

--- On **Fri, 12/7/12**, graceflo <[graceflo@ameritech.net](mailto:graceflo@ameritech.net)> wrote:

From: graceflo <[graceflo@ameritech.net](mailto:graceflo@ameritech.net)>  
Subject: D200's Notice of its new tax levy is designed to do the opposite FW: Request to speak at Dec 11 and Dec 20 meetings re: taxation proposal  
Cc: bepstein@ssandg.com  
Date: Friday, December 7, 2012, 4:12 PM

Barb Langer, Ph.D., Founder  
Protect District 200 Property Tax Payers  
[graceflo@ameritech.net](mailto:graceflo@ameritech.net); (708) 366-4150

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December 7, 2012

The following e-mail series documents that D200 BOE President Terry Finnegan rejected Barry Epstein's request to be placed on the agenda with a 15 minute speaking slot on the agenda for the Dec 11 Finance Meeting and for the Dec 20 Truth In Taxation session of the BOE Meeting. Virginia Thomas, John Bokum and I each sent identical requests and received identical rejections from Mr. Finnegan.

D200 BOE President Terry Finnegan declined our four, timely, independent, written requests for 15 minutes of speaking time *to be placed on the agenda* for the Meetings on December 11 and 20, despite our requests being in complete compliance with D200 [Policy Manual](#) requirements.<sup>[i]</sup> We believe that in rejecting our properly-written and timely requests, Mr. Finnegan exceeded his authority under *D200 Policy 1200, Board Meetings*.

Mr. Finnegan may have exceeded his authority under the D200 Policy Manual in a bald attempt to obstruct: 1) our timely and complete disclosure of D200's demonstrable mismanagement of its Cash Stash, 2) its unjustifiable pending tax increase, and 3) its deliberate misrepresentations to the public that its financial condition is imperiled, when in fact, it is flush.

Our other written requests (via e-mail) and Mr. Finnegan's rejection e-mails are available upon request. **The day after Mr. Finnegan wrongfully rejected our requests to be placed on the agenda for both meetings, D200 published the attached, inconspicuous "Notice of Proposed Property Tax Increase" on page 24 of the December 5, 2012 *Wednesday Journal*.** The notice appeared only in the print version of the paper.

D200 shunned Pioneer Press readers by advertizing its notice in the *Wednesday Journal* only. Do you think that is right? After all, what percentage of D200 residents subscribe to both a Pioneer Press paper AND the *Wednesday Journal*? This seems to me like discrimination against Pioneer Press readers, not to mention against D200 residents who subscribe to neither paper.

Upon discovering the notice yesterday, each of us (Epstein, Thomas, Bokum and I) filed voice mail, e-mail, fax and certified US Mail requests to appear at the public hearings on Dec 11 and Dec 20 and to present testimony. My request is available upon request.

As BOE President, Mr. Finnegan almost certainly knew of and would have had to approve D200's ad in the *WJ days before* he rejected our proper requests to be placed on the agenda with 15 minute speaking slots for these meetings.

Nevertheless, Mr. Finnegan apparently deliberately failed to inform us in his rejection letters that he apparently delegated his authority under Policy 1200 to D200 CFO Cheryl Wytham, and therefore, that we must apply to her to obtain such a slot.

Our allegation of D200's/Mr. Finnegan's deliberate intent to obstruct us is supported by the following

facts:

1. D200/Cheryl Witham does not provide an e-mail address, room number or fax number at which to apply to her in writing to present testimony. In any case, D200 has a documented track record of rejecting most e-mails from citizens as "Spam."

**2. This official method/policy ensures there will be no written record of any requests**, should Ms. Witham decline to let someone speak, as Mr. Finnegan declined our requests under the "PROCEDURES FOR ADDRESSING THE BOARD," as set forth in D200's Policy Manual, at Series 1000 – Page 21. Consequently, **D200/Ms. Witham have set up rules for requesting speaking slots at this phony "hearing" in such a way as to be able to claim that we never made them.**

3. This Notice/advertisement first appeared on Wednesday, December 5, which is less than the required 10 days citizens need under the above Policy to apply for a 15 minute speaking slot before the BOE on December 11. It is also only five days before the 10 day deadline to apply for a slot on December 20. **Thus, it appears to be a cynical attempt to undercut citizens' rights to a 15 minute speaking slot on the agendas for both meetings.**

4. The meeting is to be hold in the "Board Room," which can comfortably accommodate seating for about 50 people. If more people come, they will be forced to stand outside in the hall, and might by this logistical ploy, be unable to see and hear the proceedings, let alone participate in them.

5. Only "individuals" are invited to appear and present testimony. Will D200 use this as an excuse to prevent coordinated presentations by either multiple individuals or groups?

6. We could not find the notice when we searched the online version of the paper ([www.wednesdayjournalonline.com](http://www.wednesdayjournalonline.com)) or when we searched the title of the notice in Google. This suggests that D200 further sought to limit awareness of the notice by the public, which may read only the online version of the WJ, if at all.

**7. D200's "Notice" is ineffective, insofar as it will certainly fail to reach most D200 residents**, who, even if they happen to subscribe to the print edition of the *Wednesday Journal*, are unlikely to notice D200's Notice, which is inconspicuous and buried past where many readers might scan.

8. D200's only reliable means of Notice is to mail it to each D200 household, as it did with its recent planning survey. However, D200 did not see fit to do so.

