From: Bruder, Candace L
To: [redacted]
Cc: Cartledge, Wendy B; Godley, Molly D
Subject: RE: Freedom of Information Act (FOIA) Request Form
Date: Thursday, September 10, 2026 4:54:46 PM
Attachments: image001.png

Dear Ms. Szalai,

As stated in my email responding to your FOIA request, the information you are seeking all meets the definition of attorney-client privileged information. As such, that information is exempt from disclosure under FOIA pursuant to S.C. Code Ann. § 30-4-40(a)(7) and will not be provided unless and until the Beaufort County Board of Education votes to waive that privilege.

Your assertion that the privilege has been waived by the public statements of an individual Trustee is incorrect. It is well-established law that a privilege belonging to a public body can only be waived by vote of a majority of the public body. See Breuder v. Board of Trustees, 2021 LEXIS 244867; Lewis v. Louisiana State Univ., 2023 U.S. Dist. Ct. Motions LEXIS 431306.

Also, please be advised that FOIA does not require the District to answer questions to provide clarification regarding a public record or other information.

Finally, there is no information in the requested materials that does not fall within the definition of attorney-client privileged information. Thus, there is no way to segregate that information.

I anticipate being able to produce the requested invoices by the end of next week. There are no other requested records that will be produced.

Regards,
Candace

Dr. Candace Bruder | Chief Communications Officer
Beaufort County School District | Beaufort, SC 29902
Office: 843-322-2432
Cell: 843-941-9178
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BEAUFORT COUNTY SCHOOL DISTRICT COMMUNICATIONS

From: Ivie Szalai [redacted]
Sent: Thursday, September 10, 2026 9:59 AM
To: Bruder, Candace L <Candace.Bruder@beaufort.k12.sc.us>
Cc: Cartledge, Wendy B <Wendy.Cartledge@beaufort.k12.sc.us>; Godley, Molly D <Molly.Godley@beaufort.k12.sc.us>

Subject: Re: Freedom of Information Act (FOIA) Request Form

Dear Candace,

Thank you for your response. I respectfully disagree that the requested legal opinions can simply be withheld in their entirety under S.C. Code § 30-4-40(a)(7) without further consideration of what has already been publicly disclosed.

During the August 21, 2026 Board Work Session, while the Board was considering approval of the agenda, Chairman Dallas publicly discussed these legal opinions in open session. He did not merely state that he had consulted legal counsel. He publicly identified the reasons the opinions were sought, disclosed the conclusion of the legal advice, specifically that the Board was handling these matters correctly, and stated that the opinions would be provided to Board members.

In other words, the existence, subject matter, purpose, and ultimate conclusion of the legal advice were affirmatively placed into the public discussion by the Chairman and relied upon in the conduct of Board business.

I recognize that § 30-4-40(a)(7) permits a public body to exempt attorney-client communications from disclosure. However, the statute does not make every document involving an attorney automatically confidential, nor does invoking § 30-4-40(a)(7) end the inquiry. Section 30-4-40(b) expressly requires a public body to separate exempt material from nonexempt material and make the nonexempt material available.

Accordingly, I am asking BCSD to reconsider its blanket withholding of these opinions in light of Chairman Dallas's public disclosure of their purpose and conclusions. At a minimum, please produce all reasonably segregable portions that do not reveal privileged communications beyond what has already been publicly disclosed.

If BCSD maintains that the opinions must be withheld in their entirety, please provide the specific basis for that determination, including whether BCSD considered the Chairman's August 21 public disclosures in determining that attorney-client privilege remains applicable to the entirety of each document.

I would also appreciate clarification as to whether these opinions were requested by Chairman Dallas individually or on behalf of the Board, and, if on behalf of the Board, under what authority they were requested.

I look forward to receiving the invoices and other responsive records that you indicated are currently being compiled.

