Via Electronic Mail

Ms. Joan Brandeis
joan.gundlach@comcast.net

RE: RESPONSE TO FOIA REQUEST 19-016

Dear Ms. Brandeis:

Thank you for writing to Hinsdale Township High School District No. 86 with your request for information pursuant to the Illinois Freedom of Information Act ("FOIA"), 5 ILCS 140/1 et seq., received on August 24, 2018. The District previously notified you of the need for an extension of time, and we now provide the District’s timely response to your request.

You requested the following:

All email communication between community members and the BOE/D86 Administration regarding any aspects of the recent accusation of racist comments made during audience communication at the July 18th special board of education mtg

Your request is granted in part and denied in part. See enclosed documentation. The District has redacted the identities and identifying information of private citizens and students (but not public officials) who contacted the District to express their personal opinions and concerns, as the release of such information would “constitute a clearly unwarranted invasion of personal privacy.” 5 ILCS 140/7(1)(c); see Chicago Alliance for Neighborhood Safety v. City of Chicago, 348 Ill. App. 3d 188, 209, 211 (1st Dist. 2004) (“[T]he core purpose of the FOIA is to expose what the government is doing, not what its private citizens are up to.”). The District has also redacted “private information” pursuant to FOIA Section 7(1)(b). See 5 ILCS 140/2(c-5).

You have a right to have this response reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

You also have the right to seek judicial review of any denial by filing a lawsuit in the State circuit court. 5 ILCS 140/11. If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this letter when filing a Request for Review with the PAC.

As the District’s FOIA Officer, I am responsible for the District’s response to your requests, in consultation with the District’s Superintendent. If I have misunderstood your requests in any way, please clarify your requests in writing to me.
Sincerely,

FOIA Officer
Hinsdale Township High School District 86
630.655.6100
FOIA-Officer@hinsdale86.org
FOIA Log
Dr. Law and members of the Board of Education,

My name is [redacted] and I have been living in the subdivision since [redacted], raising [redacted]. I am the [redacted]. I am writing to you to report an incident that occurred during the July 18th Board Meeting at Hinsdale Central.

On July 18th, the board held a special meeting to discuss how and when to sunset the Buffer Zone attendance area. That afternoon, after I got off from work, I went directly to Hinsdale Central to attend the board meeting. My [redacted], who also works in the city, went home first to [redacted]. After a quick dinner, I took [redacted] to Hinsdale Central to join the board meeting. [redacted] has been very concerned about [redacted] future high school whereabouts, and worried that [redacted] may not be able to attend the same school [redacted] attends (i.e., Hinsdale Central).

Since [redacted] joined the meeting a bit later than I did, [redacted]

I was not prepared to [redacted]. However, [redacted] I heard some comments made by a lady who looks to have passed the age to have school-aged children. She implied that since it was not a big deal for her and her siblings to attend different schools when they were at school age, it should not be a big deal for the buffer zone kids from the same family to attend different schools. I thought it was ridiculous for her to imply that her education experience which dated dozens of years ago should be used as a model for today’s children. I was also troubled by the fact that decisions that impact my children’s education are being influenced by people who showed no interest or care about education. As a parent, I felt the urge to [redacted] trying to make sense out of the discussions among these adults.

When I was [redacted], my neighbor [redacted] phone. Thanks to [redacted] recording, I was able to transcribe [redacted]. Here it is:
According to the video recording (about 1 minute and 7 seconds long), after [redacted] (at 00:47), there was a female voice in the background that said “Go back to where you came from.” Immediately after that, a male voice shouted “Lady!”

After the meeting was over, as I sat in my car getting ready to leave, a lady walked up to the side of my car and yelled at me. She called me a racist. She said I called them names, and yelled “one day you will be old too!” I looked at her in total shock and disbelief. I did not say anything to her. After finishing shouting out to me for a few minutes, the lady got in a vehicle with several other ladies (3 or 4 others) and took off. At that point, I had no idea the comment (“go back to where you came from”) was made towards me, as I did not hear it myself.

Later that night, I [redacted] and shared my experience after the board meeting (being called a “racist” at the parking lot by a lady that seems to be a part of FSF). [redacted] who is also a [redacted] resident and a member of the chat group responded to me with the following:

> [redacted] she called you racist but her comment while you were speaking was “go back to where you come from” wasn’t racist.

