



TO: Dr. Charles Johns  
FROM: Rosanne Williamson  
RE: FOIA Requests

### **FOIA Response:**

Please see the attached email response. Responsive documents can be found online at <http://il.glenbrook.schoolboard.net/board>. (Responsive documents will not be attached to the all documents pdf, but can be found under the FOIA agenda item.)

### **Background:**

The Freedom of Information Act (FOIA - 5 ILCS 140/1 et seq.) is a state statute that provides the public the right to access government documents and records. A person can ask a public body for a copy of its records on a specific subject and the public body must provide those records, unless there is an exemption in the statute that protects those records from disclosure (for example: records containing information concerning student records or personal privacy).

A public body must respond to a FOIA request within 5 business days after the public body receives the request or 21 business days if the request is for commercial purpose. That time period may be extended for an additional 5 business days from the date of the original due date if:

- The requested information is stored at a different location;
- The request requires the collection of a substantial number of documents;
- The request requires an extensive search;
- The requested records have not been located and require additional effort to find;
- The requested records need to be reviewed by staff who can determine whether they are exempt from FOIA;
- The requested records cannot be produced without unduly burdening the public body or interfering with its operations; or
- The request requires the public body to consult with another public body who has substantial interest in the subject matter of the request.

If additional time is needed, the public body must notify the requester in writing within 5 business days after the receipt of the request of the statutory reasons for the extension and when the requested information will be produced.



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## Re: FOIA Request

1 message

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**Rosanne Marie Williamson** <rwilliamson@glenbrook225.org>

Fri, Sep 25, 2020 at 3:30 PM

To: "glenn@avistamail.net" <glenn@avistamail.net>

Bcc: Elaine Geallis <egeallis@glenbrook225.org>, James Petrunaro <jpetrunaro@edlawyer.com>, Charles Johns <cjohns@glenbrook225.org>, Karen Geddeis <kgeddeis@glenbrook225.org>

Dear Mr. Farkas,

Thank you for writing to Glenbrook High School District 225 with your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq ("Act").

On 9/18/20 we received your request for the following information:

- Copies of emails from Superintendent Charles Johns, Principal Lauren Fagel, and Principal Jason Markey which contain one or more of the following terms and/or acronyms: Black Lives Matter, BLM, critical race theory, white privilege and white fragility. Please include all emails from the time period of Jan 1, 2015 through September 15, 2020.
- On 9/21/20 we received your clarification request for the following information:
  - Copies (electronic where available) of all emails **to and from** Superintendent Charles Johns, Principal Lauren Fagel and Principal Jason Markey that include or reference the following names: Barack, Obama, Donald, Trump, Pence, Hillary, Clinton, Biden, Kamala, Harris and Kavanaugh. For Lauren Fagel, the emails should be from the time span of July 1, 2015 to September 15, 2020. For Superintendent Johns, the time frame should be July 1, 2019 to September 15, 2020, and for Principal Markey July 1, 2020 to September 15, 2020.

**District Response:** It appears that this request and the clarification is a modification to a prior request. On September 9, 2020, you requested the following records:

Copies of all emails from the School Board, administrators, and teachers that reference Black Lives Matter or BLM, Antifa, fascist, anti-fascist, revolution or revolutionary, white privilege, whiteness, white fragility, Tea Party, impeachment, Russian collusion over the last five years.

In response to that request, the District explained to you on September 16, 2020, that it does not maintain a database or collection of records organized by reference to the terms included in your request and therefore no public records responsive to your request were maintained by the District. The District also informed you that to the extent a search of the District's email system for specific keywords might reveal documents responsive to your request, such a search is not required by the Act as decided in *Martinez v. Cook County State's Attorney's Office*, 2018 IL App (1st) 163153. Therefore, your request was denied. Finally, the District also took the position that searching emails for responsive records under your request would be unduly burdensome if the request were not narrowed, but that assertion was made as a separate basis and was intended to preserve the unduly burdensome exemption.

