session.

Given this history, I am requesting all records of the Committee's compliance with the periodic-review requirement since November 1, 2024, specifically:

- Any written determinations, logs, or correspondence created by the Committee, its Chair, or legal counsel acting as a designee, identifying which executive session minutes were reviewed, indicating when that review took place, and possible release since that date;
- The official minutes of any open session meeting at which the Committee announced the results of such a review, as required. (^FN5)

I look forward to your response in a manner consistent with Massachusetts Public Records Law.

Sincerely,
Malden News Network

Footnote Table: Source Descriptions

FN#	Source Description
^FN1	G.L. c. 30A, § 22(a) (requirement to maintain accurate minutes including the record of all votes) and G.L. c. 30A, § 21(b) (requirement for roll call votes in executive session).
^FN2	G.L. c. 30A, § 22(f) (the "but no longer" standard for executive session records).
^FN3	G.L. c. 30A, § 22(g)(1) (statutory requirement for periodic review).
^FN4	OML 2024-204 (Determination, November 1, 2024, Malden School Committee), finding violations for failure to timely respond to requests for minutes, failure to periodically review executive session minutes under § 22(g)(1), and discussing a topic in executive session not appropriate for executive session.
^FN5	G.L. c. 30A, § 22(g)(1) (requirement to announce review results at the next meeting and record them in the minutes).