> The lady sitting outside mumbled to the other lady

[redacted] later identified that [redacted] was the voice that yelled “Lady!” when the racist comment was made. He also posted the following comments on the facebook “D86 strong” group:
In addition to the witnesses listed above, another important piece of evidence is the video recording that includes the audio in which the lady’s comments can be vaguely heard. The video was sent to a professional shop, and is currently being analyzed and enhanced in order to hear the lady’s voice better. Once the video is ready, I will forward a copy to you all.

Since the lady was not captured in the video, I could not identify her. However, if there are any pictures of the audience that were taken during the meeting (for example, pictures that were taken by the Tribune reporter that was present), may be able to identify her.

I cannot identify whether or not she is a member of FSF. My understanding is very few people has publicly identified themselves as “FSF”. However, based on comments, the lady clapped and agreed everytime a FSF member spoke in front of the board.

This was an unfortunate event. Considering the context of the lady’s comments, her racial slurs were targeting not only me, but also, implying “going back to where we came from” was a solution to concern about possibly not being able to
attend the same school as a result of the boundary change. As a , I’m just thankful that was sitting far away from the lady so could not hear these senseless comments.

Considering the serious nature of the incident and the fact that it occurred during the board meeting, I’d like to request the BOE to conduct a full investigation of the matter. This incident should not have happened in the first place, nor can it be tolerated by this community.

Thank you for looking into this. Thank you for your time and your service to this community.

Regards,
Dear Sir/Madam:

As one of D86 BZ residents, I respectfully urge BOE to launch an investigation into the incidents (For more details, Please visit: occurred during last School Board Meeting at July 18th, 2018. After an effective investigation, some appropriate actions should be taken, such as: banning the FSF, as a racist group, from participating in any School Board Meeting in the future.

“GO BACK TO WHERE YOU CAME FROM”, these words are officially documented as racial discrimination languages. This incident is an alleged hate crime! It shouldn’t be simply described as “sad”, “insult”, “sorry”, “unbelievable”, “terrible”, “inexcusable”, etc. We should not let the FSF group walk away, happily ever after, as if nothing has happened. The corrective actions, banning the FSF, for example, should reduce the possibility that the same kind of incidents will recur, send out strong messages supporting Zero Tolerance Policy on racial discrimination in D86.

Again, as one of fellow D86 BZ residents, I urge BOE to launch an investigation which can prevent the same kind of incidents if appropriate actions are taken, banning the FSF as a racist group, after an effective investigation.

Sincerely,
I am told the Board President will be addressing at the next Board meeting August 6 the incident that has been widely reported in social media to have taken place July 18, including what a Board of Education has the power to do in response to this alleged incident.

I just want to make sure that you know that the Board is well aware of what reportedly happened and that it will come up at the meeting Monday.

Bruce

Bruce Law, Ed.D.
Superintendent
Hinsdale Township High School District 86
5500 S Grant Street
Hinsdale, IL 60521
630-655-6110
Dear Dr. Law and members of the Board of Education,

Same as , I am also a minority resident lived in subdivision.
I was sitting next to during the 7/18 board meeting. We were behind the FSF ladies. When was speaking to the board, I was recording speech using my phone. I did not pay attention to what the ladies in front of us were saying. However, I did notice their body language as they were whispering to each other. Those ladies seem to be very irritated by remarks. I also heard say “Lady!” in very firm and strong voice. I found out later from that was reacting to the lady’s remarks (“go back to where you come from”)

From video, we can clearly hear “I hate them!” from one of FSFs who dressed in blue and sit in the 2nd seat in the first row. That lady who said “I hate them” spoke as FSF at that night meeting.

After “I hate them!” said by the FSF lady who dressed in blue, another FSF said “Go back to where you come from”. Even the video did not capture the person’s image, we can reasonably assume the person should be another FSF who sit closely with since reacted to the words immediately from what we can see from video.

Those ladies from FSF look like do not have school age kids. Based on that, I could not see any motivations which can make them attend every board meetings to request board to move students or grade center other than the motivations to boost their property values and anti tax.

More ridiculous, those ladies even follow to parking lot to yell “racist” after meeting. The racial slur attack and stalking in the school parking lot is appalling. It is even worse for these to happen in a school board meeting! This unacceptable racism brings negativity into our lives and more divides our community.

I wish board can take below actions for the incident:

1. Full investigation of the incident;
2. Publicly condemn the racial attack;
3. Take action against the offenders(ban those FSF from future board meetings if those racists from the group FSF confirmed after investigation).