The request you submitted on September 18, 2020, narrows the email accounts to be searched to three individuals, but still seeks a keyword search for four of the same keywords sought on September 9, 2020, plus one additional new term (“critical race theory”). Because this request is not materially different from your September 9th request other than its narrowing of scope, the request is once again denied on the same grounds as before: the records you seek are not maintained in the format requested and a keyword search is not required by the Act. Additionally, the request is *per se* unduly burdensome under Section 3(g) of the Act, which provides: “Repeated requests from the same person for the same records that are unchanged or identical to records previously provided or properly denied under this Act shall be deemed unduly burdensome under this provision.” If those two bases for denial are improper, the School District once again preserves its option to seek a narrowing of the burdensome request under Section 3(g) of the Act.

You have a right to have any denial of your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor Office of the Attorney General  
500 South 2nd Street Springfield, Illinois 62706  
Phone: 1-877-299-FOIA  
E-mail: [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us)

Sincerely,

Rosanne Williamson, Ed.D.  
Secretary, Board of Education  
Assistant Superintendent for Educational Services  
Glenbrook High School District 225  
3801 West Lake Avenue  
Glenview, IL 60026

On Fri, Sep 18, 2020 at 7:55 AM [glenn@avistamail.net](mailto:glenn@avistamail.net) <[glenn@avistamail.net](mailto:glenn@avistamail.net)> wrote:  
Please send me the following in electronic format where possible. Thank you.

\*Copies of emails from Superintendent Charles Johns, Principal Lauren Fagel, and Principal Jason Markey which contain one or more of the following terms and/or acronyms: Black Lives Matter, BLM, critical race theory, white privilege and white fragility. Please include all emails from the time period of Jan 1, 2015 through September 15, 2020.

Glenn Farkas  
President  
Avista Wealth Management

**Schedule A Meeting or Free Consultation @ <https://freebusy.io/glenn@avistamail.net>**  
1363 Shermer Road, Suite 330  
Northbrook, IL 60062  
847-521-4950 (Office)  
224-355-1004 (Fax)





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## Re: FOIA Request

1 message

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**Rosanne Marie Williamson** <rwilliamson@glenbrook225.org>

Thu, Oct 1, 2020 at 3:43 PM

To: Jeffrey Hupe <jeffrey.hupe@gmail.com>

Bcc: Elaine Geallis <egeallis@glenbrook225.org>, Charles Johns <cjohns@glenbrook225.org>, Karen Geddeis <kgeddeis@glenbrook225.org>

Dear Mr. Hupe,

Thank you for writing to Glenbrook High School District 225 with your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq ("Act").

On 9/23/20 we received your request for the following information:

- Copy of School Board Member Joel Taub's **Oath of Office**.  
**District Response:** Please see attached.
- Copies of Joel Taub's **Statement of Economic Interest** for each year he has been in office since he was first elected in 2007. IL law requires that form to be filed every year by May 1.  
**District Response:** The School District does not possess responsive documents.

Statements of Economic Interests are filed with the County Clerk. The District does not maintain copies of the Statement of Economic Interest.

- Copies of any agreements that Joel Taub signed as a requirement of accepting his position on the School Board, such as a **contract, agreement or Code of Conduct** for each term that he has served as a Board member.  
**District Response:** The School District does not possess responsive documents.
- Copies of all emails to and from School Board Member Joel Taub that include or reference the following names: **Barack, Obama, Donald, Trump, Pence, Hillary, Clinton, Biden, Kamala, Harris and Kavanaugh**. The time period for these emails should be from January 1, 2008 through September 21, 2020.  
**District Response:** The District does not maintain a database or other collection of email records organized by reference to the topic(s) you have requested (Barack, Obama, Donald, Trump, etc.). Therefore, no public records responsive to your request are known to be possessed by the District. To the extent that your request could be fulfilled by searching emails for keywords (e.g., "Barack"), the Illinois Appellate Court in *Martinez v. Cook County State's Attorney's Office*, 2018 IL App (1st) 163153, determined that such searches do not seek existing public records but rather create new public records and therefore are not required by FOIA. Separate from this basis, the request is potentially unduly burdensome pursuant to Section 3(g) of the Act. If this above denial is inapplicable, the District reserves the right to re-evaluate the burden of the request pursuant to 3(g).

