

Jacksonville School District 117
FOIA Request For Public Records

Send To: Freedom of Information Act Officer
c/o Mike McGiles
211 West State Street
Jacksonville IL 62650
(217) 243-9411
mmc Giles@jsd117.org

From: Benjamin T. Cox
WLDS/WEAI Radio
2161 Old State Road
PO Box 1180
Jacksonville IL 62650
news@wlds.com

Descriptions of Records Request(s):

I would like to humbly request any correspondence via letter/email that Jacksonville School District 117 has received concerning certain employees request they be exempted from the State of Illinois COVID-19 vaccination mandate for all school employees by the deadline set by Governor J.B. Pritzker due to constitutional rights and/or health or religious reasons/exemptions.

Requestor's Name: Benjamin T. Cox (electronic signature)

Date: 9/15/2021



Mike McGiles <mmcgiles@jsd117.org>

JSD 117 FOIA Response

1 message

Mike McGiles <mmcgiles@jsd117.org>
To: news@wlds.com

Wed, Sep 15, 2021 at 2:38 PM

Mr. Cox,




Attached please find Jacksonville School District's response to your FOIA request.

Please respond to acknowledge receipt. Also, please let me know if you have any questions.

Mike McGiles

Mike McGiles
Director of Operations
Jacksonville School District #117
(217) 243-9411 ext. 1124
mmcgiles@jsd117.org

3 attachments

-  **FOIA Response - Ben Cox - WLDS - letter 9.15.21.pdf**
82K
-  **Letter to Board - addition 9.15.21.PDF**
6K
-  **Letter to Board - original 9.14.21.PDF**
2248K

JACKSONVILLE SCHOOL DISTRICT #117

211 W State Street
Jacksonville, Illinois 62650
Office: (217)243-9411
Fax: (217)243-6844



Mike McGiles, Director of Operations

September 15, 2021

Dear Ben Cox,

Thank you for writing to Jacksonville School District 117 with your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq.

On September 15, 2021, JSD 117 was in receipt of your request for the following records:

- any correspondence via letter/email that Jacksonville School District 117 has received concerning certain employees request they be exempted from the State of Illinois COVID-19 vaccination mandate for all school employees by the deadline set by Governor J.B. Pritzker due to constitutional rights and/or health or religious reasons/exemptions.

As the FOIA Officer for Jacksonville School District 117 I am writing to inform you that your request is granted. The requested records are attached to the email accompanying this letter.

You have a right to have the result of your request 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 a 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 the denial. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and the denial letter when filing a Request for Review with the PAC.

Sincerely,

A handwritten signature in black ink that reads 'Mike McGiles'.

Mike McGiles
Director of Operations
FOIA Officer
Jacksonville School District 117
(217) 243-9411
mmcgiles@jsd117.org

Dear Superintendent Ptacek and the Jacksonville School District 117 Board of Education:
September 13, 2021

After reading statements released by Jacksonville School District #117 (JSD117) administration regarding the COVID-19 vaccines for staff members, and the repercussions for those who “choose to not get the vaccination or to keep that information private,” we feel that JSD117 has a moral obligation to protect the rights of its colleagues. As outlined in Title VII of the Civil Rights Act of 1964, “*Title VII prohibits employment discrimination based on race, color, religion, sex and national origin.*” (<https://www.eeoc.gov/statutes/title-vii-civil-rights-act-1964>), it is unlawful to discriminate against a person or persons based on a sincerely held religious belief. By mandating weekly testing for colleagues who are choosing not to receive vaccines or not to disclose their vaccination status, you are discriminating against those individuals with sincerely held religious beliefs.

The mandatory weekly testing is in violation of our civil rights our equal employment rights. (<https://www.eeoc.gov/statutes/title-vii-civil-rights-act-1964>) Under SEC. 2000e-2. [Section 703] *Unlawful Employment Practices:*

“(a) Employer practices

It shall be an unlawful employment practice for an employer -

(1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin; or

(2) to limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin.”

In addition, according to the CDC, while the COVID-19 vaccine may reduce symptoms of illness, vaccinated individuals can and do still spread this disease, or any variant. “For people infected with the Delta variant, similar amounts of viral genetic material have been found among both unvaccinated and fully vaccinated people.” (<http://www.cdc.gov/.../2019-ncov/variants/delta-variant.html>). “People infected with the Delta variant, including fully vaccinated people with symptomatic breakthrough infections, can transmit the virus to others. CDC is continuing to assess data on whether fully vaccinated people with asymptomatic breakthrough infections can transmit the virus.”