The Board has the responsibility and legal liability to ensure the school district is a fair and non-discriminatory organization. We already know board and Dr. Law are well aware of this alleged incident. Thank Board and Dr. Law are working on the issue. It has no place and no tolerance for anything like this especially in school district!

BZ resident

Sent from my iPhone
Hello Board Members,

My name is [redacted] and I [redacted] and is the person that told [redacted] about the lady used "go back to where you come from" comment on July 18th meeting. Though the Recording the board had from that meeting didn't capture the comment, we do have video that can heard the comment clearly. If anyone wish to reach out, you can email or call [redacted], though email is better as I usually filter my call.

I am very appreciated of all the board members that commented about this issue and addressed the audience, in this day and age, there shouldn't be any room for racist comment, especially within such a diversify D86 community. I moved from [redacted] at a young age and lived in [redacted] above) where my siblings and I are the only [redacted] within the entire K12 school district and you can use 2 hands to count all the minorities including African American and I never hear a comment like this. It is very unfortunate this happened and I regretted for not stopping the meeting and raise my voice.

I want to reiterate [redacted] from last night. I don't go to these meetings because I think Hinsdale South is bad, I go to these meetings because I am a concern [redacted] for my children's safety.

I agreed with the elimination of the buffer zone as this is clearly not fair for everyone but I do want everyone to know when we bought our house in [redacted] within the [redacted], we never hear the word "Buffer Zone" from any of the realtors we worked with and at the time we lived in [redacted]. We bought the house because of the option and choice. Many of my neighbors told me when their children reached high school age, they let their children choose which school they want to attend and a lot of them ended up going to Hinsdale South and are very proud to tell me their children received top notch education. My children are [redacted] and we don't know if we will be living in this area by the time they reach High School, but this option and choice is gone so I want to fight for them, when they do reach high school I want them to be able to [redacted] [redacted] and that is Hinsdale Central. There are way too many distracted drivers out there and I see people running stop lights and signs daily, knowing they can travel to school daily without requiring to cross any [redacted] is very important.

Since you voted on Sun Setting, I assume you already decided on splitting up the buffer zone, my ask from each board member is to please consider Proximity and Safety as your top priorities when you vote to hard-line the boundary.

Thank you for your time and service!
Dr. Law and members of the D86 Board of Education,

At the August 6th meeting, I received feedback from Dr. Law that he did not see the video that I sent on August 5th. I’m re-sending the link of the video (which was sent to the board last Sunday): [Link]

After you receive this email, I would appreciate it if you could let me know whether you are able to view the video.

In the August 6th Tribune report on “Hinsdale School District 86 addresses report of racist comment towards Asian-American parent” (Hinsdale School District 86 addresses report of racist comment toward Asian-American parent),

Mr. Bill Carpenter was quoted to say “We know there are two sides to every story. We heard one side”. If you hear the other side of the story, I would love to hear it. Now that the story is out in the public, not only do I want to hear the other side of the story, but also we owe to the public both sides of the story.

Earlier (more than two weeks ago) I was told that the board was reviewing security camera footage to see if the incident happened on the parking lot was captured. I would like to know if what is the status and result of that review.

Thank you again for your faithful services to this community.
Sincerely,

P.S. the following is the email and video link sent to the Board and Dr Law last Sunday.

On Sunday, August 5, 2018, 4:28:43 PM CDT, wrote:

Dr. Law and members of the Board of Education,

Thank you for the follow-up on the report of racial slur attack at the July 18th board meeting. As promised, I’m sharing with you all the video that was recorded at the meeting and captured the voice of the discriminatory comments made by a female audience member. Here is the link to the video:  

The video is about 1 minute and 6 seconds long. It recorded my speech during the audience discussion session. At 00:46, a female voice can be heard in the background saying “go back to where you came from”.

I look forward to prompt, appropriate actions and responses from the Board of Education to prevent this type of incident from happening again in future board meetings.

Due to the size of the video (54 megabytes), I uploaded it to YouTube so it can be easily shared with the members of the BOE. This video has not yet been made public. Please only share among yourselves.

A lot thanks for your service to our community!

Sincerely,
On Tuesday, July 24, 2018, 1:02:17 AM CDT, BOE <boe@hinsdale86.org> wrote:

This email sent to BoE@hinsdale86.org was forwarded automatically to all seven current board members, as well as copied to the Superintendent.

