

COLUMBIA COMMUNITY UNIT SCHOOL DISTRICT #4

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Dr. Gina Segobiano, Superintendent
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To: Parents, Guardians, and Community Members of Columbia CUSD 4
From: Dr. Segobiano, Superintendent
Date: February 7, 2019

Re: School District Information Addressing Various Claims

Parents and community members may or may not be aware of various derogatory allegations that the school board and the district office administration have been experiencing in the public eye. A variety of claims have been published through various sources, but the district has had no opportunity to respond with facts and accurate information. This document provides the Columbia community accurate information from the school district's perspective on several topics discussed at school board meetings or points of contention in recent newspaper articles. The school administration intends to be transparent and provide factual information on any item in question.

With that said, Columbia CUSD 4 is a great school district, and these recent developments create a negative image of the school district and its programs. It is important that our stakeholders are educated, informed, and recognize the commitment of the school district to provide an exceptional educational experience for our students. This document is lengthy. Thank you for taking the time to read this information.

The school district matters covered within this document are Special Education Program, Response to Intervention Program (RTI), School Board Items of Bidding Requirements, Funding Major Projects Through Use of Lease Levy, Health Life Safety Items, Board Policies, and Open Meetings Act.

SPECIAL EDUCATION PROGRAM

Claim No. 1: The district should initiate a special education audit.

Fact: Any type of special education audit would require time from staff members that would take away from instruction and serving our students. A reason or cause should exist to initiate an audit on oneself. The following facts support not self-initiating a special education audit:

1. The special education teachers are the core of the special education department and are very knowledgeable on special education rules, procedures, and federal guidelines. The teachers implement each child's Individual Education Plan according to the established goals, objectives, and services as determined by the IEP team.

2. Special education teachers and staff follow all federal guidelines under the Individuals with Disability Education Act (IDEA), special education requirements of Maintenance of Effort, and Excess Cost. These federal guidelines require the district to maintain funding at the same level each year for special education.

3. The school district's special education program annually received a determination of "Meets Expectations" for compliance by the Illinois State Board of Education.

4. The district has received no due process claims disputing a special education item over a ten-year period.

5. The Special Education Parent Survey administered in the Spring of 2018 solicited input from parents on their child's special education experience. The results were extremely positive with over 90% giving the highest rating on the majority of items.

Claim No. 2: The administration will not approve special education individual aides for students.

Fact: The district currently employs thirteen (13) special education teachers, eight (8) program aides, and two (2) individual aides. Based on a determination made at the Individual Education Plan (IEP) meeting, those students who exhibit specific needs that require a restrictive environment receive a special education individual aide. The individual aide is assigned to one student throughout the school day. Criteria includes safety concerns (for self or others) or medical concerns. The special education program aides can provide individual services as well as group services. Program aides have the ability to serve more than one student throughout the school day. Whether a student receives support from an individual aide or program aide, all special education students are provided adult support as needed. All federal, state, and district special education policies and procedures are being followed.

Claim No. 3: Special education services are not provided to students to save money on the budget.

Fact: No facts support this claim. To the contrary, since becoming a stand-alone special education district, the school district has increased special education services in personnel, related services, curriculum, and professional development. Increased personnel include a Director of Special Education, full time secretary, full time social worker, increased speech, occupational, and physical therapy services, full time deaf and hard of hearing teacher, and two full time special education teachers. Personnel needs are determined by caseload as well as state and federal guidelines. The school district has always maintained the federal requirement of Maintenance of Effort. This federal law requires a school district to spend at minimum the same amount of funds for special education each year, and if not, an explanation must be provided.

Claim No. 4: Some parents have complained about the special education program.

Fact: The district serves over 200 special education students, so the likelihood of receiving parental complaints are evident. Any special education concerns shared directly with the teachers, Director of Special Education, or administration are investigated and addressed. Special education teachers and parents maintain a high level of regular communication due to receiving quarterly progress reports and meeting annually to discuss progress and identifying special education services for the upcoming school year. Hence, there are plenty of opportunities to voice concerns through the required Individual Education Plan (IEP) process.

Parents who have a concern (special education or general education) typically notify their child's teacher so that the concern can be addressed. Very few parent complaints reach beyond the building level due to addressing the problem with the teacher and/or principal. In fact, over the past eight years, the school board has heard two (2) special education and one (1) Response to Intervention concerns at a public board meeting.

Claim No. 5: There are teachers who have complained about the special education program.

