

The Board meeting of the Board of Education of the Oak Park and River Forest High School was held on Thursday evening, January 24, 2008, in the Board Room of the high school.

Call to Order

President Jacques A. Conway called the meeting to order at 7:34 p.m. A roll call indicated that the following members were present: John C. Allen, IV, Jacques A. Conway, Valerie J. Fisher, Dr. Ralph H. Lee, Dr. Dietra D. Millard, Sharon Patchak-Layman (arrived at 7:42 p.m.), and John P. Rigas. Also present were: Dr. Attila J. Weninger, Superintendent; Jason Edgecombe, Assistant Superintendent for Human Resources; Amy Hill, Director of Research and Assessment; Jack Lanenga, Assistant Superintendent of Operations; Philip M. Prale, Assistant Superintendent for Curriculum and Instruction; Cheryl L. Witham, Chief Financial Officer; Don Vogel, Interim Principal; Christian Fernandes, Student Council Representative; and Gail Kalmerton, Executive Assistant/Clerk of the Board.

Student Recognition

Dr. Weninger noted that the parents of Justin Martinez, Susan and Marco Martinez received the Courageous Huskie Award posthumously in honor of their son. Dr. Weninger reported that Justin was a first semester junior who was pursuing a college preparatory curriculum consisting of Honors Level and Advanced Placement courses. He achieved academic excellence in all areas of the curriculum. His grade point average was a 4.328. Justin relished academic challenges and was eager to obtain new knowledge. He loved going to school and maintained almost a perfect attendance record.

Despite his physical challenges, Justin was always upbeat and positive. He never complained to staff and students here. At one point in time, Justin and his aide had a personal conversation about Justin's condition. Jim O'Malley asked Justin if he ever resented needing so much assistance with basic physical needs. Justin responded that he actually felt very fortunate to have all that he needed in order to maintain a high quality of life.

To those who observed Justin, he lived the life of a Huskie and exemplified what a courageous Huskie is.

Mr. Martinez thanked the Oak Park and River Forest staff and the Oak Park community for everything they did. Mr. & Mrs. Martinez grew up in this community and the staff and the community were the reason they moved back to Oak Park.

Visitors

The Board of Education welcomed the following visitors: Kay Foran, Director of Community Relations and Communications; Jim O'Malley,

O.P.R.F.H.S. faculty member; Susan and Marco Martinez, Wyanetta Johnson of A.P.P.L.E., Burcy Hines, Edyth Rodriguez, Terrie Rymer, Christine and Bob Vernon, Barbara Mullarkey, Merry Beth Kowalczyk, Sidney Baiman, Jeannette Wilkinson, and Lee Pulliam; community members; Margarita Popora, Trapeze; Angelika Kuehn, League of Women Voters; Debra Kadin, *Chicago Tribune*; Terry Dean, *Wednesday Journal* and Bridgett Kennedy, *Oak Leaves*.

FOIA Requests

Mr. Conway reported that one FOIA request had been received and resolved.

Board Member Comments

John Allen reported that the workshop scheduled for this Saturday had been canceled due to the fact that a facilitator had not yet been found who was willing to do it quickly and in open session; some had not responded at all. However, there were now a number of people who noted an interest in facilitating these workshops and he planned to go forward with the February 9 meeting. Mr. Allen appreciated the Board of Education's patience in finding the right facilitator to help the Board of Education determine its goals.

Dr. Lee, noting that he had not understood the need for a moderator, felt that the seven Board of Education members were capable of conducting such a meeting.

Mr. Conway asked that the administration coordinate the agendas for the Policy, Instruction, and Finance Committees meetings as to what can be covered in an amount of time. Mr. Rigas and Dr. Millard indicated that that was standard practice for both Finance and Instruction Committee meetings and Dr. Lee indicated that it was not for the Policy Committee.

Visitor Comments

Burcy Hines, resident of 1221 Fair Oaks, Oak Park, educator and social worker, addressed the Board of Education regarding the censure of a Board of Education member.

Ms. Hines' key word will be the issue of trust when talking about censure when it comes from colleagues and members of the Board of Education and staff members. She was concerned about 1) Board of Education members, 2) staff members and teachers being able to work together, 3) parents that need Board of Education members to have a nurturing spirit and concern about what parents and what students need. As the Board of Education members make the decision about censure, keep in mind the word trust. Keep in mind whether they can trust each other. That is what they must think about when working in a group and they must understand that no one would try to hurt them, the community, or the students. Censure is a distasteful word and, perhaps, she concluded that they did not trust each other.

Terrie Rymer, resident of 804 S. Humphrey, Oak Park, Illinois since 1986, addressed the Board of Education.

In full disclosure, Ms. Rymer noted that she was an attorney and represented parents and children in Special Education matters. She had only one case many years ago against the high school which never rose to the due process level. She has “no dog in this fight.” She wanted to talk about the Board of Education’s plan to censure Ms. Patchak-Layman. She was unsure as to how the Board of Education saw Ms. Patchak-Layman having violated the IASB Code of Conduct and to censure. The Board of Education had no authority to censure anyone. She understood that the Board of Education had not provided any IASB or Board of Education Policy that defined conflict of interest or the impropriety. The Board of Education had not indicated whether it asked the opinion of the Attorney General regarding a conflict of interest or impropriety. The Board of Education has no legal authority to empower to sanction, censure or take any action of this sort against one of its members. Ms. Patchak-Layman has stated that she did not accompany the parent as an advocate. When the parent told the school employee that Ms. Patchak-Layman was the employee’s boss, Ms. Patchak-Layman made clear that she was not the boss and that if she were, she was not in the meeting in that role. In conformity with Commitment I of the IASB Code of Conduct, Ms. Patchak-Layman was responding to a constituent’s request to accompany her. Ms. Patchak-Layman has said that she has not and will not repeat anything in closed session about the parents’ pending complaint to the State Board of Education. There is the belief that she has lied and would continue to lie. There is no evidence to support such a belief. Ms. Patchak-Layman is known in this community for her honesty and integrity. The truth is that the Board of Education’s intended censure is based on frustration with Ms. Patchak-Layman and her refusing to agree with designations for closed session. The Board of Education’s intended action is vindictive and an attempt to silence someone who will not walk in lock step. As a voter, she would not support for reelection any of those who vote for censure. She believed their action would be a violation of Commitment 6 of the IASB Code of Conduct which encourages and respects the free expression of opinion by Board of Education members. Thank you.