Thank you for your e-mail. While we may not respond to every email, please be assured that every e-mail received is read and carefully considered. We appreciate questions, comments and feedback.

Kindly be advised that any communication received may constitute a public record which may be released under the Freedom of Information Act when and if applicable.

Illinois General Assembly Freedom of Information Act
Dear District 86 Board and Administration,

I’m a resident in the D86 area and I’m writing to express my profound disapproval of your behavior which is highlighted in this article: [http://www.chicagotribune.com/suburbs/hinsdale/news/ct-dhd-d86-racist-comment-tl-0816-story.html](http://www.chicagotribune.com/suburbs/hinsdale/news/ct-dhd-d86-racist-comment-tl-0816-story.html)

How shocking that you would respond so forcefully and vocally to a story that is 100% unsubstantiated by any witness and based entirely on a Facebook rumor started by one person, a person who has a stated agenda they are trying to advance! How shocking that you react to this, probably false report, but at the same time fail to see that you have engaged in and enabled bigotry and discrimination of another type that is plain as day for all to see.

Many in the public and online have expressed sympathy for the alleged victim and shown disgust for comments like “go back to your country”. I certainly agree that if that outburst occurred, it should not be tolerated. However, it is questionable that this alleged incident even happened.

The FACT is only ONE person heard the alleged statement. No one else claims to have heard those words and no one has any video or recording of it. Surely if they did, they would have made such public by now. The alleged comment was not picked up on the recording of the meeting, even though other off-camera comments and noises are picked up. When watching the meeting video, the board shows no indication, not one flinch, blink or twitch, of hearing anything, yet they do react to other off-camera noises and activity in the video. The FACT is, the witness, and friend, the who was speaking when the alleged incident occurred, have changed their story multiple times to walk back some of the claim they originally made, including that the comment had been shouted and that shouted back.

I was not in attendance that night but I had many friends who were. None of them heard this. Most of them were sitting right near the area where this allegedly occurred. Instead, I say it was a figment of the imagination of an emotionally-charged person who has an agenda that is very important to . After all, the alleged victim and friends are part of the crowd that got out of control at a prior meeting where police were brought in to restore order after they shouted the board off the stage and threatened the superintendent. Clearly, the sole witness to this alleged incident is not that credible and certainly can’t treated as an honest-broker.

Moreover, the school board and administration show complete ignorance and bias. While the newspaper headline blares, “Hinsdale School District 86 addresses report of racist comment toward Asian-American parent,” you all have engaged in and enabled bigotry by doing nothing to addresses the fact that the alleged victim, plus many other people, have repeatedly called a group of citizens attending these meetings “old ladies.” Is the board not aware, that is just as bad as yelling racial slurs in public? In the FB thread started by , the group also made claims, in writing with no
proof, that those "old women" are part of a racist hate group, while one commenter even said they might have guns in their purses. Should the board engage in and amplify stories like that?

Federal law protects individuals from discrimination or harassment based on protected classes including age (over 40), race, national origin, religious beliefs, gender, disability, pregnancy, or Veteran status. Repeatedly calling them “old ladies” is ageism in my book because it involves the stereotyping of and discrimination against individuals or groups on the basis of their age. In this case, the alleged victim has repeatedly claimed something like he is tired of hearing stories from 50 years ago that these old ladies are telling, as if to try and say their opinions are invalid due to their age. By ignoring all of this and yet vocally addressing the alleged incident involving the Asian American Central parent, the board’s bias and discrimination is once again revealed.

Finally, there was another person who spoke at that meeting. An African American woman who lives in the buffer zone told [REDACTED] was being harassed at Central. The alleged harassment was so bad, even the administration and school counselors seemed to be engaging in it. At one point, [REDACTED] was told, [REDACTED] There was potentially more harassment of the entire family when police from Willowbrook, Hinsdale, and the Central resource officer came to their home regarding [REDACTED]. No one apologized for that. The woman moved [REDACTED] to South. Apparently the [REDACTED] However, because [REDACTED] lives so much closer to South, 1.5 miles or less, she no longer gets bus service. The mother was saying that [REDACTED].

Why didn’t the board use its bully pulpit to put a spotlight on this racism, discrimination, and hardship? Why didn’t you act to resolve the pain this family has faced? Is it because you do not think a hard-working African American women deserves your attention and help? Is your agenda to promote Central over South? Or is it just to allow community members to denigrate any opponents of your reckless plans?

