

July 17, 2007

A special meeting of the Board of Education of the Oak Park and River Forest High School was held on Tuesday, July 17, 2007, in the Board Room of the high school.

**Call to Order**

President Conway called the meeting to order at 12:40 p.m. A roll call indicated 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 and John P. Rigas. Also present were Dr. Attila J. Weninger, Superintendent/Principal; and Gail Kalmerton, Executive Assistant/Clerk of the Board of Education.

**Visitors**

Fred Galluzzo, O.P.R.F.H.S. Dean Counselor and Linda Puckett, O.P.R.F.H.S. staff; Wyanetta Johnson, Burcy Hines, and Terry Burke, community members; and John Cassel and Jeff Cohn, Field Representatives of the Illinois Association of School Boards.

**Visitor Comments**

Burcy Hines, resident of Oak Park, addressed the Board of Education regarding the appointment of the interim principal. She stated that O.P.R.F.H.S. needs someone with experience in the community and has accomplishments. The high school needs someone with experience in closing the achievement gap. She was aware of a name being brought forward for the interim principal position and asked the Board of Education not to approve that person, as the community deserves much more.

Wyanetta Johnson, resident of Oak Park, addressed the Board of Education regarding the appointment of the interim principal. Ms. Johnson concurred with Ms. Hines' statements. She hoped that the Board of Education would listen to the outcry of the parents. Someone who is serious about closing the gap is needed someone, who is neutral and someone who knows a little about all races. She stated that parents were not willing to step back again and work with someone who has not worked with "our" students.

Fred Galluzzo, O.P.R.F.H.S. Dean Counselor, addressed the Board of Education. Mr. Galluzzo spoke about his 13 years as a dean under two structures. He continued that what the high school has been doing regarding discipline does not work. The Dean Counselors have been excluded from current conversations regarding how discipline functions in the school and what he termed as punishment for the past 10 years. Punishment does not solve a problem, nor advance the growth process, nor make change happen. He stated that the high school needed to move toward a growth development model. He was happy that the District was

looking at *Code of Conduct*. He asked that the Dean Counselors be included in the new conversations and suggestions to the Board of Education.

Terry Burke, resident of 1180 Clinton Avenue, Oak Park, addressed the Board of Education. Ms. Burke stated that she had spoken to someone whose son had graduated in late '80s and had many problems. Because the school stuck with him and counseled him, etc., he succeeded. She also read a portion of the minutes from a past Board of Education meeting where Mr. Rigas outlined his expectations of the new superintendent's job responsibilities. She supported those responsibilities and hoped that those characteristics would be carried through with a superintendent and an interim principal. The African-American community did not feel as if it were being listened to on those selections.

Dr. Lee responded to Mr. Galluzzo's comments, as it had touched on what he considered his number one priority on the Board of Education for the next four years. In 1998, he wrote a letter to the Board of Education. It addressed three issues, one of which was what Mr. Galluzzo had stated. He felt it is even more pertinent now than at the time he wrote the letter. Because he felt that his letter was ignored, he decided then to become a member of the Board of Education. While he believes in punishment, it should not drive the high school's system. He believed that punishment has driven the discipline system for the last several years and that was a mistake. He felt the reason it became the driving force was that there were accusations that the punishments given were different for white and black students. While there may have been some truth, it was not to the extent implied. For the last four or five years, the high school has worked hard to eliminate different punishments for black and white students. The school has been successful in doling out punishment in bits; and it has been proven that the same punishment was meted out to all races equally. In fact, he believed O.P.R.F.H.S. had almost reached perfection within that confined system. However, while reaching a state of near perfection, the baby was thrown out with the bath water; it is a defunct system. He wanted O.P.R.F.H.S. to move back to a direction in which a larger number of mature adults are in a position to express their expectations of students in a way that they are currently unable to do. He believed that students respond primarily to the expectations of the four or five Deans of Discipline and Security. He believed there was an increasing discipline problem before and after school, in-between classes, and during lunch, because there has been a rapid decline in the number of adult employees who have the standing to express their

behavioral expectations to the students. He believed the school has gone from 400 adults who literally had the standing to express their expectations to fewer than 30. He wanted the opportunity to convince the Board of Education over the next months to go in a different direction. He looked forward to talking about how the Board of Education members gain each other's ear. He wanted to know their priorities as well and he expected to work just as hard for their priorities.

**Approval of  
Check  
Distributions  
Dated July 17,  
2007**

Mr. Rigas moved to approve the check distributions dated July 17, 2007 (attached to and made a part of the minutes of this meeting); seconded by Dr. Lee. A roll call vote resulted in all ayes. Motion carried.

**Closed Session**

At 1:10 p.m. on Tuesday, July 17, 2007, Mr. Rigas moved to enter closed for the purpose of Self-evaluation, practices and procedures, or professional ethics, when meeting with a representative of a statewide association of which the District is a member. 5 ILCS 120/2(c)(16); 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; seconded by Ms. Fisher.

Discussion ensued.