COVID-19 and its Delta variant can and do infect both vaccinated and unvaccinated individuals and allow for the spread of the virus in both groups. Therefore, it is discrimination to mandate unvaccinated and those that choose to not disclose their vaccine status, to be tested weekly

while the vaccinated individuals are untested. Not only does this impending practice of weekly testing segregate and discriminate against employees, but it also creates a division between the two groups and places unnecessary pressure and mental health stress on all district employees, their families, and in turn...the students we serve.

At JSD117, there is a motto of "Rich History, Bright Future" and a vision for education which includes certain missions and belief statements that direct the way we care for our students, interact with our colleagues and the community we serve. Mandating weekly COVID-19 testing and discriminating against those who do not consent goes against our vision, mission, and beliefs. One such vision is "establishing a shared vision of academic excellence based on the mission of "preparing our students for successful post-secondary lives through both academics and social maturity." Respect is one concept we know is key to preparing our students for academic and social maturity. JSD117 has an obligation to respect others sovereignty over their own body. The organization should respect those choices, and not discriminate based on someone's personal health decision for their own body according to their sincerely held religious beliefs. What are we teaching our students, if we aren't showing them how to respect others, their differences, and to not discriminate against other?

JSD117 Policy 5:10 Equal Employment Opportunity and Minority Recruitment states, "The School District shall provide equal employment opportunities to all persons regardless of their race; color; creed; religion; national origin; sex; sexual orientation; age; ancestry; marital status; arrest record; military status; order of protection status; unfavorable military discharge; citizenship status provided the individual is authorized to work in the United States; use of lawful products while not at work; being a victim of domestic violence, sexual violence, or gender violence; genetic information; physical or mental handicap or disability, if otherwise able to perform the essential functions of the job with reasonable accommodation; pregnancy, childbirth, or related medical conditions; credit history, unless a satisfactory credit history is an established bona fide occupational requirement of a particular position; conviction record, unless authorized by law; or other legally protected categories."

One of JSD117's four core beliefs is that "Teachers, parents, administrators, and community leaders are partners with a shared mission." Unfortunately, communications and policies pushed down have not involved the considerations/voices of the teachers, parents, and community leaders. It is clear there is not a shared mission. Correspondence have been one from administration and the language is coercive in nature.

Wed, Aug 25, 2021 at 3:18 PM email and FB post on Jacksonville School District 117 page

"It has come to my attention that many people do not know that vaccinated individuals do not need to be quarantined if they are in close contact with a positive case. I feel this is extremely important information that everyone should know.

This is the guideline from the CDC:

'Added a recommendation for fully vaccinated people who have come into close contact with someone with suspected or confirmed COVID-19 to be tested 3-5 days after exposure, and to wear a mask in public indoor settings for 14 days or until they receive a negative test result.'

You will notice that it does not state they must quarantine. Since we have a mask mandate, we are satisfying the 14-day mask requirement.

...We are working with Morgan County Health Department to offer vaccinations for our eligible students. This will be completely voluntary and will require parent permission. Doing this helps fulfill our goal of keeping students in school. The more students and staff vaccinated means a smaller number of quarantines."

Wed, Aug 25, 2021 at 4:13 PM email and FB post on Jacksonville School District 117 page

I need to add to this legend is that if someone is vaccinated they do not need to quarantine if they are in close contact to a positive case or someone that has symptoms.

Thu, Aug 26, 2021 at 4:04 PM email

..."Once again, fully vaccinated individuals will not need to be quarantined if they are in close contact with a positive case."

Fri, Aug 27, 2021 at 4:12 PM email

Repeated..."Once again, fully vaccinated individuals will not need to be quarantined if they are in close contact with a positive case."

If the goal is to keep students and staff in school, then involve the teachers, parents, and community members. Since the CDC recommends vaccinated students, teachers, and staff should get tested 3-5 days after exposure...should that not also be a policy put into place to keep our entire educational community safe? (<https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/testing.html>) The district communication confirms there is wiggle room for the interpretation of the CDC recommendations, as it was clearly stated in the Aug 25, 3:18pm district email/FB post. Our district is choosing to ignore the CDC 3-5 day testing recommendation for the exposed vaccinated and instead only follow the 14-day mask recommendation.