Thanks, Ivie Szalai

Ivie Szalai

On Wed, Sep 9, 2026 at 5:20 PM Bruder, Candace L <Candace.Bruder@beaufort.k12.sc.us> wrote:

> Dear Ms. Szalai,
>
> The information you are requesting is protected under attorney-client privilege. In accordance with S.C. Code Ann. § 30-4-40(a)(7), BCSD exempts from disclosure correspondence with legal counsel for a public body and any other material that would violate attorney-client relationships. We are currently working to compile the invoices you requested and will respond within the timeframe allotted under the South Carolina Freedom of Information Act (FOIA).
>
> Regards,
> Candace
>
> Dr. Candace Bruder | Chief Communications Officer
> Beaufort County School District | Beaufort, SC 29902
> Office: 843-322-2432
> Cell: 843-941-9178
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>
> BEAUFORT COUNTY SCHOOL DISTRICT COMMUNICATIONS
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> ---
>
> **From:** Jotform <noreply@jotform.com>
> **Sent:** Friday, August 28, 2026 5:19 PM
> **To:** Bruder, Candace L <candace.bruder@beaufort.k12.sc.us>; Cartledge, Wendy B <wendy.cartledge@beaufort.k12.sc.us>; Godley, Molly D <molly.godley@beaufort.k12.sc.us>; Middleton, Angela D <angela.middleton@beaufort.k12.sc.us>
> **Subject:** Re: Freedom of Information Act (FOIA) Request Form
>
> **WARNING:** This email originated from outside of Beaufort County School District's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.
>
> **Freedom of Information Act (FOIA) Request Form**
>
> | | |
> |---|---|
> | Name: | Elizabeth Ivie Szalai |

Address:	[redacted]
Home Phone Number:	[redacted]
E-mail Address:	[redacted]
Are you requesting thisinformation for commercial solicitation?	No
Public Records Requested (Description of Documents or Information Requested):	Pursuant to the South Carolina Freedom of Information Act, S.C. Code Ann. § 30-4-10 et seq., I am requesting the following public records concerning the two legal opinions referenced by the Board Chair at the beginning of the August 21, 2026 Board Work Session: 1. The two legal opinions: Copies of both legal opinions referenced by the Board Chair, including any written opinion, memorandum, letter, email, analysis, or other document containing or transmitting those opinions. 2. Requests for the legal opinions: Copies of the communications or records by which each of these legal opinions was requested or initiated, including emails, letters, memoranda, correspondence, or other communications reflecting: * who requested or authorized each opinion; * when each opinion was requested; * the attorney, law firm, or other legal counsel from whom each opinion was requested; and * the question, issue, or subject matter presented to counsel for each opinion. 3. Communications concerning the requests: Copies of communications between Board

members, District employees, administrators, and/or legal counsel concerning the decision to seek either of these two legal opinions, including communications concerning who would request the opinion and what question or issue would be submitted for legal review.

4. Cost and payment records:

All invoices, billing statements, vouchers, purchase orders, payment records, engagement records, or other documents reflecting the amount charged, billed, or paid for obtaining each of the two legal opinions. This request includes records sufficient to identify the attorney or law firm providing the opinion and the amount of public funds expended or obligated for each opinion.

If the District contends that any portion of a responsive record is exempt from disclosure, please produce all reasonably segregable non-exempt portions of the record and identify the specific statutory exemption relied upon for each withholding or redaction.

For clarity, if the District asserts attorney-client privilege as to the substance of either legal opinion or the substance of a communication requesting legal advice, this request should not be construed as withdrawing my request for the remaining non-privileged responsive records, including records identifying the existence and date of the request, the person or entity initiating or authorizing the request, the attorney or law firm retained, and records reflecting the expenditure of public funds.

Please provide the records electronically by email when available.

If the anticipated cost of fulfilling this request will exceed $25, please provide me with an itemized estimate before incurring the expense.

Thank you,

Ivie Szalai

You can edit this submission and view all your submissions easily.