Barb Mullarkey, resident of 204 S. Elmwood in Oak Park, addressed the Board of Education.

“Ms. Patchak-Layman is the voice for her constituents, students, parents and Oak Park and River Forest residents. The call for her censure is troubling. One former OPRFHS teacher said it was outrageous. Another former teacher said no good would come of it. Please answer the following questions:

- 1) Why did the parent ask Ms. Patchak-Layman to attend the meeting?
- 2) Was the parent scared?
- 3) Did the parent feel intimidated?
- 4) What is the cause of censure that Ms. Patchak-Layman went to the meeting?
- 5) What law did she violate?
- 6) How did the conflict of interest, defined by Webster as self-interest, manifested itself?
- 7) Has Ms. Patchak-Layman taken sides on the parent's issue?
- 8) Has she given information to the parent about Board of Education deliberations in executive sessions?
- 9) How did censure get on the agenda?
- 10) How did all members vote to put censure on this agenda? In person, by phone, by email or in some other way."

She appreciated answers to these questions. She also asked that, in the future, elected Board of Education members be placed at the table facing the audience, instead of on the sides.

Christine Vernon, resident of 711 Elizabeth Court, Oak Park, addressed the Board of Education, in support of Ms. Patchak-Layman.

Ms. Vernon noted that she was a fourth generation Oak Parker. While she did not go to O.P.R.F.H.S., her husband and four of her six brothers did. Ms. Vernon noted that she was founder of the Women's Initiatives—Oak Park and that is how she knows Ms. Patchak-Layman. She has worked for Ms. Patchak-Layman on issues throughout the year and, as having been an independent candidate herself, so she has great regard for other people's independent voices. Ms. Patchak-Layman is known to her to have impeccable integrity, is hard working, listens to opinions on anything and the people know that it was heartfelt, honest and truthful. Ms. Vernon admires Ms. Patchak-Layman because she does not have a car; she is a green person who rides her bike most of the time. As an independent candidate, she spent \$14 on her campaign. Those Board of Education members should be careful as Ms. Vernon saw this as a tactic of marginalization and intimidation of an independent voice and not one of a political party. She treasured that. She felt the appearance of impropriety is more with the Board of Education than with Ms. Patchak-Layman.

Wyannetta Johnson, resident of 729 S. Oak Park, Oak Park for 38 years, addressed the Board of Education on behalf of Ms. Patchak-Layman.

This is a time when an African-American candidate is being slated for president and this should be about unity, yet it appeared to her that the

African-American people had never been so separated. She felt the new superintendent was responsible for that.

She objected to the censuring of Ms. Patchak-Layman. She told the Board of Education to watch what it was doing and how it was doing it. It is no longer about black and white, but about children. This Board of Education is hurting the children. Ms. Johnson said that racism was back. She asked Board of Education members how they would feel if their children had problems and no one listened to them. The Board of Education needs to stop protecting these people's jobs with big salaries and use the tax dollars appropriately.

She asked how many of the Board of Education members had received a document from A.P.P.L.E. intended to be helpful. All of them responded positively that they had received this document. A.P.P.L.E. had asked to have a meeting with the Board of Education in private, not with the superintendent.

She also questioned why there was no information on the A.P.P.L.E. website.

Burcy Hines read a letter from Richard Miller of River Forest/Forest Park/Louisville, CO.

“Like others in the Oak Park and River Forest Community, my wife and I have chosen to not send a child to OPRF for his high school education because of how he might be treated inside the high school walls. However, I continue to be interested in how my tax dollars are being spent on the public education at the one and only Oak Park and River Forest high school.

“According to a January 9, 2008 *Wednesday Journal* news story, at the December 20 District 200 School Board meeting, the discussion was about the school board members “advocating for an OPRF student and parent, having a conflict of interest, recusing herself, having speculative talk, getting a legal opinion, sanctioning another member and a parent plaintiff taking a legal action, etc. Because I did not seek a career as an attorney, I don't understand why the high school board should spend so much time, discussion and funds on seeking litigious solutions to educational challenges. First practice education at the school. I would prefer that my public education funds be spent on the education of all the Oak Park and River Forest students to help them advance on in life beyond high school to contribute to our community, country and world to the best of their abilities. I don't appreciate our funds diverted to the private education of the school attorney's children.

“School board, administration, teachers and staff, take care of the very important public educational needs of the community, practice your chosen career and profession.”

Principal’s Report Principal Vogel reported on the 29th Annual Martin Luther King Jr. Convocation held on January 11, 2008, commending students and staff for their planning.

Principal Vogel also reported on the 24th Annual Oratorical Contest winners: Laskshmi Sundaresean and Clare Mauney were runners up. First place was won by Gabrielle Cole.

Principal Vogel reported that the final exam week went smoothly and that there were good conversations at the Institute Day on defining institutional excellence.

Principal Vogel reported on the upcoming events. On Monday, Tuesday and Wednesday evenings of the week of January 28, O.P.R.F.H.S. will welcome the parents of the incoming freshman class to begin the transitioning process. February 13 is the date of the Class of 2012 Open House.

Principal Vogel reported that IHSA Sporting awarded an Attitude Commendation to the Boys Basketball Team and to Coach Al Allen as a result of a recommendation from an official who worked the December Oak Park vs. Evanston game.

Principal Vogel reported that February 1 was Staff Appreciation Night at the Girls’ and Boys’ Basketball Double Header. Selected staff will be recognized prior to the start of the second game at 7:15 p.m. In addition, Barb Liles and Al Allen will be recognized for their service to athletics.