The CDC recommendations for the unvaccinated states, "Unvaccinated people who have taken part in activities that put them at higher risk for COVID-19 because they cannot physically distance as needed to avoid exposure, such as travel, attending large social or mass gatherings, or being in crowded or poorly-ventilated indoor settings." Thankfully, our district has taken great measures last year and this year to ensure the safety of all with best possible physical distancing, alternative spacing for breakfast and lunch settings for students and staff, plastic

and cardboard table divider shields as needed, required masking for all, hand sanitizer throughout every building, best practices for handwashing, even masking during sporting events for the players and the fans, spacing of spectators at events, etc. The CDC does not recommend weekly testing for anyone...vaccinated or unvaccinated.

Our goal shouldn't be just "keeping students in school" and to have "smaller number of quarantines," it should be to keep everyone as safe as possible (mentally and physically) while still being able to educate students in-person. That was our goal last year and we were successful without creating undue emotional stress on all.

Concerning the weekly testing, the ingredients in the COVID-19 nasal tests being used raise concern. The swabs contain an ingredient used for sterilization called ethylene-oxide, a known carcinogen. Frequent and repeated exposure poses a serious health risk to employees and students who are being subject to such testing. Should testing be necessary for all employees regardless of vaccine status, to avoid unlawful employment practices, or to adhere to the 3-5 day testing recommendation of the CDC, the SHIELD testing process would allow for employees and students to avoid harmful carcinogens and possible adverse health events. If health is a concern, NO ONE should be subject to the toxic nasal swab testing. The testing phase should only be initiated once the SHIELD tests are obtained and are available to all.

A person's vaccination status does not determine one's ability to perform their job. By mandating weekly testing, more stress will be added to our already burdened educational system. We are experiencing teacher, substitute teacher, bus driver, support staff, and paraprofessional shortages across the board. Teachers and non-teaching staff are being asked to cover absent teacher classrooms during their planning periods/down times. Not only does this create additional stress for all involved, but our students' learning is also being sacrificed because teachers/support staff are being asked to cover classrooms where they have little to no background in the subject matter and some with no experience in teaching at all.

We know false positive test results do happen. The FDA has stated in regards to COVID-19 testing, "Laboratories should expect some false positive results to occur even when very accurate tests are used for screening large populations with a low prevalence of infection" (<https://www.fda.gov/.../potential-false-positive-results...>). It has also been proven by case studies that asymptomatic transmission is low. A study from Germany concluded that "asymptomatic cases are unlikely to contribute substantially to the spread of SARS-CoV-2" (https://wwwnc.cdc.gov/eid/article/27/4/20-4576_article). Having employees who are unable to work because of false positives will only add more strain to the remaining staff. Weekly testing requirements will undoubtedly create some false positives that will negatively impact our schools and educational process. Our colleagues will become collateral damage as they will be the ones to suffer from unmanageable workloads

Discriminating against colleagues does not bring peace to a workplace. It sets the workplace up for toxic relationships and a hostile work environment. It further divides the two groups we are creating: the vaccinated and the unvaccinated. Does this sound like the type of environment

anyone would want to work in? Or a positive environment to maximize student learning? Our district has had resignations already this year for these reasons and we believe there will be more to follow without a change in our plan going forward.

Furthermore, it is a slap in the face to our entire nursing professional staff to receive a small stipend to require them to administer weekly testing to staff. Our nurses have been pushed to their limits last year and now again this year. They already work full-time with their current workload expectations. How much is asking too much of us them? How much more emotional stress are we willing to place on the shoulders of our nurses, teachers, staff, and administration?

One last point we don't want you to forget; we showed up. We showed up every day last year. We stepped outside of our comfort zones. We did it without hesitation. We rose to the occasion because when we became educators, nurses, and support staff; we knew that was what we were signing up for...helping our students in good times and in times of great need. When the time came, we were there for Jacksonville School District 117. We continue to show up every day, fulfilling our commitment to a profession and organization we care deeply about. Please, be here for us when we need you to protect our rights, as individuals. We understand that the Governor of Illinois and now the President released a mandate for vaccines and weekly COVID testing. However, there is no regulation or state law that exists that requires the vaccine and testing requirement to be enforced. Possibly, we unite with our law enforcement and stand up for the injustices we are ALL currently facing. (see attached Cleburne County Sheriff's Office letter)

In conclusion, mandating weekly testing is not only discriminating against individuals who have made a personal health decision based off one's sincerely held religious beliefs, but it also poses a health risk to said employees, creates division among workers, and increases the workload for fellow employees if staff is sent home due to false positive test results or resignations. We have God-given sovereignty over our own bodies, and it is up to the individual to decide what treatments they decide to take, or not take. Anything else is medical tyranny pushed down by our governor/leaders and enforced by the district we love so much. It's been said we need to "stay in our lane" and that worked well for us last year. However, this is not last year and there comes a time when one must cross that lane and stand up for rights that are greater than just the individual. We must draw the line, not just for us but for our children and our children's children.

