



Jessica Miller <jmiller@panaschools.com>

Freedom Of Information Request

7 messages

Michael Henry <michaelfhenry@live.com>

Thu, Feb 5, 2026 at 10:31 AM

To: Michael Henry <michaelfhenry@live.com>

Cc: "dveile@cusd1.org" <dveile@cusd1.org>, "kelle.bunch@libertyschool.net" <kelle.bunch@libertyschool.net>, "esmith@cusd3.com" <esmith@cusd3.com>, "scott.riddle@cusd4.com" <scott.riddle@cusd4.com>, "mcguirla@qps.org" <mcguirla@qps.org>, "lan.eberle@bchornets.com" <lan.eberle@bchornets.com>, "odaniellb@beardstown.com" <odaniellb@beardstown.com>, "mneathery@virginia64.com" <mneathery@virginia64.com>, "azahm@a-central.us" <azahm@a-central.us>, "jwaggener@franklinhigh.com" <jwaggener@franklinhigh.com>, "rpipher@waverlyscotties.com" <rpipher@waverlyscotties.com>, "twalker@mcsd11.net" <twalker@mcsd11.net>, "adean@triopiacusd27.org" <adean@triopiacusd27.org>, "sptacek@jsd117.org" <sptacek@jsd117.org>, "kylee.orr@phwolves.com" <kylee.orr@phwolves.com>, "capps@griggsvilleperry.org" <capps@griggsvilleperry.org>, "rtepen@pikeland.org" <rtepen@pikeland.org>, "dpowell@westerncusd12.org" <dpowell@westerncusd12.org>, "jabell@winchesterschools.net" <jabell@winchesterschools.net>, "bpennock@bluffs-school.com" <bpennock@bluffs-school.com>, "cbowman@mgschools.com" <cbowman@mgschools.com>, "wolson@bccu2.org" <wolson@bccu2.org>, "pmurphy@ga.mohawks.net" <pmurphy@ga.mohawks.net>, "bbruley@tcusd3.org" <bbruley@tcusd3.org>, "afrancis@ecusd4.com" <afrancis@ecusd4.com>, "jmiller@panaschools.com" <jmiller@panaschools.com>, "cclark@southforkschools.com" <cclark@southforkschools.com>, "cadam@altamontschools.org" <cadam@altamontschools.org>, "plark@beehercity.org" <plark@beehercity.org>, "cjackson@dieterichschools.org" <cjackson@dieterichschools.org>, "johnsona@unit40.org" <johnsona@unit40.org>, "sturgenom@ttown.k12.il.us" <sturgenom@ttown.k12.il.us>, "dlund@bcusd201.com" <dlund@bcusd201.com>, "tportz@stelmo.org" <tportz@stelmo.org>, "jgarrison@vandals203.org" <jgarrison@vandals203.org>, "mritter@ramseycusd.org" <mritter@ramseycusd.org>, "ahopper@panhandleschools.com" <ahopper@panhandleschools.com>, "hmcbrain@hillsboroschools.net" <hmcbrain@hillsboroschools.net>, "kmcclain@litchfieldpanthers.org" <kmcclain@litchfieldpanthers.org>, "scottdoerr@nokomis.k12.il.us" <scottdoerr@nokomis.k12.il.us>, "cschug@district100.com" <cschug@district100.com>, "mcascio@nbcusd.org" <mcascio@nbcusd.org>, "terrell.yarbrough@harlem122.org" <terrell.yarbrough@harlem122.org>, "kfreedlund@kinnschools.org" <kfreedlund@kinnschools.org>, "czizekc@prairiehill.org" <czizekc@prairiehill.org>, "rwlodek@shirlan134.com" <rwlodek@shirlan134.com>, "Phelps@rockton140.org" <Phelps@rockton140.org>, "ehren.jarrett@rps205.com" <ehren.jarrett@rps205.com>, "mdugan@hononegah.org" <mdugan@hononegah.org>, "nbutenhoff@sb320.org" <nbutenhoff@sb320.org>, "carlcarlson@pecschools.com" <carlcarlson@pecschools.com>, "kalberstett@cusd322.org" <kalberstett@cusd322.org>, "schwuchowj@winnebagoschools.org" <schwuchowj@winnebagoschools.org>, "heinzl@ccsd15.net" <heinzl@ccsd15.net>, "michael.connolly@ccsd21.org" <michael.connolly@ccsd21.org>, "dangelaccio@d23.org" <dangelaccio@d23.org>, "smallek@sd25.org" <smallek@sd25.org>, "jmegerle@rtsd26.org" <jmegerle@rtsd26.org>, "deiter.j@nb27.org" <deiter.j@nb27.org>, "jpearson@northbrook28.net" <jpearson@northbrook28.net>, "stangee@srd29.org" <stangee@srd29.org>, "etammaru@district30.org" <etammaru@district30.org>, "emurphy@district31.net" <emurphy@district31.net>, "ddelli@glenview34.org" <ddelli@glenview34.org>, "wanga@glencoeschools.org" <wanga@glencoeschools.org>, "kellytess@winnetka36.org" <kellytess@winnetka36.org>, "arreguins@avoca37.org" <arreguins@avoca37.org>, "kdonegan@kenilworth38.org" <kdonegan@kenilworth38.org>, "cremasck@wilmette39.org" <cremasck@wilmette39.org>, "andyduross@sd54.org" <andyduross@sd54.org>, "mgorr@d57.org" <mgorr@d57.org>, "bresnahan.terri@ccsd59.org" <bresnahan.terri@ccsd59.org>, "amadeim@d62.org" <amadeim@d62.org>, "sschleizer@emsd63.org" <sschleizer@emsd63.org>, "bcollins@d64.org" <bcollins@d64.org>, "turnera2@district65.net" <turnera2@district65.net>, "scoleman@golf67.net" <scoleman@golf67.net>, "sgrens@skokie68.org" <sgrens@skokie68.org>, "clausonm@skokie69.net" <clausonm@skokie69.net>, "mcondon@mgsd70.org" <mcondon@mgsd70.org>, "jkosirog@niles71.org" <jkosirog@niles71.org>, "cwhittaker@fairview72.com" <cwhittaker@fairview72.com>, "pgoldberg@eps73.net" <pgoldberg@eps73.net>, "ckyle@sd735.org" <ckyle@sd735.org>, "drusso@sd74.org" <drusso@sd74.org>, "campbellm@eths202.org" <campbellm@eths202.org>, "tragosp@newtrier.k12.il.us" <tragosp@newtrier.k12.il.us>, "tbonuma@maine207.org" <tbonuma@maine207.org>, "jucampbell@d211.org" <jucampbell@d211.org>, "scott.rowe@d214.org" <scott.rowe@d214.org>, "thomoo@d219.org" <thomoo@d219.org>, "rgravel@glenbrook225.org" <rgravel@glenbrook225.org>, "bpender@rosemont78.org" <bpender@rosemont78.org>, "kkopta@pennoyerschool.org" <kkopta@pennoyerschool.org>, "mguzik@norridge80.net" <mguzik@norridge80.net>, "mkartsimas@sd81.org" <mkartsimas@sd81.org>, "giralodod@d83.org" <giralodod@d83.org>, "dkatzin@d84.org" <dkatzin@d84.org>, "jprather@rhodes845.org" <jprather@rhodes845.org>

