



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

November 2, 2020

Via electronic mail

The Honorable Beth Nolan
President, Board of Education
Decatur Public School District #61
Keil Administration Building
101 West Cerro Gordo Street
Decatur, Illinois 62523
bnolan@dps61.org

RE: OMA Request for Review – 2020 PAC 65466

Dear Ms. Nolan:

The Public Access Bureau has received the enclosed Request for Review under section 3.5(a) of the Open Meetings Act (OMA) (5 ILCS 120/3.5(a) (West 2018)) from Mr. Chris Carter alleging that the Board of Education (Board) of Decatur Public School District #61 potentially violated OMA during closed sessions held over the previous two years. We have determined that further action is warranted as to any Board meetings held within the 60 days prior to the submission of Mr. Carter's Request for Review.

In his Request for Review, Mr. Carter, on behalf of WAND-TV, provided a copy of an e-mail thread from October 19, 2020, through October 21, 2020, which he alleged showed the Board taking final action in closed session during its recent meeting. He stated that "[a]n anonymous member of the community has alleged the district is meeting in executive session to discuss agenda items, and are discussing their opinions, and how they will vote in executive session, violating OMA."¹

In order to further evaluate this matter, this office requests that the Board provide this office with copies of its closed session verbatim recordings and closed session minutes for any and all of its meetings held within the 60 days before Mr. Carter submitted his Request for

¹E-mail from Chris Carter, Investigative Reporter, WAND-TV, to Whom It May Concern (undated).

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Review, and a detailed written response to the allegations that it improperly discussed unauthorized matters and improperly took final action in those closed sessions.

As required by section 3.5(b) of OMA (5 ILCS 120/3.5(b) (West 2018)), please provide this information to our office within 7 business days after receipt of this letter. As we review this matter, we will notify you if we require additional records or information. Please note that under OMA, this office is required to forward a copy of any response to the requester and to provide the requester with an opportunity to reply. 5 ILCS 120/3.5(c) (West 2018). The Act also permits the Board to provide a redacted version of its response for release to the requester. Accordingly, **if you claim that any portion of your written response is confidential, please send two versions of your response letter: a complete copy for this office's confidential review and a redacted version suitable for this office to forward to the requester.**

Please contact me at jjones@atg.state.il.us if you have questions or would like to discuss this matter. Thank you.

Very truly yours,



JOSHUA M. JONES
Deputy Bureau Chief
Public Access Bureau

Enclosure

cc: *Via electronic mail*
Mr. Chris Carter
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