"Where you see wrong or inequality or injustice, speak out, because this is your country. This is your democracy. Make it. Protect it. Pass it on." — Thurgood Marshall

WE ARE ALL ON THE SAME TEAM and want to be heard and to be included as a part of the solution that ends the discrimination, separation, and undue stress that we are ALL feeling and experiencing in our daily lives while working for Jacksonville School District 117. These are initial supporters...and they are growing in numbers.

We are willing to work together to provide better solutions for our staff, teachers, students, parents, and community...but we do not consent.

Respectfully signed,

Michelle May, Speech-Language Pathologist at Murrayville-Woodson Elementary School

Michelle A. May

Brandi Rohn, Physical Education Teacher at Jacksonville Middle School

Brandi Rohn

Camri Brogdon, Paraprofessional, Early Years and Murrayville-Woodson Elementary School

Camri Brogdon

Elizabeth Grogan, Speech-Language Pathologist at Washington

Elizabeth Grogan

Patrick Kelly, Social Studies Teacher at Jacksonville Middle School

Patrick B. Kelly

Cheryl Kelly, Long-Term Substitute Teacher at Early Years

Cheryl Kelly — Point of contact

Dan Weigand, Bus Driver, at JSD117

Dan Weigand

Nathan Scarborough, Custodian, at Jacksonville Middle School

Nathan Scarborough

Janet Jones, Teacher's Aide at Early Years

Janet Jones

Lesa Werries, Bus Driver at JSD117 (monitor)

Lesa Werries

Sarah Kokinias, Teacher's Aide at Early Years

Sarah Kokinias

Debbie Kerr, Social Guidance Director at Lafayette Academy

Debbie Kerr (Kerr)

Hannah Bugg, Paraprofessional at South Jacksonville Elementary School

Hannah Bugg

Allison Holmes, Paraprofessional at South Jacksonville Elementary School

Allison Holmes

Belinda Whitaker, Nurse at Murrayville-Woodson Elementary School

Belinda Whitaker RN

Rachael Jones, Secretary at South Jacksonville Elementary School

Rachael Jones

Wanda VanHying, Paraprofessional at Jacksonville Middle School

Wanda VanHying

- Jessie Bonds, Teacher at Early Years

Jessie L. Bonds

- Sami Lomelino, Teacher at Early Years

Sami Lomelino

~~*Camri Brogdon*~~

- Tammie Powell, Special Ed Teacher

Tammie Powell

- Rachel Vitale, SLP - North Rachel Vitale

- Angie Lahey, Paraprofessional at Eisenhower Elem

Angie Lahey

- Dana Cottingham Fricke, Paraprofessional @ Eisenhower

Dana Fricke

- Tracy Mayberry - Cook at Julie Middle School
- Jenna Law - JMS Lunches Jenna Law
- Brooke Hoots - JMS Lunches/Kitchen
- Andy Hoots - custodian @ JHS Andrew Hoots

Meaghan Harris, Concerned Parent and Citizen
Megan Lawson, Concerned Citizen and Teacher
Crystal Shanks, Concerned Parent and Citizen
Patricia Halsne, Teacher Member within ROE, Concerned Citizen
Heather Kirby-Peters, Concerned Citizen and Teacher
Shanna Shipp, recently resigned Bus Driver at JSD117 and Concerned Citizen
Jenny Woods, Concerned Parent and Citizen
Stephanie Hipkins Bezler, Concerned Parent and Citizen
Tamara Salrin-Emerich, Concerned Citizen
Dianna Carter, Concerned Parent and Citizen
Kem L Knight Wilson, Concerned Parent and Citizen
Deb Crouse, Concerned Citizen
Sheila Brogdon Maxwell-Pate, Concerned Citizen
Joe Kindred, Concerned Citizen and Teacher
Chip Davis, Concerned Parent and Citizen
Emily Sykes, Concerned Parent and Citizen
Veronika Thies, Concerned Parent and Citizen
Deborah Wisdom, Concerned Citizen
Jane Gibbons, Concerned Parent and Citizen
Brooke Wiegand, Concerned Citizen
Erica Melcher, Concerned Parent and Citizen
Dr Douglas Reese, Concerned Citizen and Grandparent
Steve Bezler, Concerned Parent and Citizen
Jodi Brogdon, Concerned Parent and Citizen
Jerry Brogdon, Concerned Parent and Citizen
David Corbridge, Concerned Citizen
Mary Tobin-Egbert, Concerned Citizen
Lisa Suttles, Concerned Citizen