Fact: The district employs 110 teachers who share the responsibility of serving students, including the special education population. The Director of Special Education and administration meet and communicate with all general education and special education teachers regularly. Voicing opinions, concerns, or suggestions occur on an on-going basis. Any time a teacher has a concern, he/she knows to communicate that concern to the appropriate individual – usually the principal or Director of Special Education. In addition, special education teachers receive a needs assessment survey at the end of each year, so any concerns in regards to accommodations, related services, supplies/materials, staff training, or any other special education concerns should be noted so that the Director of Special Education is aware.

Claim No. 6: Some parents pay for related services outside of the school day.

Fact: The school district provides “school based” occupational and physical therapy for students who are eligible as determined by state guidelines. The goals for “school based therapy” are associated with functioning successfully in the school setting. Some parents pay for “clinical based” therapy that include goals not related to school. The two therapies differ in the type of support provided. For school based therapy, physical and occupational services are determined at a student's IEP meeting as recommended by a licensed therapist. At this meeting, the number of minutes per week and goals are determined with agreement by IEP team that includes the parent.

RESPONSE TO INTERVENTION PROGRAM

Claim No. 7: The Response to Intervention Program (RTI) does not serve those students most in need. Staff needs training.

Fact: This claim is unfounded. Two reading specialists and two literacy aides lead the RTI “Tier 2 & Tier 3” program at Eagleview and Parkview, and certified teachers instruct students at Columbia Middle School. The district's RTI program serves the lowest achieving students identified through teacher recommendation, grades, local assessments, running records, and universal screening indicators. Students identified for needing additional reading and math support receive an extra period each day in reading and/or math and work with either the reading specialist or a literacy aide. For identified students at the middle school level, the RTI program provides an extra period each day with a certified teacher to provide extra instruction or to re-teach a concept. All Grade K through Grade 8 teachers have a significant role in the district's Response to Intervention Program, for all teachers deliver instruction to all students that accommodate the various learning needs in the classroom. Teachers have the necessary knowledge, background, and training on effectively implementing the RTI Program. The RTI Program implemented by our RTI and general education teachers has had great success with many students making academic gains and exiting the program.

SCHOOL BOARD ITEMS – BIDDING REQUIREMENTS, FUNDING MAJOR PROJECTS, BOARD POLICIES, HEALTH LIFE SAFETY, AND OPEN MEETINGS ACT

Claim No. 8: The Board of Education and Superintendent did not abide by competitive bidding requirements.

Fact: Two contracts are in question: First, the Track Respray Project and second, the Culinary Classroom Renovation Project. Legal opinions provided by the district attorney support the district's procurement for the track respray and culinary classroom renovations. For both projects, competitive bidding was not required under the Illinois Compiled Statute exception clauses.

1.) For the Track Respray Contract, the contract fell under an Intergovernmental Cooperative Purchasing Agreement. Statutes supporting the district's compliance with the bidding exemption are 105 ILCS 220/2 (1) Exception (xi), Intergovernmental Cooperation Act (5 ILCS 220, 220/1, 220/2, 220/5), Illinois Purchasing Act (30 ILCS 525/2 Joint Purchasing Act), and Illinois School Code (Section 10-20.21).

2.) The Culinary Classroom Renovation project did not require competitive bidding due to the renovation being less than \$50,000. The total project cost was \$32,500. The district did seek two proposals for the renovation, even though not required to do so. Since there were no bidding requirements for this project, there could not be a bidding violation. The statute that supports the district in engaging in the Culinary Classroom contract without competitive bidding is 105 ILCS 220/2 (1) Exception (xii).

Claim No. 9: The Superintendent did not follow Board Policies: 4:50 Payment Procedures and 4:60 Purchasing and Contracts.

Fact: 4:60 Purchasing and Contracts. The policy states that the Board must approve all contracts. The policy also states that the Superintendent can authorize contracts if within budget parameters. The contracts in question are the Track Respray Contract and the Culinary Classroom Project. All contracts received approval within the scope of Board Policy.

1. The track respray project was an identified project to be completed with 2018-2019 funds, discussed by the board at a public meeting in February of 2018, and included as an identified expenditure on the Facility Sales Tax budget. By authorizing the contract prior to March 31, the Superintendent secured a \$10,000 discount with guaranteed summer completion. No penalty would incur if the board did not later approve. The board did approve the contract unanimously. Due to the delay with the ROE approval of the building permit, the track respray could not be completed during the summer months as planned. In order to complete the project with colder temperatures, a higher-grade spray was required that resulted in a \$3500 additional charge above the original contract price.

2. The culinary classroom project was identified to the Board at the February meeting indicating the desire to complete the work during the summer months. The superintendent signed the contract in June for this project with the notation of "final approval of contract at June board meeting." A down payment was required in June to place the cabinet order to secure delivery prior to school starting. The Superintendent

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consulted with two Board members of the standing building committee who supported with proceeding on the order to ensure summer completion. According to 4:50 Payment Procedures, the contract and the expenditure of the funds were unanimously approved at the June board meeting.