Superintendent’s Report Dr. Weninger announced that today, on the Channel 5 NBC Today Show, Mrs. Colin Powell, wife of former Joint Chief of Staff and Secretary of State, Colin Powell, announced that Oak Park was one of the country’s 100 Best Communities for Young People in a competition, which identifies best places in America for Young People to live and grow up. This was a competitive award for which the over 20 Village agencies collaboratively filed an application. The competition covered all aspects of community life: education, crime, recreation, community, art/performing arts services, resources and institutions for youth of all ages. Winners were selected based on having made the well-being of children and youth a top priority.

Dr. Weninger also announced that, in addition, two OPRF students, Elliot Stoller and Uche Anigbogu, wrote essays contributing to the application. (They will be recognized at the February Board meeting.) There will be a

reception celebrating this achievement on Thursday, January 31, from 5:30 – 7:00 p.m. in Rm. 101 at Village Hall. Both essayists, along with the high school, have been invited.

As Dr. Weninger notified the Board in a brief memo yesterday that due to the winter break period, time constraints with the ending of one semester and beginning of another, his attendance at a conference last week, and his brief illness over the weekend and this week, the administration will bring forward the focused, smaller set of initiatives regarding student achievement for fall 2008 at the February Instruction Committee and Regular Board Meeting.

He reiterated to the Board of Education that the Saturday's Board Workshop was canceled because an experienced and qualified facilitator could not be located nor was there time to work with him or her in preparation for the workshop. Some of the individuals contacted either would not conduct such a workshop in open session due to the intense nature of such a workshop or were not available on such short notice. Interestingly enough, there were now about six to eight names of individuals (and one group) who facilitates such workshops and would be interested in talking further about this endeavor. This will be discussed in more detail under the Discussion of Non-agenda items section of the agenda.

Dr. Weninger reported that O.P.R.F.H.S. was in the third and final year of the project regarding teens and smoking, "Piece by Piece, Health Research and Policy," funded by National Institute of Health. There are 105 students involved. These students will carry a PDA from January through February that, at set intervals, will be signaled to respond to an assessment about their activities. The purpose of this study is to determine why teens smoke, why they continue, and why they started. All students have received parental permissions to participate in the study, and the study is governed by the Office of Protection of Research Subjects at UIC. O.P.R.F.H.S. will receive a copy of the survey results.

District Liaison & Community Reports Student Council—Mr. Fernandes reported on Student Council activities:

- 1) Auditions for Mr. OPRFHS will take place next Friday; the date of the competition will be in the spring and the proceeds will go towards Children's Heart Foundation;
- 2) Students from different clubs will attend a community service workshop on February 15;
- 3) Student Council has been asked by a biology teacher to support the change from Styrofoam containers to ones made from biodegradable sugarcane material. Student Council is presenting giving verbal support while it gathers additional information.

- 4) Student Council has started discussions on graduation; there is consensus to keep the same traditions and the discussion will be expanded to include more seniors.

PTO—Mr. Allen reported that Mr. Vogel and Ms. Foran gave a presentation on the decision making process of the District’s appeals process. He noted that the appeal matrixes were posted on the website.

Huskie Boosters—Mr. Allen reported that the Boosters, at its last meeting, discussed the turf and its status.

Mr. Allen added that both organizations, the PTO and Boosters, were having fundraising events in the spring and they were looking for heavy participation both in spirit and financially.

Alumni Association – Ms. Fisher reported that while the Alumni Association met in January, she was unable to attend as she was out of town. However, she offered to share copies of the minutes of that meeting. The Alumni Association is working on activities to help students at this high school, e.g., scholarships for summer classes, etc.

Concert Tour Association—Ms. Patchak-Layman noted that Dr. Weninger led a discussion on the Plan to Raise Student Achievement at the last Concert Tour Association meeting.

Mr. Conway asked Dr. Lee to investigate A.P.P.L.E.’s claim about its website.

Faculty Senate—Mr. Hunter reported that the faculty was looking forward to the very busy months ahead.

Open & Closed Minutes

Ms. Fisher moved to approve the Open Minutes of December 11 and 20, 2007, and January 15, 2008, and the Closed Session Minutes of December 11 and 20, 2007, and January 15, 2008; seconded by Mr. Allen. A roll call vote resulted in all ayes. Motion carried.

Approval of Financial Reports

Mr. Rigas moved to approve the Resolution Ratifying and Confirming Execution of certain vouchers and payment of certain bills and expenses, fund transfers and list of bills for January 2008 (attached to and made part of the minutes of this meeting); the Resolution Authorizing Execution of Certain Vouchers for the Month of February 2008 (attached to and made a part of the minutes of this meeting); and the Check Disbursements dated January 24, 2008, (attached to and made a part of the minutes of this meeting); seconded by Mr. Allen. A roll call vote resulted in all ayes. Motion carried.

Indemnity

Mr. Allen moved to approve the Indemnity Agreement for Trustee of

Agreement

Funds, as presented; seconded by Mr. Rigas. A roll call vote resulted in all ayes. Motion carried.

Ms. Patchak-Layman noted her appreciation of receiving the additional information about the agreement which had been requested at the Finance Committee meeting.

Textbook Approval

Mr. Rigas moved to approve the textbook *America: Past and Present, revised 7th edition (AP edition)* for the History Division; seconded by Mr. Allen. A roll call vote resulted in all ayes. Motion carried.

Approval of Policy 5117

Dr. Lee moved to approve Policy 5117, Tuition and Residential Status for First Reading, as presented; seconded by Mr Rigas.