Ms. Patchak-Layman objected to going into closed session for the purpose of a Board of Education Self-Evaluation, because doing so would not allow the community to understand the Board of Education's thinking, its goals, its vision, and its mission that it is interpreting and bringing forward to the community, as well as the initiatives the Board of Education wants to bring forward. The retreat has financial and policy implications. It is public conversation. She believed the agenda was a violation of the Open Meetings Act. She had asked that the agenda be modified to reflect that concern.

Dr. Lee stated that he hoped to debate that, as he did not agree with her entirely. He believed that if everything were discussed in public, it would put limitations on the Board of Education that he believed would be unreasonable. He agreed partially, in some cases, but he disagreed substantially on the part that Ms. Patchak-Layman said.

Ms. Patchak-Layman continued that she was not voting on closed session, nor did she think the Board of Education needed to go into closed session regarding the organizational structure. She received an email from the Attorney General's office over issues involved in closed meetings. Just because an IASB representative is present, the Board of Education does not have carte blanche to talk about anything under the guise of Board Self-Evaluation. The public has the right to be informed. The discussion about mission, goals, and initiatives is something that should be held in open session. She then read a portion of an email she had received from the Attorney General's Office, as follows: "Moreover, mission and vision are not appropriate topics for a closed-session. The public policy provision states that "[i]t is the public policy of this State that public bodies exist to aid in the conduct of the people's business and that the people have a right to be informed as to the conduct of their business. Moreover, all meetings of public bodies shall be open to the public unless excepted in subsection (c) and closed in accordance with Section 2a [5 ILCS 120/2a]." 5 ILCS 120/2(a)." Ms. Patchak-Layman also noted that District 97 held its Board of Education Retreat in May and it was held in open session.

Mr. Allen asked why Ms. Patchak-Layman had not disseminated the response from the Attorney General's office before the meeting.

Dr. Weninger reported that he, too, had conversations about what was appropriate for open and closed session with the District's legal counsel, who is paid to protect the District about what was and was not permissible. Two attorneys reviewed this agenda and they contacted the Attorney General's office. He had responded to Ms. Patchak-Layman's request to change the agenda the previous evening, informing her of the contacts that had been made. The District's attorney received a response from the Attorney General that stated as long as the IASB representative lead the Board of Education with the agenda items listed, the District was within the bounds of the Open Meetings Act (OMA). Dr. Weninger continued that the discussion of performance of individuals, not just general comments, was permissible, but care must be taken so that the Board of Education is not just addressing an overall structure. The agenda item regarding vision, mission and district ends, if the discussion were led by the IASB representative, was permissible in closed session.

Mr. Allen expressed his frustration. In his opinion, bringing half a set of facts in an email does not mean that the Board of Education disobeyed. He was dismayed that Ms. Patchak-Layman would put

the Board of Education members in this type of jeopardy with a set of half-truths and he resented that fact. The District has received differing opinions from the same attorney; what she had was not an official opinion.

Ms. Fisher concurred with the fact that almost everything should be discussed in open session and the Board of Education has acted as such. The OMA allows that the exceptions have the same weight in legislation. The exceptions are put there for a reason, i.e., personnel. It would be wrong to break confidentiality with respect to personnel. The Board of Education is meeting the OMA in a dignified way. The OMA's exception of the Board of Education's Self-evaluation was granted for a legislative exception. She believed that the legislature wanted the Board of Education to function as a corporate body. No Board of Education member has an agenda to try to cover up from the public. The three bullet points in question were generic descriptions of the area and as long as they are within the purview, the Board of Education is not violating the OMA. Ms. Fisher then referred to a policy discussion that Ms. Patchak-Layman had veered into in one closed session that should not have taken place. She suggested to Ms. Patchak-Layman that if she felt a conversation were illegal, she should remove herself. Ms. Patchak-Layman stated that the OMA exceptions were not mandated, but allowed. She suggested that the items on the agenda, outside of the Board of Education survey, could be discussed in open session.

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

The Board of Education reconvened its open session at 6:56 p.m.

**Student Discipline** Ms. Fisher moved to approve the request for Student EXP 02/13/07-25 to leave the school in good standing; seconded by Mr. Allen. A roll call vote resulted in all ayes. Motion carried.

**Appointment of Interim Principal** Mr. Rigas moved to appoint Don Vogel as the Interim Principal for the 2007-08 school year; seconded by Dr. Lee. A roll call vote resulted in six ayes and one nay. Ms. Patchak-Layman voted nay.

Ms. Patchak-Layman did not support an interim appointment; she preferred Dr. Weninger assume both positions until a principal could be found. While understanding Ms. Patchak-Layman's rationale, Mr. Allen felt that if Dr. Weninger had both positions, it would impede his path.

**Adjournment** At 7:05 p.m. on Tuesday, July 17, 2007, Mr. Allen moved to adjourn the Special Board Meeting; seconded by Dr. Lee. A roll call vote resulted in all ayes. Motion carried.

Jacques A. Conway  
President

John P. Rigas  
Secretary