Claim No. 10: The Board of Education and Superintendent used improper funds on major projects by using lease revenue funds for the concession stand project.

Fact: The district's lease levy revenue generates approximately \$160,000 per year and represents \$.05 of the overall school district's tax rate. Illinois Compiled Statute (105 ILCS 5/17-2.2c) allows the lease revenue to be spent on lease purchase agreements for technology and educational facilities. The district engaged in a lease purchase agreement for the appurtenances associated with the concession stand at the multi-purpose field which is allowable under the law and supported by legal analysis by the district's attorney, Mundorf, Guin Law Firm. (The definition of appurtenance is anything attached to a piece of land or building such that it becomes a part of that property, and is passed on to a new owner when the property is sold. It may be something tangible like a garage, septic system, water tank, or something abstract such as an easement or right of way.)

Claim No. 11: The 10 Year Health Life Safety Survey is not comprehensive and does not include violations identified by the Regional Office of Education's annual HLS walk through.

Fact: Every ten years, all school districts are required to employ a licensed architect and/or engineer to complete a survey of each facility to identify any violations associated with the Health Life Safety code. In addition, annually, the Regional Office of Education and State Fire Marshal conduct a walkthrough of each facility to identify HLS code violations that need to be corrected. For Columbia, the required 10 Year Health Life Safety Survey for each school was completed by a licensed engineer last Spring and submitted to the ROE in June of 2018. The Schematic and Safety Plans for each school required revision and were submitted to the ROE in September of 2018. In October of 2018, the ROE and the state fire marshal conducted their annual Health Life Safety and Fire Inspection walk through of all buildings. The Engineer's survey conducted in March did not include violations identified by the October ROE walk through. In December, the survey was rejected and sent back to the district to address the identified violations by the ROE. In January, the district received Columbia High School and Columbia Middle School's ROE and Fire Marshal inspection results, but are still awaiting receipt for Parkview and Eagleview. Once all violations are addressed, the 10 Year HLS Survey can be resubmitted to the state for approval.

In order for the district to financially plan for projects, the 10 Year HLS Survey conducted by a licensed engineer did not include larger facility projects that require a higher level of funding. Those projects will be planned around the existing bond and interest debt requirement to avoid any hikes on the property tax rate. A separate Health Life Safety amendment would be required for projects not identified on the 10 Year Health Life Safety Survey. Currently, the district submitted an amendment for the ADA Bleachers at the multi-purpose field to be completed summer of 2019. In addition, roofing needs have also been identified for future planning which will require an amendment to utilize Health Life Safety restricted funds. Both of those identified projects will not increase the district's property tax rate due to appropriate planning and use of available accrued funds for these projects.

Claim No. 12: The school board can only approve the Health Life Safety \$.05 levy for projects that have been identified on the 10 Year HLS Survey.

Fact: Facility projects that qualify for health life safety funding can be identified on the 10 Year Survey as well as identified annually by the school board. The school district maintains a list of health life safety projects for the district. Strategic planning for project completion prevents the need to issue debt that would add to the district's tax rate. Each year, the district receives approximately \$160K per year to dedicate to health life safety needs, and when accrued, these funds can fully fund many smaller health life safety projects without issuing long-term debt. Currently, identified HLS projects are: door hardware project at the high school (completed 2019), ventilation project in the welding shop (completed 2019), ADA bleachers at the multi-purpose field (Summer 2019 completion), and maintaining roofs in the district (T.B.D.) The statute regulating use of health life funds is 105 ILCS 5/17-2.11 (b, c, d, e). This statute allows a district to accrue HLS fund balance for identified HLS projects.

Claim No. 13: The Open Meetings Act was not followed on two separate occasions: 1. An action item was too vague on the agenda, and 2. A Special Meeting Agenda was not posted on website 48 hours in advance.

Fact: A board member submitted a "Request for Review" to the State Attorney General for two items in question under the Open Meetings Act. The Attorney General provided a response indicating the two items were a violation of Open Meetings Act. The first violation was an Item for Action identified on the May 19, 2018 agenda. The agenda item was "Approval of Personnel Items." The attorney general confirmed the heading was too vague and should be more specific. The board re-approved those personnel items at the September meeting. The second item was failure to post a Special Meeting agenda 48 hours in advance of the meeting on the district's website. The district did not dispute this claim. The secretary who posts the board agendas was on vacation. The Attorney General's corrective action was to train another staff member to avoid reoccurrence. Currently, three employees have access to posting board agendas on the website. The Open Meeting Act violations were closed.