Ms. Patchak-Layman suggested that the heading of Item III be changed to reflect this was for only students enrolled in international exchange programs and not to be confused with immigrants at the school, as a student could be living here from another country. Mr. Rigas stated that if one is an immigrant he/she would have to become a resident of this community to come to this school. One cannot be both a citizen of this community and resident of a foreign country. There is no ambiguity with the title. Mr. Edgecombe stated that immigrants are not a class and the State of Illinois does not want schools questioning immigration nor does the ISBE encourage districts to be involved with that question. The issue for the school is not whether the youth is here on a visa but rather if the youth was a resident of the community. Dr. Weninger, understanding Ms. Patchak-Layman's concern, reminded her of the stipulation in that paragraph "living with resident of District 200." Items 1 and 2 specifically refer to international travel programs and Item 4, tuition. The caveats meet all other requirements of Homeland Security. He felt the contingencies were covered as written.

Ms. Patchak-Layman, under item IV, asked what the timeframe was in the event that the District had not certified residency and how did that reconcile with the ISBE's Accountability Division's guidance which is to enroll first and ask questions later. Mr. Edgecombe was unsure that was the direction from ISBE, unless it is a homelessness situation and the situation would not occur. If someone claims residency, he/she is required to present evidence that they are residents. Ms. Patchak-Layman was concerned that the timeframe could in fact hinder students being able to get into school. There is a sentence from ISBE that says it encourages the school to enroll first and ask questions later. Mr. Edgecombe argued that it would not be in keeping with the obligation to the taxpayers of these communities to be fiscally responsible. The obligation of enrollment belongs to the parents at the time of enrollment. Mr. Conway asked if Ms. Patchak-Layman were asking for a timeframe or for the Board of Education to dictate a timeframe. Mr. Vogel stated that the school has new

enrollment forms, approved by the ISBE. Once a parent has presented all of the documents, the school has self-imposed a five-day time limit for enrollment. Dr. Weninger reminded the Board of Education members of the conversation at the Policy Committee meeting where the administration was directed to write a statement that reflected the school's earnest effort to enroll students as soon as possible. He read that statement added to the policy.

A list of documents must be produced before a student is enrolled; the biggest stumbling block has been that of providing a health record because the student has not had his/her physical.

Ms. Patchak-Layman wanted clarification that, if there were significant changes to the policy after second reading, would it be sent back for first reading or would it be directly recommended for Board approval. Mr. Edgecombe responded that it was up to the Policy Committee members to decide; second reading is a final reading, however. Dr. Lee concurred.

Ms. Patchak-Layman noted that she had other items to bring up for second reading.

A roll call vote resulted in all ayes. Motion carried.

Approval of Policy 5115

Dr. Lee moved to approve Policy 5115, Bus Conduct—Special Education Students, for First Reading, as presented; seconded by Mr. Rigas.

Because the District now has video taping on its buses, new state law requires schools to have a policy on such. One issue raised at the Policy Committee meeting was that of Special Education students suspended from bus privileges and the parents were unable to provide transportation and the fact that the school has no obligation to provide transportation. If that suspension makes it impossible for the parent to get the student to school, that absence becomes a part of the ten-day of absences. Once the ten days are up, it is the school's responsibility to transport the student to the school. It was the consensus of the Board of Education members to have legal counsel address this issue at the next Policy Committee meeting.

While Dr. Lee felt it should be sent back to the Policy Committee, rather than be approved for first reading, Ms. Witham explained that the school needed a policy regarding electronic recordings on school buses as quickly as possible in order to be in compliance with the new State Law. It was the consensus of the Board of Education to move this forward for first reading and bring the issue forward to the Policy Committee meeting.

A roll call vote resulted in six ayes and one nay. Ms. Patchak-Layman voted nay. Motion carried.

Acceptance of Gifts & Donations

Ms. Fisher moved to accept with gratitude the gifts and donations, as presented (attached to and made a part of the minutes of this meeting); seconded by Dr. Millard. A roll call vote resulted in all ayes. Motion carried.

Summer School Dates, Tuition, And Stipends

Ms. Fisher moved to approve the dates for Summer School 2008 (noted below) and the increases in stipends and tuition, as recommended; seconded by: Mr. Allen. A roll call vote resulted in all ayes. Motion carried.

Summer School Dates: Wednesday, June 11, 2008, to Friday July 18, 2008. Classes will not be held on Thursday, July 3 and Friday July 4, 2008.

Stipends: \$2,350.00, an increase of 2.2%

Tuition: \$180.00, an increase of 2.9%

Resolution to Prepare FY 2008 Amended Budget

Dr. Millard moved to approve the Resolution for the Chief Financial Officer to prepare FY 2008 Amended Budget; seconded by Mr. Allen. A roll call vote resulted in six ayes. Motion carried. Dr. Lee was absent from this vote.

The District will amend the FY 2008 budget because of the following reasons:

- 1) Expenditures as a result of the withdrawal from the Township Treasurer's Office
- 2) Re-allocation of division budgets

Resolution to Prepare FY 2009 Tentative Budget

Mr. Allen moved to approve the Resolution for the Chief Financial Officer to prepare the FY 2009 Tentative Budget; seconded by Dr. Millard. A roll call vote resulted in six ayes. Motion carried. Dr. Lee was absent from this vote.

Northern Illinois Independent Purchasing Cooperative Bids

Mr. Conway moved to approve the Northern Illinois Independent Purchasing Cooperative Bids; seconded by Mr. Allen. A roll call vote resulted in all ayes. Motion carried.

Ms. Patchak-Layman thanked Ms. Witham for providing the information requested at the January Finance Committee meeting (attached to and made a part of the minutes of this meeting).

Human Resources

Mr. Edgecombe provided the Board of Education with status reports on the administrative positions available for the 2008-09 school year, i.e., principal, two assistant principal positions (Student Services and Student Health and Safety), and two division head openings (Drivers' Education and Science).

Science Division Head—newly opened position; advertising for position has just commenced.

PE/DR Division Head—6 applications had been received.

Assistant Principals—45 applications had been received.

Principal—13 applications had been received. Solicitations for this position have been placed in *Education Week*, on national websites, with area colleges and universities, as well as big ten universities, by direct contact with individuals, as well as the faculty. The District has enlisted the services of a search firm at the maximum cost of \$5,000 to widen the pool of candidates for individual qualifications and attributes the District desires.

