

Updated: Municipal document claims Montclair assessments not leaked or hacked

Montclair School District assessments that were improperly posted on a website were not hacked or leaked, according to a municipal document, dated Dec. 29, obtained by The Montclair Times.

Instead, according to the document, assessments appearing on the website GoBookee.org lacked the proper security permissions, enabling people to view the tests online.

The document was prepared in response to questions posed by 3rd Ward Township Councilman Sean Spiller.

The appearance of 14 assessments on the website compromised the district's intentions to have them serve as graded first-quarter tests.

In the document, municipal Director of Information Technology Joseph Fagliarone, through Township Manager Marc Dashield, states that information on the server is designated to be accessed exclusively by him and Network Administrator Alan Benezra, who was employed by the school district.



As reported by The Times, Benezra is not presently functioning as the district's network administrator.

"The firewalls as well as our intrusion protection are shared between the Township and Board of Education," the document states. "Consequently, these devices were reviewed to determine if intrusions occurred. It was determined that no hacking or successful intrusion into our network from the point of entry 'Firewall' was found."

The document notes that Fagliarone and Benezra spent the days following the assessments' appearance on GoBookee.org reviewing firewall logs searching for an intrusion, only to find that the server was secure.

"However it was noticed that the folder permissions where the "leaked" files were stored had the wrong permissions," the document states. "This setting allowed anyone to be able to access the files from the internet."

Spiller told The Times that his questions stemmed from public comments made by school board members questioning the council members for not granting access to the joint server.

Assertions that the township conducted its own investigation are "reinventing the facts," according to Spiller. The councilman said that municipal officials requested Fagliarone for details on what he and Benezra deduced shortly after the posting of the assessments.

"We were able to find the answers to those [questions] in one email," Spiller said. "They either didn't ask or got the same answer. And we didn't have to subpoena."

Board of Education Attorney Mark Tabakin said that he was aware of the municipal document, but declined to comment on it, deferring to the school board.

Speaking with The Times this past Monday, Board of Education President Robin Kulwin said that she was unaware of the municipal document until it was provided to her earlier in the day. Kulwin said that the document did not sway her perception on the investigation.

"I never have said that there was hacking," Kulwin said in response to the contents of the document. "I have said that the assessments were compromised. I've said that there was an unauthorized release of them. But never hacking."

Kulwin said that the questions answered in the document are logical and similar to the questions the board's investigators were hoping to have answered. That was until, Kulwin said, the Township Council's 5-to-2 vote on Dec. 10 denying the board access to the shared servers and databases for the purpose of its investigation.

The school board president said that she felt as though the document asks readers to take municipal officials at their word. Meanwhile, according to Kulwin, the information-technology forensic company the board has hired has not been given the same opportunity to conduct its own search.

The next logical step in the investigation, Kulwin said, would be to look into emails and IP addresses to see whether assessments were actively released — an extrusion by district employees rather than an intrusion by people on the internet.

Board of Education Vice President Shelly Lombard echoed Kulwin's sentiments, saying that the township reviewed the shared server's security without informing school board members — an act Lombard said "raises all sorts of questions of appropriateness."

Lombard said she understood that the district's assessments were password-protected and, if they were not, it would have to be determined whose responsibility that was.

Regardless, Lombard said, if someone posted the unprotected assessments, then that person would have had to know that posting the tests was the wrong thing to do.

The board vice president said that she found the notion ironic that assessments were "scavenged," given that only a percentage of the districts' tests were posted and that they were discovered online just days before students were to take the tests.

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