

Subject: Re: questions this week
From: Kelli MacMillan <macmillank@mokena159.org>
Date: 2/16/2024, 6:23 AM
To: Mark Cohen <cohenm@mokena159.org>
CC: Eric Bush <bushe@mokena159.org>

Dr. Cohen,

Thank you for your reply.

I responded to Mr. Bush on the BOE Agenda structure change. I want to let you know that I told Mr. Bush it was inappropriate for you to communicate changes to our BOE meeting agenda to our unions and parent organizations without discussion and consensus by the BOE. Furthermore, you did so knowing at least two BOE members asked the topic be added to our agenda for discussion by the BOE on Wednesday. I will ask the BOE have a conversation on what must be satisfied before you are able to speak on our behalf. In this instance, it was premature at best. If this was ultimately the message the BOE decided to give, I would contend it should have come direct from the BOE as it is our meeting.

Please forward the BOE as a whole the requests and respective responses provided to Julie Oost. It is disproportionate that my emails are the only ones that seem to get shared by yourself and Mr. Bush. Is there correspondence to/from Eric Bush that should be shared with the Board as a whole? I would like to be forwarded all emails from all board members to you or copied to you, consistent with Mr. Bush's request back in December.

Not having discussions at open board meetings complicates the board doing business. One of the major concerns I have with the agenda change is eliminating the time we did have allocated to BOE discussion. We cannot be an effective BOE if we have zero time to have discussion and are limited to 1 on 1 conversations with only some of the board members. I will encourage the BOE to expand our time allocated for discussions, not eliminate it. We need time to work together collaboratively and respectfully.

Do you have the settlement agreement for Mrs. Bussean? If so, is there a reason you insist the BOE wait for the board packet to see that?

I've also requested a list of the closed session meeting minutes on the docket to be voted on destroying. Is there a reason you are insisting the BOE wait for the board packet to get that information?

Thanks,
Kelli MacMillan

On Thu, Feb 15, 2024 at 8:17 PM Mark Cohen <cohenm@mokena159.org> wrote:

Dear Board Members,

Please see the questions/requests below.

Kelli: At your soonest convenience, please confirm these two requests to be added to the agenda for next week. I've also not seen my requests shared with all of my fellow board members, so please include the BOE as a whole in your reply.

1. Change to our BOE Meeting agenda structure

2. Board of Education public engagement / outreach opportunities and possibilities (follow up to our workshop)

1. Assuming your request is about the public comment portion, this can be addressed during the section of the agenda where we will discuss the March meeting. After conferring with Mr. Bush I reached out to Dr. Natalie Williams-McMahon about the change in public comment. She had this to say via email:

For best practices, these groups are also from the public, therefore, you all may allow them their 3-5 min of time (according to your agreements & protocols, regarding public comment). It's best that you all DO NOT respond, especially if it is on the agenda under public comment and it is NOT Board related business. This will allow you all to be consistent with all constituents that speak during public comment, with no expectations that the board will respond during public comment. In addition, you all may note, write, and have visuals to let the public know that you will not respond to anyone or group giving information during public comment.

I also wanted to add that, because you all are non-partisan, and you all do not want represent favor for any person or group, it is a best practice that you all do not allow groups to be added to your agenda(s), therefore allowing them to speak during public comment is ok, but NOT giving time to a specific person/group on your agenda. This helps you all legally as well, keeping the public body or any person in your district from wanting to FOIA your emails/messages (etc.), accusing you all of playing favoritism, etc.

For your reference I have attached agendas from Frankfort 157C, New Lenox 122, and Orland 135 as examples. We have been an outlier with this practice for quite some time. I know that in my first year I suggested changing this- perhaps to then Board President Mike Everett- and we didn't do it. I think it is the right thing to do. The MTA and MCSA are both supportive of it and understand the rationale. The PTA and MEF have also been informed tonight before the agenda goes live tomorrow.

2. This has already been done.

Kelli: Please also remove the following items off the consent agenda and move them to be individual items that may be discussed by the BOE on Wednesday:

2. Semi-Annual Review of Closed Session Minutes

3. Verbatim Destruction of Closed Session Minutes

Cathy will make the change before sending out the agenda tomorrow.

Kelli:

Mr Bush / Dr. Cohen,

To date I've been forwarded no correspondence to Dr. Cohen or Eric Bush from anyone other than Julie Oost in a couple instances. Can you please review your records to ensure correspondence from Board members is being shared with all board members? I've been told of at least two instances that I've not been included on from Mrs. Oost regarding the draft document for Mrs.

Bussean as well as a status update on our Union Negotiations. I also witnessed a meeting between Dr. Cohen and Mrs. Zelinski that the BOE as a whole has not been updated on.

Also, for transparency sake. If the "board's will" is established outside of an Open Meeting, can we do so via email so that we have an audit trail of which board members are in favor of which option presented?

Thank you for your efforts to keep us all informed.

I have received no requests for information from any other Board member other than Julie and Kelli. Julie's question about negotiations was answered by Lisa; she wrote Julie and told her that we update the entire Board regarding negotiations in closed session. No information was shared that needed to be shared with the Board. Julie's question about the settlement agreement with Mrs. Bussean was answered by me; I stated that the settlement agreement would be in the Board packet with the rest of the information necessary for Board action. It is my recollection from the Board workshop that I would respond to individuals with simple requests and that any more complex questions would be shared with the Board as a whole. No information was shared in that correspondence that I felt needed to be shared with everyone. If I am wrong in my recollection let me know. We can discuss this during the meeting next week if necessary.

Regarding my "meeting" with Lisa, we both were present for negotiations and then stayed for the PTA meeting. You saw us talking in the commons in front of the PTA and other members of the community. There was no "meeting", it was a conversation. If there had been information to share that came out of that conversation I would have done so.

I will leave the question about the will of the Board up to the members.

Have a good evening.

Mark

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Dr. Mark A. Cohen
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