Ms. Patchak-Layman asked if the search firm had given guidance as to what it was hearing in the field and what job position matches are looking to be a principal; was it a good match or was there feedback on other candidates as to what the District wanted. Mr. Edgecombe responded that it has given no feedback relative to the attributes, the job descriptions, or the brochure relative to the District. Dr. Weninger added that the individual the District is working with has indicated 1) the District's profile and position description are excellent (albeit candidates do not look at job descriptions but rather at the districts); the type of community; the school report cards; the financial status; and if the desirability of living in the District. When the representative looked at the job description, he said that it was pretty standard.

Dr. Millard asked the citizenry who might have a candidate for any of these positions to make that candidate known to Mr. Edgecombe.

Dr. Weninger noted that other Districts looking for principals were having the same experience as O.P.R.F.H.S.

In terms of sequencing, Ms. Patchak-Layman asked if the District would hire an assistant principal before hiring the principal; or, would the principal be hired first so that he/she could hire the assistant principal. She also asked how staff, community, and administration involved in the interview process fit into the search timeline. Mr. Edgecombe responded that most of the staff, community, and administration members from the original principal search committee would be involved in this process, with a few new members added, and they would meet to establish a timeline. The original plan was to begin the process for the assistant principal positions a week or two after the principal search had begun to allow the principal some input into their selections. Given the fact that the District is ready to make a decision on the assistant principal positions, the District Leadership Team (DLT) will decide how to proceed.

Mr. Conway inquired as to how coaches are hired. He learned that these one-year appointments are not automatically renewed; these appointments are at the discretion of the Athletic Director (AD). If there is an opening for a head coaching position, the position is posted on the school's website and with the IHSA. Hiring an assistant coach is less formal; it is accomplished by more of a "word of mouth" basis. Mr. Conway asked the AD to make a report on his vision of coaching ranks. If coaches are automatically renewed and the head coach makes the selection of assistant coaches, how will the school get minority representation in the coaching ranks?

For spring sports, Mr. Rigas explained that the coaches cannot be evaluated until the end of the season and that was a dilemma. This Board of Education has previously indicated that they want changes.

Instruction

Ms. Hill distributed a copy of the new *Academic Catalog* to Board of Education members. It will be provided to current students next week and incoming freshmen during their orientation meetings. Student John McGillian designed the artwork for the front cover, as part of his independent study in a graphics art course.

Ms. Hill reported that all courses discussed in the fall with the Board of Education were reflected in the catalog. Newly listed in the back of the document were 1) the names of both private and public associate schools, 2) a clear and concise scope and sequence of almost every department and division; and 3) the Appeals Charts.

The cost to print the document is less than \$1.50. It is mailed only to incoming freshman families who do not attend meetings.

Resolution to Rebuke

Mr. Allen moved to approve the Resolution to Rebuke Ms. Patchak-Layman, Board of Education member, as presented (attached to and made a part of the minutes of the meeting); seconded by Ms. Fisher. A roll call vote resulted in all ayes. Motion carried.

Mr. Conway made the following statement:

"At the regular December 20, 2007 Board meeting, we discussed circumstances regarding the appearance of impropriety, compromise of the Board and Administration, and possible conflict of interest on the part of a Board member. As a result, I stated that we would bring forward at this meeting, a formal action to censure a Board member.

"We have an item on the agenda for action, which is the censure of a Board member. Depending on the discussion regarding this item, we should feel free to change the resolution and/or to postpone or delay

action if the Board believes that tabling the item would be in its and the member's best interest.

“Regarding the rebuke or censure of a Board member, we have been advised by legal counsel that if the Board votes to rebuke a Board member, there is no legal or statutory effect on that Board member; however, the Board has the authority to pass such a resolution.

“We will provide both the Board member and the full Board time and opportunity to discuss the resolution, and provide the Board member time and opportunity to make her own statements and to ask questions.

“The Board resolution before us seeks to rebuke a Board member for violating a District 200 Board policy which adopts the Illinois Association of School Board's Code of Conduct for Board members.

“Specifically, the resolution seeks to rebuke a Board member

- 1) for the appearance of impropriety in interfering with the administration's abilities to perform its duties;
- 2) for compromising the administration and Board in interfering with the Board's and Administration's abilities to perform their duties; and
- 3) for taking action which violated the confidentiality of privileged information by revealing information discussed in Closed Session with individuals beyond those present in the Closed Session.

“I want to remind the Board of Education that based on the discussion to follow, the Board of Education may change the resolution and/or table the item until the next Board meeting if it believes that doing so would be in the Board's best interest.”

Discussion ensued.

Mr. Rigas, referring to Ms. Patchak-Layman's quotes in the *Wednesday Journal* article, asked her the following questions:

Q: Did Ms. Patchak-Layman not advocate for the high school parent?

A: While Ms. Patchak-Layman has not singularly advocated for that parent, she has globally advocated for that parent, as she would for any other student and parent.

Q: Did you talk with the parent about what has gone on in executive session?

A: No.

Q: Is the quote accurate that Ms. Patchak-Layman had not received any other notice that she would be censured?

A: Yes.

Q: Is the quote accurate that Ms. Patchak-Layman was fulfilling a part of her duty as an elected official and that the parent had arranged the meeting with the administration?

A: Yes.

Ms. Patchak-Layman made the following statement:

“Let me begin by saying – this is a very uncomfortable position to be in both for me and I believe for the rest of the board. And while it has taken me some time to figure out the positive in all of this, one did emerge. This opportunity to re-examine my beliefs and actions has strengthened my commitment, as an elected official, to work to achieve—

- rules and interpretations of those rules that are known and easily accessible to all
- processes that are open, accessible, respectful and empowering for all
- decision making that is inclusive and values the dynamic power of diversity in thought and deed, and
- an academically excellent course of study to each student, based on their potential, which will move every student above and beyond today.