Dear District FOIA Officer,

This is a request under the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq.
I request copies of the following public records:

From 2019 thru the present please provide Documentation the District Complied with Illinois law and Performed the Background checks the District Superintendent is supposed to perform of who ever is designated to perform

The Background Checks for Board members Prior to them being Goven the Oath Of Office.

Please Provide the background reports as Required under Illinois Law for each School Board elected in the State Of Illinois from 2010 Present, Performed by Each of the Government Entities in this Email.

Under Illinois Law (105 ILCS 5/10-21.9), the legal responsibility to initiate and ensure that criminal background checks are conducted on school board members—prior to being sworn into office—lies with the School District, typically managed by the Superintendent or the Board’s designated Human Resources Department/officer.

Key Details on Responsibility and Process:

- Legal Mandate: Illinois law requires that school board members, who are essentially considered "applicants" for the position of managing the school district, must submit to a fingerprint-based criminal history records check.
- Responsible Party: The School District must initiate these checks, which include fingerprint-based checks through the Illinois State Police (ISP) and the Federal Bureau of Investigation (FBI).
- Databases Searched: The required background check includes:
 - Illinois State Police (ISP) Criminal History Records Information.
 - Federal Bureau of Investigation (FBI) national crime information databases.
 - Statewide Sex Offender Registry.
 - Statewide Murderer and Violent Offender Against Youth Reg

I am requesting these records for a non-commercial purpose
If there are any fees for searching or copying these records, please inform me if the cost will exceed \$50.00

However, I request a waiver of all fees because the disclosure of this information is in the public interest.