Claim No. 14: Non-eligible items were discussed in executive session which is a violation of the Open Meetings Act (OMA.)

Fact: A board member submitted a "Request for Review" to the State Attorney indicating ineligible discussion occurred during executive session held on October 18, 2018. The Attorney General is now reviewing the case. If found in violation of OMA, the executive session dialogue in question most likely would be made available for public inspection.

Claim No. 15: The Board and Superintendent's actions could cause legal liability to the school district.

Fact: District liability claims would evolve due to flagrant or negligent actions by a board member or staff member that would cause harm to an individual. Even though a person can file a lawsuit at any time for any reason, there are no flagrant or negligent acts identified that would fall under a liability claim. The school district has legal liability insurance for school board members and employees and pays an annual premium for liability coverage that includes legal representation.

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In addition, there are no pending litigation or known complaints filed with the school district, and there has been no communication with the Superintendent or Board of Education identifying any specific claims of violating the Illinois School Code, state, or federal laws. Statements made in public implying illegal activity or violation of law are defamatory and misleads the community.

Claim No. 16: The Regional Office of Education Superintendent stated that teachers do not voice concerns to the administration due to fear of retaliation.

Fact: There are established procedures, policies, and contractual agreements in place for teachers and staff to voice concerns with the administration that include: on-going informal discussions with administrators, regularly scheduled Teacher Leader Meetings and School Improvement Meetings with building administrators, Columbia Education Association management meetings with the Superintendent, Grievance Procedures, and Collective Bargaining Agreements outlining protected rights of teachers and non-certified staff. Union Agreements provide teachers and non-certified staff with representation for any employment matter that would include any type of perceived retribution due to voicing a concern. There have been no examples provided of any type of retaliation due to making a complaint and no grievances filed with the administration since Dr. Segobiano joined Columbia CUSD 4.

Columbia CUSD 4 School District Budget

The Superintendent is responsible for the \$22,000,000 budget for the school district, and she is considered the primary steward of taxpayer's money. Each year, the board of education approves a balanced budget, and each year the end fund balances are maintained to provide ample reserves for long-range planning and/or unexpected expenditures. An example of maintaining financial stability is the most recent late issuing of property tax bills. Columbia CUSD 4 was able to operate for half of a school year without issuing tax anticipation warrants or borrowing money to pay bills and meet payroll. Other indicators for a solid and exemplary school budget is the school district's Financial Profile Score. The Illinois State Board of Education evaluates a school district's financial health by looking at five indicators in order to provide a Financial Profile Designation. Since 2010, Columbia CUSD 4's Financial Profile Score has been the highest rating of "School Recognition." For the past three years, the profile score was a 3.90 (out of 4.00) which is higher than the majority of school districts in the metro area. Lastly, in order to ensure financial compliance, all school districts in Illinois are required to complete an Annual Full Financial Audit – Title 23, Illinois Administrative Code, Subtitle A, Chapter I, Subchapter C, Part 10. A qualified and independent auditor audits annual financial records. Columbia CUSD 4's annual audits have always had a "clean" determination with no findings. If interested, one can access complete financial information on the district's website that includes a history of budgets, Annual Financial Statements, and Statement of Affairs.

School District relations with the Regional Office of Education

The Illinois School Code defines the roles and responsibilities of the Regional Office of Education whose primary purpose is to support school district's in which the ROE serves. The ROE Superintendent has shared his opinion publicly questioning some of the board of education and superintendent's decisions as well as commenting on district programs. Columbia's Board of Education is seeking clarification from the Illinois State Board of Education as to the jurisdiction the ROE Superintendent has in regards to the management and operations of the school district. As far as relations with the ROE, the school board and Superintendent have only expressed publicly the frustration with the time delay with building permits and not receiving the Health Life Safety reports for each school so that any safety issues can be corrected. There is no reason any relationship issues should exist, for the school district and ROE have identified functions outlined in the Illinois School Code and should complement and support one another in the work of educating our students.

Final Words....

In closing, Columbia School District is comprised of dedicated board members, administrators, teachers, and staff who work very hard to offer the best educational opportunities for our students. In addition, our parents and community at large are recognized as integral factors for the success of our schools and students. Working together to support our school district will only make Columbia CUSD 4 and the entire community stronger and stronger. Issues will surface from time to time, but if conveyed and by working together, those issues can be addressed and resolved.

For any questions, concerns, or to request additional information, please send inquiries to the office of the Superintendent at segobiano.gina@columbia4.org. Thank you in advance for your time and consideration. It is our intent that this document will answer any questions and/or uncertainties.