“Now, to the specifics of the motion on the table. I have divided my comments into three sections.

- 1) I will try to describe my motivation for the actions I took,
- 2) I will describe the actions I took, and
- 3) I will pose some questions and concerns I have related to the motion as presented.

“And, as an additional point of information, I will not submit to cross examination.

“I am deeply committed, and some would say even passionate, about empowering citizens to be equal participants, to be on a level playing field, in the decision making, work and life of government. And, specifically, in the decision making, work and life of schools. This means helping to explain, collect, discuss information, alert citizens to time lines for action for whatever the question or concern raised and to share what I have and know. It means making sure the decisions we make do not leave out meaningful citizen input. And I have a special interest: to empower citizens, who have been left out or marginalized. I strive to be available

without reservation, judgment or litmus test to support their equal participation in this school.

“This is combined with an equal passion to provide an excellent education for students at the high school. And for those students whose academic achievement is not keeping pace with their potential, I am prepared to consider all possible routes to success. One part of that formula is empowering families to be part of the conversation. Parents and students who are estranged from this school need to be encouraged to be part of their children’s plan for success. Minority families and families with special education students have often spoken about being estranged and not part of the fabric of this school. It is my responsibility to help them and when asked, I will. It is an advocacy for all and not specific to one.

“As I have read the Board of Education’s goals for 2007-08, both empowering families and academic achievement are both noted. “1) improve the academic achievement for all students with an emphasis on minority and special education students, and 2) improve school climate among students and staff by increasing student and parent efficacy within the school.”

“So when a request came to me from a parent who was anxious, concerned, and feeling estranged from the school but ready to try to change the situation, I listened. And when she asked if I would go to a meeting with a senior school administrator, I agreed. This meeting happened September 22, a Monday morning. The meeting was not easy. The senior administrator handled the meeting professionally. The parent was occasionally distraught. But as I left the meeting with the parent, I felt hopeful. That perhaps, we were turning a corner on what had been a very bitter history between the parent and the school.

“On September 25, the following Thursday, there was a regular board meeting. And it was in the executive session at this meeting that I found out my action, attending a meeting with a parent, was interpreted as advocacy. And because I was an advocate, I had a conflict of interest as it pertained to this parent and the school and a complaint that had been filed. Much of that meeting was spent questioning whether I had a conflict of interest. I said I didn’t and others said I did. The superintendent reported that our lawyer had given him case law that said I was an advocate. I am not a lawyer. After hearing that there was case law, and not knowing what the documents said, believing a lawyer was present, and hearing that the discussion would be specific to due process, I excused myself from the conversation and left the room.

“My only thoughts when I left the meeting were how a conflict of interest could have happened by accompanying a parent to a meeting. Besides

asking lots of lawyers, and anyone interested in the definition of conflict of interest, advocacy and a board member, I requested from the Board president, the document that was referenced and also asked to listen to the tapes of the mtg. Both occurred, along with the confounding information, that a lawyer had not been present at the executive session. The case law document covered three cases, none of which proved to me that I was an advocate with a conflict of interest. One case involved a board member who had a child with an IEP, who filed for a due process against her district. Another case involved needing to recuse yourself if you have private interest outside of your official capacities and that you can't be both a park district member and an alderman and finally, a case stating a conflict of interest for a person who is both a police officer and an elected trustee. You must have undivided loyalty.

“In continuing to think about the issue of conflict of interest, I came to believe that it is the public community that needs to know if a member has a conflict of interest. It was not just an announcement to other board members. At the October Board of Education meeting, I truthfully believed and announced as such, before the vote to go into closed session that I did not have a conflict of interest. It was again discussed in executive session, without resolution. The same happened in November and then in December, at the regularly scheduled Board of Education meeting, there was a discussion at the board table before the closed session on this same question of conflict of interest. And now we have the motion before us.

“Twenty-four hours ago, when I first saw this motion to rebuke me, I was struck by how my definition and understanding of the Code of Conduct is so different from the resolution writer. I have always understood ‘take no private action’ to include ‘don’t do anything that would put you in a police line-up,’ ‘don’t use the school mailing list or give it out,’ ‘don’t tell a potential bidder what are the special things the board is looking for.’ So in addition to being confused by the definition of private action, I would like to know, where the Board policy is defining the following terms that appear in the resolution: ‘conflict of interest,’ ‘appearance of impropriety,’ ‘no legal authority,’ ‘advocating,’ and ‘unduly influence?’ In the absence of such definitions, there is no basis for this rebuke.

“Much of what has been characterized of what I have said and done has been using words I have not said. The Board of Education has continued to transfer the words that the parent has used to be my words. They are not.

“I continue to believe that I have not had, and do not have, a conflict of interest, and that I can participate in board deliberations in an impartial and unbiased manner. I will continue to work for the best possible education for all children. Thank you.”

Dr. Lee raised two concerns. 1) It had been his understanding that the Board of Education had agreed to discuss these issues in the December Policy Committee meeting which was postponed until January for valid reasons. It was not discussed in January; it was removed from the agenda without the consideration of the Policy Committee chair. He believed that to be wrong. He also believed that Ms. Patchak-Layman made a single judgment that he considered a bad one, because she refused to recuse herself from a closed session conversation. The parent claimed, in writing, that Ms. Patchak-Layman was his/her advocate. He did not want to deal with the claim as being correct or not. He disagreed with her judgment on that point. The question then becomes what should the Board of Education do about it. Suppose that the mistake or error that caused the Policy Committee agenda to be changed was dealt with by his attempting to censure whoever was responsible. He would feel foolish, as most taxpayers do not care about such details. He felt this was a way for the Board of Education to throw a tantrum, which it has the right to do, but it does not mean it should do that. If this disagreement were a discussion about money, the public would eat this up. But it is neither about money nor what most members of the public would consider in detail and then it would simply pronounce judgment on this entire board just as it has done with the River Forest Board, the Illinois Legislature, Congress, etc.