As provided by law, I expect a response within five working days.
Sincerely,

Jessica Miller <jmiller@panaschools.com>
To: Michael Henry <michaelfhenry@live.com>

Fri, Feb 6, 2026 at 12:55 PM

Dear Mr. Henry:

Thank you for writing to the Pana Community Unit School District 8 with your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq. On February 5th, you requested the following documents:

*This is a request under the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq.
I request copies of the following public records:*

From 2019 thru the present please provide Documentation the District Complied with Illinois law and Performed the

Background checks the District Superintendent is supposed to perform of who ever is designated to perform The Background Checks for Board members Prior to them being Given the Oath Of Office. Please Provide the background reports as Required under Illinois Law for each School Board elected in the State Of Illinois from 2010 Present, Performed by Each of the Government Entities in this Email. Under Illinois Law (105 ILCS 5/10-21.9), the legal responsibility to initiate and ensure that criminal background checks are conducted on school board members—prior to being sworn into office—lies with the School District, typically managed by the Superintendent or the Board’s designated Human Resources Department/officer.

Key Details on Responsibility and Process:

Legal Mandate: Illinois law requires that school board members, who are essentially considered "applicants" for the position of managing the school district, must submit to a fingerprint-based criminal history records check. Responsible Party: The School District must initiate these checks, which include fingerprint-based checks through the Illinois State Police (ISP) and the Federal Bureau of Investigation (FBI). Databases Searched: The required background check includes: Illinois State Police (ISP) Criminal History Records Information. Federal Bureau of Investigation (FBI) national crime information databases. Statewide Sex Offender Registry. Statewide Murderer and Violent Offender Against Youth Reg I am requesting these records for a non-commercial purpose If there are any fees for searching or copying these records, please inform me if the cost will exceed \$50.00 However, I request a waiver of all fees because the disclosure of this information is in the public interest.

After reviewing your request and the applicable provisions of the State Code/law, the District provides the following response:

1. Background Checks for School Board Members

Illinois School Code Section 105 ILCS 5/10-21.9 requires criminal background checks for employees of a school district. This statute does not require fingerprint-based criminal history checks for elected school board members prior to taking the oath of office. As such, the District does not initiate or maintain fingerprint-based ISP or FBI criminal background reports for school board members, and no such records exist. Because the requested records do not exist, the District cannot provide documentation showing compliance with a legal requirement that is not imposed by statute.

2. Background Reports for School Board Members Statewide (2010–Present)

The District does not possess records for school board members elected in other Illinois school districts or records maintained by other governmental entities. FOIA applies only to records that a public body has in its possession or control. The District is not required to create records or obtain records from other public bodies in response to a FOIA request. Accordingly, this portion of your request is denied.

3. Privacy Considerations

Even if such records existed, criminal history background checks would constitute highly personal and private information. Disclosure of such records would be exempt from disclosure under FOIA Sections 7(1)(b) (private information) and 7(1)(c) (unwarranted invasion of personal privacy), 5 ILCS 140/7.

You have the right to request a review of this response by the Illinois Attorney General’s Public Access Counselor (PAC) within 60 calendar days of the date of this letter.

Requests for review must be submitted in writing to:

Public Access Counselor
Office of the Illinois Attorney General
500 South Second Street
Springfield, Illinois 62701
publicaccess@ilag.gov

Please confirm receipt of this email and response to your FOIA request.

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Jessica L. Miller
Superintendent
Pana CUSD 8
jmiller@panaschools.com



jmiller@panaschools.com <jmiller@panaschools.com>
To: michaelfhenry@live.com, michaelfhenry@live.com

Fri, Feb 6, 2026 at 12:56 PM

Your message

To: michaelfhenry@live.com
Subject: Freedom Of Information Request
Sent: 2/5/26, 10:31:49 AM CST

was read on 2/6/26, 12:56:24 PM CST

Michael Henry <michaelfhenry@live.com>
To: Jessica Miller <jmiller@panaschools.com>

Fri, Feb 6, 2026 at 1:35 PM

Please provide copies of any Legal opinions that you have that support your claim
the District is not required to perform the checks.

