

MINUTES
EMERGENCY MEETING OF THE BOARD OF EDUCATION
COMMUNITY UNIT SCHOOL DISTRICT 200
February 6, 2022

An emergency meeting of the Board of Education of Community Unit School District 200, DuPage County, Illinois, was called to order at the School Service Center 130 W Park Ave., Wheaton, IL. by Board President Chris Crabtree, on Sunday, February 6, 2022, at 2:00 PM.

ROLL CALL

Upon the roll being called, the following were present:

Board Members: Mrs. Chris Crabtree
 Mr. Rob Hanlon
 Mr. Dave Long
 Mrs. Angela Blatner
 Mrs. Susan Booton
 Mr. Brad Paulsen
 Dr. Mary Yeboah

Also in Attendance: Dr. Jeff Schuler, Superintendent
 Dr. Charlie Kyle
 Mrs. Erica Loiacono
 Mrs. Melissa Murphy
 Dr. Brian O’Keeffe
 Dr. Chris Silagi
 Mr. Jason Spencer

PLEDGE OF ALLEGIANCE

Board Secretary Long led the Board in the Pledge of Allegiance.

BOARD PRESIDENT COMMENTS

President Crabtree read a statement, which included the following:

- This Emergency Meeting was scheduled by the Board of Education following the TRO that was issued on Friday in a lawsuit involving a number of school districts in Illinois, including District 200. District 200 recognizes the engagement of our community around this impactful topic, as evidenced by the volume of email that we have received since the TRO was issued. The Board of Education will now adjourn into Executive Session for the purpose of discussing litigation. We do not know the length of time that we will be in executive session. When the Board has completed its discussion in Executive Session, we will return to open session, provide a statement to update our community, and then move to public comment. Any information shared when we return from Executive Session will be communicated with our entire school community immediately following the meeting.

CLOSED SESSION

Pursuant to 5 ILCS 120/2 (c)(11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or

when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting

MOTION

Member Crabtree moved, Member Paulsen seconded to adjourn the meeting to closed session for the purpose of discussing Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting 5 ILCS 120/2 (c)(11). Upon a roll call being taken, the vote was AYE 7, NAY 0. **The motion carried 7-0.** There was no action expected following the Closed Session.

The meeting adjourned to Closed Session at 2:02 PM.

RECONVENE IN OPEN SESSION

Member Booton moved, Member Long seconded to reconvene in Open Session. Upon a roll call being taken, the vote was: AYE 7, NAY 0. **The motion carried 7-0.**

Roll call was taken, all Board Members were present, and the open session was reconvened at 3:28 PM.

Board President Crabtree read a statement that would be sent to staff, students, and the community, which included the following:

District 200 School Community,

As we shared yesterday, District 200, along with more than 140 other school districts in Illinois, was named in a lawsuit that is one of several actions that have been filed on behalf of students and staff members regarding state mandates required upon schools due to the COVID-19 pandemic. These actions have been consolidated before a single judge. There are many details involved in this litigation. Our goal in this communication is to explain what the recent ruling in the litigation means for our students and staff.

The Judge who presided over the litigation issued a temporary restraining order (TRO) late Friday afternoon, February 4. The Judge's ruling halts enforcement of the Governor's Executive Order on masking, vaccination, testing, and quarantining for close contacts for named school districts without proper due process. This means that as of today, District 200 will recommend, and not require, individuals to wear face coverings and quarantine if they are a close contact. District 200 will also recommend, but not require, unvaccinated staff to test weekly.

District 200 will continue with in-person instruction and other current mitigation efforts, including the ability to exclude COVID-19 symptomatic individuals, implement physical distancing, and continue SHIELD testing for those already signed up who choose to participate.

Beginning Monday, February 7, we recommend continued use of face coverings, as it aligns with current CDC and IDPH Guidance for Schools; however, we will temporarily suspend our Board Policy on Face Coverings. Face coverings are still required to be worn on any school-based transportation (buses, taxis, driver's education) consistent with Federal requirements.

I fully realize that this is a sudden change in how our schools have been operating and it will be met with differing responses from our school community members. Regardless of your family or

personal choice about masking, I am asking everyone to lead with kindness and respect. It is important that we are respectful of each other's personal decisions. We will not tolerate bullying or disrespectful behavior of any kind.

Finally, please understand that just as we previously followed state mandates to require face coverings on school grounds, we will now adhere to this Judge's ruling. It is important to note that the State of Illinois has indicated that they plan to appeal the judge's ruling, so this situation can change, and we could revert back to implementing the COVID-19 mitigation measures we have had since the start of the school year. This could occur this week or in the next few weeks depending on what happens at the Appellate Court level. From the beginning of this pandemic, we have committed to our school community that we will follow the guidelines, and we will continue to do so.

The health and safety of our students and staff continue to be a priority for us. I ask for your patience as we continue to navigate through the pandemic, together. We will continue to share additional information as it becomes available.

PUBLIC COMMENTS – Agenda Items & Non-Agenda Items

In accordance with Board Policy 2.230, members of the public wishing to offer public comment had the opportunity to do so. A public comment sign-up sheet was made available until 7:00 p.m. at the meeting site. The Board Meeting was available for viewing via live-stream on the District's YouTube channel at www.youtube.com/communityunitschooldistrict200.

Per Board Policy, the Board may shorten the time allocation for each person to less than 3 minutes to allow the maximum number of people the opportunity to speak. The Board did not shorten the time allocation for each person to speak due to the number of speakers.

<u>Speaker</u>	<u>Topic</u>
Jeanne Ives	TRO/Mitigations
Addison Kipfer	TRO/Mitigations
Patty Cross	TRO/Mitigations
Mike LaFido	TRO/Mitigations
David Sohmer	TRO/Mitigations
Jan Shaw	TRO/Mitigations
Megan Kolisch	TRO/Mitigations
Amy Kipfer	TRO/Mitigations
Kelly Gross	TRO/Mitigations
Kimberly Andersen	TRO/Mitigations

MOTION

There being no further business to come before the Board in Open Session, Member Booton moved, Member Long, seconded to adjourn the meeting. Upon a voice call vote being taken, all were in favor and **the motion carried 7-0.**

The meeting was adjourned at 3:48 PM.

Dave Long, Secretary

Chris Crabtree, President