Dr. Lee moved that the motion before the Board of Education be tabled until such a time that this Board of Education does not have anything more important to deal with; seconded by Ms. Patchak-Layman. A roll call vote resulted in 2 ayes and 5 nays. Dr. Lee and Ms. Patchak-Layman voted aye. Motion failed.

Dr. Millard was concerned about what had transpired as it related to this Board of Education member and this incident because every one of the Board of Education member advocates for students, e.g., they receive multiple phone calls, give information as to how to proceed with the problem at hand, etc. That is the Board of Education member's role. It is appropriate for her to guide and direct families and parents on how to deal with the issues and she, herself, might give advice by accompanying that parent through the school door to make the parent more comfortable. However, where it is uncomfortable for her is when the parent has lodged a formal compliance complaint and the Board of Education member could be asked what happened, what was his/her role, etc. She has been involved with events in the hospital when she has advocated for the parents who are livid with staff and then the family files a complaint. In those instances, she has been recused from any further discussions, because she cannot be involved in both sides of the story. This is where her conflict lies. If she had participated as Ms. Patchak-Layman had with this parent, she could see that she now has an involvement and would need to recuse herself from further involvement until the complaint is resolved.

That reluctance on Ms. Patchak-Layman's part has been difficult to understand. Could Ms. Patchak-Layman be on both sides of the complaint and hear the information on both sides of the story? In general, those types of investigations are not permitted. These were her personal experiences. She hoped that Ms. Patchak-Layman would understand the situation as it related to the parent, the student, and the school in trying to put forward something that will work for the student.

Ms. Fisher remarked that this situation is a very serious matter and she deeply regretted this situation. She was unaware of any time when a Board of Education has had to rebuke any of its members during her ten years of tenure. She found it ironic that Ms. Patchak-Layman benefited from the Board of Education's commitment to maintain confidentiality regarding closed session matters regarding a particular family and, thereby, it could not make public statements regarding this issue.

Mr. Allen stated that while he made his feelings clear at the last meeting, he stated that as an attorney and a professional, his world takes incompetence very seriously. This situation involves legal action, legal strategy. A Board of Education member was asked several times to recuse herself; that request was summarily rejected and refused. She has stated that she is not a lawyer yet she ignores the appearance of impropriety and the rules and standards that must be followed. Because of the seriousness of this issue, he felt the Board of Education needed to make it clear that certain actions would not be tolerated as this is all that the Board of Education can do. The Board of Education needs to follow through; otherwise the Board of Education's words are shallow and have no meaning.

Mr. Rigas, looking at past open and closed session minutes approved by the Board of Education, including Ms. Patchak-Layman, noted that the minutes reflected that the meeting with the administration was not a scheduled meeting, she knew about being censured, and that she was the advocate and the parent believed her to be the advocate. In addition, he had an email from that parent stating that the Board of Education was retaliating against Ms. Patchak-Layman by not letting "her advocate" be involved in the meeting. This is all about advocating; there is a line of impropriety, the appearance of impropriety. The issue is about trust tonight.

The reason Mr. Conway brought this resolution to the body was because he believed the parent invited Ms. Patchak-Layman to the unscheduled meeting in order to get around the Board of Education's policy by using Ms. Patchak-Layman to influence the administrator. The meeting was not scheduled; when Mr. Prale learned that Ms. Patchak-Layman and the parent were in the building, he asked that they wait there in the Welcome Center area, as he had another meeting. Ms. Patchak-Layman went

directly to his office, which meant she brought the parent to the administrator's office so that she could advocate. While Ms. Patchak-Layman may not have said a word, it made the administrator feel handicapped.

Dr. Lee asked the Board of Education members to consider what it expected to gain from the action of censure. It will not change anything; it will not create any different behaviors on Ms. Patchak-Layman's part or on the part of the rest of the Board of Education members. He made the motion to table the resolution because it would bring forward nothing. He felt the Board of Education should vote against it and move forward. He believed a part of what was going on was the result of the enormous amount of frustration on the part of Board of Education members because of the large amount of time they have to spend dealing with things of lesser importance than the most important things they value, e.g., student achievement. Ms. Patchak-Layman had the Board of Education spend enormous amounts of time on things it did not want to deal with because they were of lesser importance. The Board of Education is doing the same thing that right now. He wanted to see the Board of Education move forward so that it could talk about things that are of greater importance.

It was the consensus of the Board of Education members to amend the resolution and to delete Item 3 on page two as Ms. Patchak-Layman indicated that she had not disclosed confidential information. A roll call vote resulted in 4 ayes and 3 nays. Ms. Patchak-Layman, Dr. Lee, and Dr. Millard voted nay. Motion carried.

Board Workshops

Dr. Weninger presented the Board of Education with information as to the names of the facilitators he and Mr. Allen contacted to do the Board of Education Workshop.

Educational Equity Consultants, Inc.

- Extensive experience; this is what they do
- School boards, administration, staff
- 4 facilitators: 2 Caucasian, 2 African American
- 4 and 2 day retreats with follow up days
- Interested but only in Closed Session

Study Circles

- The Study Circles Resource Center is a national organization that helps local communities find ways for all kinds of people to think, talk and work together to solve problems. They work with neighborhoods, cities and towns, regions, and states, helping them pay particular attention to how racism and ethnic differences affect the problems they address.
- Muncie, IN; Syracuse, NY; Springfield, IL; Waterloo, IA

- Produces much material
- Not contacted

Mark Janda

- High School Social Studies Teacher
- 6 years as Study Circles Facilitator
- Inner city St. Louis teaching experience
- 12 years teaching African American Studies
- 7 years Chair of Student Achievement Committee
- 4 years member of district Achievement Gap Task Force
- Facilitated and presented to communities, regions, universities on race and racism, as well as race and student achievement
- Interested

Rudy Nickens

- Executive Director of Black Repertory Theatre, St. Louis, MO
- Former Educational Equity Consultant facilitator
- Former director of major, multi-year St. Louis initiative on race, which included student achievement
- Extensive experience in race issues, collaboration, facilitation, etc.
- Interested

Others Not Contacted

- MSAN Associates: Rossi Ray Taylor and Carolyn Ash
- Mica Pollock, Harvard Associate Professor (work on race and culture)
- Eddie Ferges: New York Equity Center (Princeton Regional District has engaged Eddie for a long term contract on issues around race and education)
- Bena Kallick: nationally known educator, presenter, facilitator
- Harris Sokoloff at University of Pennsylvania (Penn); expert in facilitation, public forums and community engagement

In discussions with these groups about doing the facilitating, three questions were standard:

- 1) What are the Board of Education's goals and objectives for a single or several workshops?
- 2) How long do you want to carry on this conversation and for how many workshops?
- 3) What is the budget for the services, travel, etc?