You are now obligated to speak out on the bigoted and ageist behavior (perhaps misogynistic, too, as it’s always women that are falsely accused with this group) exhibited by the community. You are now obligated to own up to the discrimination and harassment faced by that woman and her daughter. Until that happens, it is crystal clear that this board just does not get it.

Best,

______________________
Zach Mottl
Open mouth, insert foot. If you really want maximum reaction, I suggest you publish your letter on your Village website. In the meantime, you might want to pray that no one issues a foia to the District requesting the same.

Have a good day.

Keith Chval, Member
District 86 Board of Education
Are you threatening me, again Mr. Chval? You seem to have an anger issue and resort to threats as your 1st response. While you are pointing at me, notice the three fingers pointing right back at you.

And yes, this is going to be published. It's already been distributed widely, including to several publications.

I am not ashamed. You all should be.

Best,

Zach Mottl
Sir,

If you interpret that as a threat, you're clearly in the wrong line of business. If you can't stand the heat, get out of the kitchen.

Regards.

Keith Chval, Member
District 86 Board of Education
I’m about to turn up the heat on all of you. What we need is to get wasteful, bigoted, elitist, racists such as yourself out of office. You do not deserve the trust and responsibility that has been bestowed on you.

In case you have not noticed, I’ve done everything I promised I would when I visited your meeting last September. You all have not even seen the beginning of what is coming your way.

I suggest you employ less bravado and more wisdom. Good luck!

Best,

Zach Mottl
Lol! Is this the same guy who just a couple of emails earlier was whining about being threatened?

Please, don't flatter yourself. In all honesty, I nary paid attention to you and your mayor's grandstanding and hot air when you were at the meeting, and I've paid even less attention to you since then.

From the little bit that I know, sounds like you have more than enough in your village to keep yourselves busy if you actually were interested in public service. Since you've offered a suggestion, I'll return the favor: you may want to keep focused on your own sandbox while you still have one to play in.

Have at it, my friend.

Keith Chval, Member
District 86 Board of Education
From: Camden, Kevin
To: Zach Mottl; Chval, Keith; BOE
Subject: Re: STOP the Bigotry Misogyny and Ageism
Date: Thursday, August 23, 2018 10:12:27 PM
Attachments: image002.png

I’m sorry, I do not recall your promise from September. Would you provide the list again?

Kevin P. Camden
Hinsdale Township High School District 86

---

From: Zach Mottl
Sent: Thursday, August 23, 2018 3:02:43 PM
To: Chval, Keith; BOE
Subject: RE: STOP the Bigotry Misogyny and Ageism

I’m about to turn up the heat on all of you. What we need is to get wasteful, bigoted, elitist, racists such as yourself out of office. You do not deserve the trust and responsibility that has been bestowed on you.

In case you have not noticed, I’ve done everything I promised I would when I visited your meeting last September. You all have not even seen the beginning of what is coming your way.

I suggest you employ less bravado and more wisdom. Good luck!

Best,

Zach Mottl
No, sir.

Kevin P. Camden
Hinsdale Township High School District 86

Have you received the list off-group, Kevin? I'm interested to see Mr. Mottl's promises from last September so that I can know what to expect.

Keith Chval, Member
District 86 Board of Education
Via Electronic Mail

Joan Gundlach Brandeis

RE: 19-016 Notice of 5-day Extension

Thank you for writing to Hinsdale Township High School District No. 86 with your request for information pursuant to the Illinois Freedom of Information Act (“FOIA”), 5 ILCS 140/1 et seq., received on August 24, 2018.

You requested the following:

All email communication between community members and the BOE/D86 Administration regarding any aspects of the recent accusation of racist comments made during audience communication at the July 18th special board of education mtg.

Under FOIA, a public body may extend the time to respond to a FOIA request by up to 5 business days for a limited number of reasons. 5 ILCS 140/3(e). We are extending the time to respond to your request by 5 business days for the following reasons:

(v) the requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure under Section 7 of this Act or should be revealed only with appropriate deletions;

(vi) the request for records cannot be complied with by the District within the initial five business days allowed under FOIA without unduly burdening or interfering with the District’s operations;

Accordingly, we will respond to your request by September 10, 2018.

Sincerely,

FOIA Officer
Hinsdale Township High School District 86
630.655.6100
FOIA-Officer@hinsdale86.org
FOIA Log