

**Official Minutes of the
Oak Park Board of Education District 97
260 Madison Street, Oak Park, Cook County, Illinois
August 21, 2020 Special Meeting**

This meeting was held virtually using Zoom during the time of the Coronavirus pandemic. Everyone participated via electronic means.

President Broy called the meeting to order at 8:00 a.m.

ROLL CALL

Present: Broy, Kim, Spurlock, Breymaier, Liebl, Moore, and Kearney (arrived at 8:02 a.m.)
Absent: None
Also Present: Superintendent Dr. Carol Kelley, Director of Communications Amanda Siegfried, Senior Director of Technology Michael Arensdorff, Consultant Rob Grossi, and Board Secretary Sheryl Marinier.

EXECUTIVE SESSION

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Broy moved, seconded by Kim that the Board move into executive session for the purpose of Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Specific Employees or Legal Counsel for the District 5 ILCS 120/2(C)(1), at 8:00 a.m.

Ayes: Broy, Kim, Spurlock, Breymaier, Moore, Liebl, and Kearney (arrived at 8:02 a.m.)
Nays: None
Absent: None
Motion passed

OPEN SESSION

Breymaier moved, seconded by Moore that the Board move into Open Session at 8:50 a.m. All members of the Board were in agreement. The Board reconvened in Open Session at 8:55 a.m.

OPEN SESSION

ACTION ITEMS

ACTION ITEMS

3.1 APPROVAL OF MODIFIED 2021-DISTRICT CALENDAR

Breymaier moved, seconded by Moore, that the Board of Education, District 97, approve the Modified 2020-21 District Calendar, changing the winter break to align with District 200.

Ayes: Breymaier, Moore, Kim, Spurlock, Kearney, Liebl, and Broy
Nays: None
Absent: None
Motion passed.

3.2 APPROVAL OF RESOLUTION AUTHORIZING DISMISSAL OF A TENURED TEACHER

Moore moved, seconded by Breymaier that the Board of Education, District 97, approve the resolution authorizing dismissal of tenured teacher, Avivah Buie.

**RESOLUTION AUTHORIZING ISSUANCE OF NOTICE OF CHARGES AND DISMISSAL AND
HEARING RIGHTS TO AVIVAH BUIE**

WHEREAS, the Board of Education of Oak Park Elementary School District No. 97 (the “Board”) is empowered to manage and operate the schools of the District;

WHEREAS, the Board has the power to dismiss tenured teachers for cause pursuant to Sections 5/24-12 and 5/10-22.4 of the Illinois School Code;

WHEREAS, the Administration has received and reviewed information and reports describing the insubordinate, unprofessional, and inappropriate conduct of Avivah Buie, which constitute cause for dismissal of Avivah Buie as a tenured teacher in the District;

WHEREAS, after conducting a full review and permitting Avivah Buie the opportunity to respond to the Administration's concerns regarding her conduct as a teacher, the District's Administration notified Avivah Buie that it would recommend her dismissal to the Board and provided Avivah Buie with a detailed summary of the factual findings and charges to support the recommendation of dismissal to the Board;

WHEREAS, the District's Administration has recommended to the Board the dismissal of Avivah Buie;

WHEREAS, the Board has reviewed the factual findings made by the Administration in support of its recommendation and has determined that sufficient reasons exist for the dismissal of Avivah Buie, and that Buie's misconduct has caused irreparable harm to the District and is irremediable; and

WHEREAS, the Board hereby finds that the best interests of the District require the dismissal of Avivah Buie based upon her insubordinate, unprofessional, and inappropriate conduct.

NOW THEREFORE, Be it Resolved by the Board of Education of Oak Park Elementary School District No. 97, Cook County, Illinois, as follows:

SECTION 1: That the Board has considered the stated charges, reasons, and deficiencies as stated in the Notice of Charges and Dismissal set forth in Exhibit A attached to and made a part of this Resolution, and the Bill of Particulars listed in Exhibit B attached to the Resolution, and does hereby adopt such charges for the dismissal of Avivah Buie as a tenured teacher in the District.

SECTION 2: That Avivah Buie is to be dismissed as a tenured teacher by the Board in accordance with Sections 5/24-12 and 5/10-22.4 of The Illinois School Code and in conformance with the previously stated Notice of Charges and Dismissal, and that the effective date of such dismissal shall be in conformance with Section 5/24-12 of The Illinois School Code.

SECTION 3: That the President of the Board of Education is authorized and directed pursuant to Section 5/24-12 of The Illinois School Code to serve or cause to be served on 874738v2 Avivah Buie within five (5) days, a true and correct copy of this Resolution, the Notice of Charges and Dismissal attached as Exhibit A, and the Bill of Particulars attached as Exhibit B. Service is to be effectuated by sending these documents to Avivah Buie at her last known address via regular mail and by certified mail, return receipt requested.

SECTION 4: The Notice of Charges will inform Avivah Buie that she has the right to request a hearing before a mutually selected hearing officer, with the cost of the hearing officer split equally between Avivah Buie and the Board of Education, or a hearing before a Board-selected hearing officer, with the cost of the hearing paid by the Board.

SECTION 5: That if Avivah Buie requests in writing within seventeen (17) days of receipt of the Notice of Charges and Dismissal and Hearing Rights that a hearing be scheduled, the Board will grant and afford a dismissal hearing before a mutually selected hearing officer or a hearing officer selected by the Board.

SECTION 6: That the Board determines that if Avivah Buie requests a hearing in writing within seventeen (17) days of receipt of the attached Notice of Charges and Dismissal and Hearing Rights, the District’s best interests require that Avivah Buie be suspended without pay pending the dismissal hearing, effective the date this Resolution is adopted.

SECTION 7: That if Avivah Buie requests a hearing in writing within seventeen (17) days of receipt of the attached Notice of Charges and Dismissal and Hearing Rights, the District’s legal counsel, Robbins, Schwartz, Nicholas, Lifton & Taylor, Ltd., is appointed counsel for the District regarding the dismissal of Avivah Buie and is authorized to proceed with the selection of a hearing officer as provided by law.

SECTION 8: That if Avivah Buie, within seventeen (17) days of receipt of the Notice of Dismissal and Hearing Rights, does not request in writing that a hearing be scheduled pursuant to Section 5/24-12 of the Illinois School Code, Avivah Buie shall waive her right to be granted a hearing, no hearing shall be scheduled, and this dismissal shall become effective on the date of the Board’s action.

SECTION 9: That the President of the Board is authorized and directed to prepare, or cause to be prepared, and issue or cause to be issued, such other additional notices and documentation as may be necessary in order to effectuate the dismissal of Avivah Buie in accordance with Section 5/24-12 of the Illinois School Code.

SECTION 10: This Resolution shall be in full force and effect upon its adoption.

Ayes: Moore, Breymaier, Spurlock, Kim, Liebl, Broy, and Kearney
Nays: None
Absent: None
Motion passed.

PUBLIC COMMENT

There were no public comments submitted electronically for this meeting.

PUBLIC
COMMENT

ADJOURNMENT

There being no further business to conduct, President Broy declared the meeting adjourned at 8:55 a.m.

ADJOURNMENT

Board President

Board Secretary