

Subject: Re: Admin contracts / OMA requirements

From: Eric Bush <bushe@mokena159.org>

Date: 4/15/2025, 2:33 PM

To: Kelli MacMillan <macmillank@mokena159.org>

CC: Steve Stein <steins@mokena159.org>, School Board <schoolboard@mokena159.org>

Kelli - Are you saying we can't make changes to the agenda after initially posted if Kelly Lynn finds errors or we can't add last minute personnel items such as a retirement notices under personnel items?

Board - I recommend we vote again regarding the Administrator personnel items at the meeting on Wednesday as noted on the agenda. Steve and I placed the action item on the agenda as we asked Kelli to provide details including specific reference to OMA law regarding her accusation rather than general statements. There have been no changes to the contracts posted on Boardbook or with the Administrator positions noted on the personnel report from the March meeting.

Regards,

Eric

On Fri, Apr 11, 2025 at 4:07 PM Kelli MacMillan <macmillank@mokena159.org> wrote:

Public meeting Agenda didn't have action to approve admin contracts

Agenda posted to the public on Mon 3/17/25 was modified multiple times after posting

Public agenda today shows an action the board did not take

On Friday, April 11, 2025, Eric Bush <bushe@mokena159.org> wrote:

Hi Kelli. Steve and I are still unclear as to the specific violation of OMA based on the law. We have asked for you to provide those details, and I am happy to discuss with the Board and/or John Fester once the details have been provided. Please provide the details based on OMA law that you feel were violated. We are trying to address your claim prior to the April board meeting , but without details it is difficult to make a conclusion. We would appreciate your support regarding this matter.

Regards

Eric

On Fri, Apr 4, 2025 at 7:39 PM Kelli MacMillan <macmillank@mokena159.org> wrote:

Hi Eric,

I have provided you the information, it is not speculation, it is a factual chain of events. You know what occurred, and this email chain has it laid out for you.

I assume you are not bringing the issue to the board so as to provide me access to our attorney. I would have preferred to handle this internally. I have no interest in playing back and forth email games. Either I speak with John Fester or I will consult with the IL AG to ensure we

have not violated OMA and if so, make all appropriate steps to correct that.

If you change your mind, or would like to talk about it, please let me know before Monday.

Thanks,
Kelli

On Thursday, April 3, 2025, Eric Bush <bushe@mokena159.org> wrote:

Kelli - Please provide the details rather than speculation on what legal obligation the District didn't follow regarding OMA. The Board can then act based on facts rather than speculation. As I previously stated, the Board can revoke at the April meeting if there was an OMA violation.

Regards,

Eric

On Tue, Apr 1, 2025 at 2:58 AM Kelli MacMillan <macmillank@mokena159.org> wrote:

Good afternoon, Eric,

I assume all fellow board members are aware of your response to my emails regarding my ongoing concerns of OMA compliance on administration contracts.

To be clear, this is not about appeasing my feelings or about someone making a mistake in board book. The issue at hand is our legal and ethical obligation to provide our public information on the business before us. It is important to me we provide that notice and transparency to our community, and I do not believe we accomplished it based on what transpired.

As stated multiple times, I have no intention to turning a blind eye or knowingly (suspecting) being non-compliant with OMA. I raised the concern to our Superintendent on a call 3/18, and again to the Supt and the board as a whole the day of the meeting 3/19. I received no acknowledgement or response.

Our public Board book changed multiple times after the agenda was published to the public on 3/17, and again even after the 3/19 meeting.

At this point, I believe my only option might be to ask the IL AG to review the chain of events because I do not have access to our attorney. If the board of education prefer me to speak with John Fester, I can go that route- with board approval. This email is my fourth attempt to encourage compliance with OMA on Administrative contracts. I suspect we cannot just pretend like nothing happened. I would expect we need to acknowledge what went wrong, why, and what we specifically need to do to correct it.

We can make this right,

Kindly share with the board.

Kelli

----- Forwarded message -----

From: **Kelli MacMillan** <macmillank@mokena159.org>

Date: Thu, Mar 27, 2025 at 1:31 PM

Subject: Fwd: Admin contracts / OMA requirements

To: Steve Stein <steins@mokena159.org>, Eric Bush <bushe@mokena159.org>

Update: our 3/19/25 public boardbook has again been changed, this afternoon, after my email last night.

----- Forwarded message -----

From: **Kelli MacMillan** <macmillank@mokena159.org>

Date: Wed, Mar 26, 2025 at 11:18 PM

Subject: Fwd: Admin contracts / OMA requirements

To: Steve Stein <steins@mokena159.org>

Cc: Eric Bush <bushe@mokena159.org>

Steve / Eric,

I never received a response to my email regarding OMA compliance on the Admin contracts. It should have been safe for board members to have relied on our Supt and BOE President to consult with our attorney on a concern of OMA compliance when it was suggested by a member of the BOE. It should be safe for board members to have assumed if our attorney said something was wrong or needed to be changed, that you would have responded and updated all board members with that information.

As it stands today, it's clear things were modified after my email to you (below) a few hours before our meeting.

As elected officials, we all took a vow to uphold and have an obligation to do our business in compliance with the IL Open Meetings Act, I have no intention of not doing that. I voiced my concerns with that prior to our meeting to help ensure we did not violate it. The board received no response.

I respectfully request the board schedule a special meeting to plan a corrective action to the 3/19/25 approval of administrator / director / coordinator contracts. This email is now my second attempt to encourage compliance by the Board of Education with OMA on these contracts.

Please update all board members tomorrow with information on what transpired, why, and what our next steps are to a corrective action.

Thanks,

Kelli MacMillan

----- Forwarded message -----

From: **Kelli MacMillan** <macmillank@mokena159.org>

Date: Wed, Mar 19, 2025 at 2:22 PM

Subject: Admin contracts / OMA requirements

To: Steve Stein <steins@mokena159.org>, Eric Bush <bushe@mokena159.org>

Steve and Eric,

I've discussed some of my concerns with the admin contracts with Steve, but I've been thinking about the action item and OMA, which bring on another set of issues.

For clarity: board approval of the Personnel report tonight is not approval of administrator's contracts, it is only us approving the personnel report, as presented. The contracts are not included in that action.

Besides that, I am concerned we are not in compliance with OMA as the situation stands on these contracts, regardless. Please keep this in mind for when we have them as an action item next month.

1. The public was not provided notice of the action. The agenda provided the public does not state approval of administrator contracts.
2. The precedence has been long set our employment contracts are an action item, not just a reference on the Personnel Report. Part of this is due to the obligation for us to publish what we are voting on and give recital to that in the meeting. Nothing we've done shows we are approving contracts.
3. The precedence has been long set that the board (and public) are afforded information on action items a month prior to action. That was not done. These contracts were not referenced last month, and the board and public had no reason to believe they would be an action this month.
4. The precedence has been long set these contracts are voted on in April, sometimes May. Historically we have not acted upon Admin contracts this early in the year.

For these and many other reasons I have reviewed with Steve, I will ask that we move to separate out lines on the Personnel report so as to exclude those that are not complete.

Kelli