Dr. Weninger asked how the Board of Education wanted to proceed. Mr. Allen noted that this was an issue of timing. To a group/person, the first

question asked was “what is your goal”? He and Dr. Weninger did not have the answer. He would like to work with one of these facilitators that can do this in open session. The Board of Education cannot build the trust of the community unless they are partners in this conversation. Once the Board of Education has the first session, it can decide whether to hold any in closed session. He would like to bring in someone at a low or no cost to help define the Board of Education’s goals for the workshop. In his mind, the workshops should determine

- 1) How the resolutions affect the plan?
- 2) How Dr. Weninger’s plan to raise student achievement supports the Board of Education’s goals?
- 3) The Board of Education goals defined last year, and
- 4) What is the impact of the initiatives that are already in place?

Dr. Lee had been concerned about bringing in a facilitator before the Board of Education decided what it wanted to do. The types of things read to him were not relative to him. He did not feel the need for racial sensitivity workshops. He believed they were already set and he had no goals to change those racial sensitivities. He wanted to see the Board of Education deal with specific proposals for improving academic achievement within the framework that the Board of Education has adopted. He understood the necessity for discussing the framework, but he does not want to see the Board of Education hand the initiative over to an outsider to improve racial sensitivities. Mr. Allen felt they were saying the same thing from different conclusions. The Board of Education gets to a point and the discussion becomes difficult. While it was not known whether sensitivities would be changed, he believed the school could not have effective programs before the groundwork was known.

Dr. Millard stated that she could always use racial sensitivity. She came from a middle-class, White America family and those are the glasses that she works with. She works with people from all walks of life but there is no way she could say she does not need ethnic sensitivity. She agreed with the need for a facilitator.

Dr. Lee felt the Board of Education should define the track, not the facilitator. Dr. Lee felt that the superintendent would bring forward plans to raise student achievement if the goal is to understand how the resolutions passed affected the Board of Education goals to raise student achievement.

Dr. Weninger stated that there was much discussion this summer on the Board of Education’s goal. The school needs to do something now for the students who are here. The impact initially will be to put programs in place that the school feels will make a difference to African-American students. He continued that, relative to the groups mentioned earlier, he

would not describe them as providing racial sensitivity training, but rather a deep understanding about how race interacts with a majority white high school. It is discussions about who individuals are within the school, in the community, and how that impacts student achievement and what should be done about it. As a point of reference, the facilitators would not describe what they do as conducting racial sensitivity training.

Mr. Conway supported having a first meeting with a facilitator. Mr. Rigas concurred but he was unsure what the first discussion would be entailed.

Ms. Patchak-Layman felt that if this were a long-term discussion, it was really about strategic planning. Dr. Millard saw this as asking Dr. Weninger to put together something immediately, but the Board of Education sees this as a long-term goal to deal with achievement and the other factors that deal with achievement.

Dr. Lee was not looking to begin programs that have had little consideration. He wanted the necessary information to start in the decision making process. He did not see that any of this would result in a formal, long-term program that would begin next September; it would be pure luck to come up in three or four weeks with a long-term program that had a chance of long-term success. Anything that would start in September would have to be brought up in the next few weeks.

Dr. Millard suggested the Board of Education members give Dr. Weninger what they expected to see in order to get an idea of their expectations of each other. Dr. Lee would like to see the Board of Education do certain things. He assumed others had the same thoughts.

Mr. Conway was unclear as to what was working and what is not or why. Half of the year is now gone and he is still not sure how tutoring is progressing, how many students are involved, or if there is a sense of achievement. He did not support starting new programs. He felt the school needed to start at the present point. Dr. Lee concurred.

Mr. Allen, with the Board of Education's permission, will establish a date to hold a weekday night meeting to establish the goals of the workshops.

Ms. Fisher asked where this left the plan for next year. Dr. Weninger responded that he will bring forward programs in February.

Closed Session

At 10:52 p.m., on January 24, 2008, Ms. Fisher moved to go into closed session for the purpose of discussing the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the District or legal counsel for the District, including hearing testimony on a complaint lodged against an employee or against legal counsel for the District to determine its validity. 5 ILCS 120/2(c)(1), as amended by

PA.93—57; Collective negotiating matters between the District and its employees or their representatives or deliberations concerning salary schedules for one or more classes of employees. 5 ILCS 120/2(c)(2); Student disciplinary cases 5 ILCS 120/2(c)(10); the placement of individual students in special education programs and other matters relating to individual students 5 ILCS 120/2(c)(11); seconded by Dr. Millard.

At 12:20 p.m. on Thursday, January 24, 2008, the Board of Education reconvened its open session.

Student Discipline Mr. Rigas moved to remove Student RES 1/24/08-03 from the rolls of Oak Park and River Forest High School as of January 24, 2008, due to non-residency and charge for tuition accrued (\$30,774.93); seconded by Dr. Lee. A roll call vote resulted in all ayes. Motion carried.

Adjournment At 11:22 p.m. on Thursday, January 24, 2008, Mr. Allen moved to adjourn the Board of Education meeting; seconded by Ms. Fisher. A roll call vote resulted in all ayes. Motion carried.

Jacques A. Conway
President

John P. Rigas
Secretary