In additional provide all correspondence with the Illinois State Board of election from January 1, 2019 thru
present.

Please provide copies of all court rulings you claim support you non compliance claim.

The ISBE has confirmed you are required by law to perform them



Thank you for your interest in public records of the Illinois State Board of Education. Your request has been received and is being processed in accordance with the Freedom of Information Act (5 ILCS140/) Your request was received in this office on 1/29/2026 and given the reference number F000078-012926 for tracking purposes.

Records Requested: Pursuant to Illinois Law please provide copies of all files on the elected School Board Members from 2010 thru present for Consolidated District 230 for Consolidated District 135 and Consolidated District 118.

Please Provide the background reports as Required under Illinois Law for each School Board elected in the State Of Illinois from 2010 Present,
Performed by Each of the Government Entities in this Email.

Under Illinois Law (105 ILCS 5/10-21.9), the legal responsibility to initiate and ensure that criminal background checks are conducted on school board members—prior to being sworn into office—lies with the School District, typically managed by the Superintendent or the Board's designated Human Resources Department/officer. [1, 2]

Key Details on Responsibility and Process:

- **Legal Mandate:** Illinois law requires that school board members, who are essentially considered "applicants" for the position of managing the school district, must submit to a fingerprint-based criminal history records check.
- **Responsible Party:** The School District must initiate these checks, which include fingerprint-based checks through the Illinois State Police (ISP) and the Federal Bureau of Investigation (FBI).
- **Databases Searched:** The required background check includes:

From: Jessica Miller <jmiller@panaschools.com>

Sent: Friday, February 6, 2026 12:55 PM

To: Michael Henry <michaelfhenry@live.com>

Subject: Re: Freedom Of Information Request

[Quoted text hidden]

Jessica Miller <jmiller@panaschools.com>
To: Jeff Funk <jfunk@millertracy.com>

Fri, Feb 6, 2026 at 1:47 PM

Good afternoon,

Can you please assist in drafting my second reply to this FOIA request?

[Quoted text hidden]

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Jeff Funk <jfunk@millertracy.com>
To: Jessica Miller <jmiller@panaschools.com>

Fri, Feb 6, 2026 at 3:27 PM

Jessica,

I spoke with an attorney with the ISBE Legal Department this morning; she confirmed that ISBE did **not** offer an opinion that Board members were required to submit to a criminal records check. She stated that Mr. Henry appears to have quoted his own request in the information he purports to come from ISBE. I assume the information he provided is AI-generated. In any event, it is inaccurate. Board members are not required to submit to a criminal records check. To the extent he requests copies of background checks or verification relating to the same, the response is simply "there are no documents responsive to your request." Any further interaction with him only compounds the issue.

I know he has also asked some districts for "all bonds sold by the District... if the District did not comply [*sic*] the required background checks." This request is nonsensical. I assume if he truly wanted copies of bonds sold by the District (working cash, HLS, etc.), it would have nothing to do with whether your Board members submit to a records check. I believe he is confusing that with the requirement that certain officials (such as the School Treasurer) execute a bond with a surety company. However, with the wording of the request (only if the District did not comply with "required background checks"), I am comfortable responding that "there are no documents responsive to your request" as there is no such requirement. If you have copies of bonds which have been issued and sold by the District and wish to provide him with copies of the same, you may do so. You also have the right to respond to the requester and seek clarification regarding a request; however, under the circumstances, I do not recommend that course of action.

I would advise waiting until the 5th business day after today's request (next Friday, February 13), and provide the following response: "There are no documents responsive to your request."

Please contact me if you have any questions or would like further assistance.

Jeff

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S. Jeff Funk
Miller, Tracy, Braun, Funk & Miller, Ltd.
316 S. Charter, P.O. Box 80
Monticello, IL 61856
(217)762-9416 phone
(217)762-9713 fax
jfunk@millertracy.com

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Jessica Miller <jmiller@panaschools.com>
To: Michael Henry <michaelfhenry@live.com>

Fri, Feb 13, 2026 at 9:00 AM

There are no documents responsive to your request.

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