You have a right to have any denial of your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor Office of the Attorney General  
500 South 2<sup>nd</sup> Street Springfield, Illinois 62706  
Phone: 1-877-299-FOIA  
E-mail: [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us)

You also have the right to seek judicial review of your denial by filing a lawsuit in the State circuit court. 5 ILCS 140/11.

Sincerely,

Rosanne Williamson, Ed.D.  
Secretary, Board of Education  
Assistant Superintendent for Educational Services  
Glenbrook High School District 225  
3801 West Lake Avenue  
Glenview, IL 60026

On Wed, Sep 23, 2020 at 4:44 PM Jeffrey Hupe <[jeffrey.hupe@gmail.com](mailto:jeffrey.hupe@gmail.com)> wrote:

Please send me all of the requested information below in electronic format where possible. Please do not wait until all of the documents are produced before you send them to me, as I would prefer that you send them as produced. Thank you.

Copy of School Board Member Joel Taub's **Oath of Office**.

Copies of Joel Taub's **Statement of Economic Interest** for each year he has been in office since he was first elected in 2007. IL law requires that form to be filed every year by May 1.

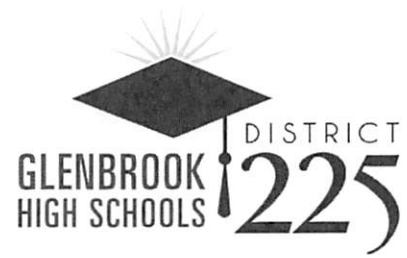
Copies of any agreements that Joel Taub signed as a requirement of accepting his position on the School Board, such as a **contract, agreement or Code of Conduct** for each term that he has served as a Board member.

Copies of all emails to and from School Board Member Joel Taub that include or reference the following names: **Barack, Obama, Donald, Trump, Pence, Hillary, Clinton, Biden, Kamala, Harris and Kavanaugh**. The time period for these emails should be from January 1, 2008 through September 21, 2020.

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Rosanne Williamson Ed.D.  
Assistant Superintendent for Educational Services  
Glenbrook H.S. District 225  
3801 West Lake Ave.  
Glenview, IL 60026  
847-486-4701

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 **Oath - Taub.pdf**  
256K



## Board of Education Official Oath

I, Joel Taub, do solemnly swear (or affirm) that I will faithfully discharge the duties of the office of member of the Board of Education of Northfield Township High School District 225, in accordance with the Constitution of the United States, the Constitution of the State of Illinois, and the laws of the State of Illinois to the best of my ability.

I further swear (or affirm) that:

I shall respect taxpayer interests by serving as a faithful protector of the school district's assets;

I shall encourage and respect the free expression of opinion by my fellow board members and others who seek a hearing before the board, while respecting the privacy of students and employees;

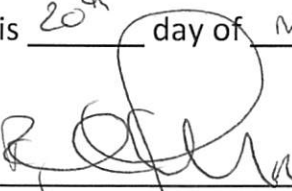
I shall recognize that a board member has no legal authority as an individual and that decisions can be made only by a majority vote at a public board meeting; and,

I shall abide by majority decisions of the board, while retaining the right to seek changes in such decisions through ethical and constructive channels.

  
\_\_\_\_\_  
Board Member

Subscribed and sworn before me

This 20<sup>th</sup> day of MAY, 2019.

  
\_\_\_\_\_  
Notary Public





INVESTIGATION REPORT

The following information was obtained from the investigation conducted on the date indicated above. The information was obtained from the files of the Illinois State Police and is being furnished to you for your information.

The investigation was conducted by the Illinois State Police and the results are being furnished to you for your information.

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"OFFICIAL SEAL"  
RAOUL JOSEPH GRAVEL III  
Notary Public, State of Illinois  
My Commission Expires 3/31/2025

*[Handwritten Signature]*