**9. Nor, according to able public library reference librarians, did D200 post its Notice in the print editions of either the *Oak Leaves* or the *River Forest Leaves* on November 29 or December 6. Thus, D200's "Notice" seems to be an oxymoron at best.**

**In conclusion, D200's apparently underhanded tactics give the appearance, not the substance, of providing effective notice, facilitating substantive objections and complying with applicable state laws and D200's own policy manual.**

**In effect, D200, Terry Finnegan, and Cheryl Witham appear to be intentionally censoring our lawful right to sufficient time (15 minutes each) to document our objections to D200's wasteful new tax levy.**

I have received a new rejection from Mr. Finnegan to my 6Dec2012 request per D200's Notice to speak for 15 minutes at both meetings (Dec 11 and 20). He said I could speak for 3 minutes only, even on the certain-to-be-lightly-attended Dec 11 meeting. He also said that people do not have to apply per the instructions in the notice to speak. Thus, the apparent requirement to do so in the notice was entirely self-serving on D200's part and affords no benefit whatsoever to citizens. Moreover, throwing up yet new barriers, Mr. Finnegan said that to speak for fifteen minutes, I must find 5 other people to attend both meetings, sign up to speak, and then yield their time to me.

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**[i] PROCEDURES FOR ADDRESSING THE BOARD**

1. Employees, students, and members of the public wishing to address the Board may be placed on the agenda of any regular or special meeting which is open to the public by filing a written request with the Clerk of the Board at least ten (10) days before the scheduled meeting unless the Board of Education President otherwise permits. Unless the Board decides otherwise, presentations on any given topic may not exceed fifteen (15) minutes.
2. At each regular and special meeting open to the public, time will be set aside for comments and questions from employees, students, and members of the public. The Board may also allow comments from employees, students, and members of the public during the discussion of any item on the agenda. The Board reserves the right to limit the time for individual comments.
3. During the Comments from Visitors section of the Board meeting, comments on non-agenda items concerning matters within the jurisdiction of the Board of Education are invited. Comments or questions relating to other governmental bodies or to other employees should be directed to them.  
If a response is indicated or requested, any Board of Education member may give a response. The President of the Board of Education has the responsibility to chair the meeting, maintain decorum, and ensure that a balance is maintained between Board-public engagement and appropriate length of a meeting. Thus, the Board President may establish reasonable time limitations for public comment, and for Board member responses to public comments on non-agenda items.
4. Prior to coming before the Board of Education, a member of the public having a specific complaint concerning a District employee should first address that complaint to the employee's supervisor or to the Director of Human Resources.. If the interested party believes that he/she has not received a satisfactory administrative response, then the interested party may submit the complaint in writing to the Superintendent.
5. A member of the public having a complaint concerning the disciplining of a particular student should first address that complaint to the Assistant Principal for Student, Health, and Safety. If the interested party believes that he/she has not received a satisfactory administrative response, then the interested party may submit the complaint in writing to the Principal.

Series 1000 – Page 21

Amended Date(s): April 29, 2010; April 24, 1997, April 23, 1992

Adopted Date: June 28, 1984

Review Date:

Law Reference:

Related Policies:

Related Instructions

And Guidelines:

Cross Ref.: Policy 1200

[Series 1000 – Page 20; PDF page 60]

[http://intranet.oprfhs.org/board-of-education/board\\_meetings/Current%20Policy%20Manual%20August%202012.pdf](http://intranet.oprfhs.org/board-of-education/board_meetings/Current%20Policy%20Manual%20August%202012.pdf)

--- On Tue, 12/4/12, Barry Epstein <bepstein@SSandG.com> wrote:

From: Barry Epstein <bepstein@SSandG.com>  
Subject: FW: Request to speak at Dec 11 and Dec 20 meetings re: taxation proposal  
To: "graceflo@ameritech.net" <graceflo@ameritech.net>  
Date: Tuesday, December 4, 2012, 7:06 PM

Now what??

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**From:** Kalmerton, Gail [GKalmerton@oprfs.org]  
**Sent:** Tuesday, December 04, 2012 5:24 PM  
**To:** Barry Epstein  
**Subject:** RE: Request to speak at Dec 11 and Dec 20 meetings re: taxation proposal

Dear Dr. Epstein,

Thank you very much for your interest in speaking to the Board of Education. I have reviewed your request to add a separate agenda item to both the December Finance Committee and the regular December Board of Education meeting with a time slot of 15 minutes at each meeting. It is within the Board's discretion to grant or not grant such requests as the Board President, Superintendent and Board of Education have the authority to prepare the agenda and determine what items should be included. As such, I am denying your specific request. However, there will be an opportunity for you to give public comment at the Finance Committee meeting on Tuesday, December 11. As is the practice, you will have 3 minutes to make your statement. In addition, the Board of Education will hold a Hearing on the Levy at its regular December Board of Education meeting. At that time, you may also give 3 minutes of testimony.

I do appreciate your consideration.  
Terry Finnegan

**From:** Barry Epstein [mailto:bepstein@SSandG.com]  
**Sent:** Friday, November 30, 2012 2:43 PM  
**To:** Kalmerton, Gail  
**Subject:** Request to speak at Dec 11 and Dec 20 meetings re: taxation proposal

Ms. Kalmerton,

Attached kindly find my formal request to be given a 15 minute opportunity to address the Board and its Finance Committee regarding the proposed tax levy increase to fund D200's operations. I wish to be slotted on both December 11 and December 20, and wish to speak immediately following the presentation by Dr. Langer or her delegate.

If given these opportunities, I will be speaking as a concerned citizen of Illinois, and will not be representing my firm or any other organization.

Thank you for your consideration.

Barry Epstein