Kim Eilers, Concerned Grandparent and Citizen
Deanne Surratt, Concerned Grandparent and Citizen
Melanie Pine, Concerned Parent and Citizen
Shanan Casey, Concerned Citizen
Elizabeth Casey, Concerned Citizen
Karla Turner, Concerned Citizen
Angie Shanan, Concerned Parent and Citizen
Julie Griffiths, Concerned Parent and Citizen
Cindy Warrick, Concerned Citizen
Morgan Freed, Concerned Parent and Citizen
Dr Dennis Doyle & Shelley Doyle, Concerned Citizens
Teresa Weigand, Concerned Citizen
Melanie Workman, Concerned Citizen
Lacey Matthews, Concerned Parent and Citizen
Teddy and Sissy Brown, Concerned Parents and Citizens
Emily V. Jones, Concerned Citizen
Brittany Owens, Concerned Parent and Citizen
Julianne Wilson, Concerned Citizen
Deb Slocum, Concerned Citizen
Porsche Briggs, Concerned Citizen and Teacher
Amanda Prather, Concerned Citizen
Jessica Sims, Concerned Parent and Citizen
Patty Cook, Concerned Parent and Citizen
Dee Dee Reese, Concerned Citizen and Grandparent
Lynnda McCorkle, Concerned Citizen and Grandparent
Jason and Trista Moody, Concerned Parents and Citizens
Cynthia Broaddus, Concerned Citizen
Loren and Rosanne Hamilton, Concerned Parents and Citizens



CLEBURNE COUNTY SHERIFF'S OFFICE

914 South 9th
Heber Springs, AR 72543

Sheriff Chris Brown
ph. (501)362-8143
Fax (501)362-7386

"Service with the highest level of Integrity, Compassion, and Respect"

September 10, 2021

Re: COVID Vaccine Mandates

Since March of 2020, we have seen much controversy over COVID, mandates, restrictions, lockdowns, vaccines, and a number of other things. We have watched as this topic has divided families, friends, and coworkers. We have seen an unprecedented amount of division, hate, and contention among Americans. With the rollout of the COVID vaccines, that division has become more and more widened, and the vitriol more intense between those who believe in the vaccines, those who don't, and those who are undecided.

As law enforcement officers, our first duty and what we swear an oath to, is to support the Constitution of the United States, and the Constitution of the State of Arkansas. It is in that defense and the defense of individual liberty that the Cleburne County Sheriff's Office has not, and will not mandate the COVID vaccine for any of our employees. Just like with the flu shot, their choice to get vaccinated or not is theirs and theirs alone, and we respect their decisions.

I am not pro-vaccine, and I am not anti-vaccine. I am pro-freedom, and I am for each person's ability and responsibility to decide for themselves (in conjunction with their doctor) whether or not to get the vaccine.

I am appalled at some of the absolute dictator-like things we are seeing from the Federal Government, and several of the State Governments. It is absolute tyranny, and completely abhorrent. It flies in the face of everything our country has always stood for, and is only furthering the damage and division done to the people of this wonderful nation.

CS Lewis said this: "Of all tyrannies, a tyranny sincerely exercised for the good of its victims may be the most oppressive. It would be better to live under robber barons than under omnipotent moral busybodies. The robber baron's cruelty may sometimes sleep, his cupidity may at some point be satiated; but those who torment us for our own good will torment us without end for they do so with the approval of their own conscience."

It's time for our politicians and other public servants to stand up and remember that their first responsibility is to protect people's rights, not to run their lives.

A handwritten signature in black ink, appearing to be "CB", written over a horizontal line.

Sheriff Chris Brown

Additional names added since 9/13/2021:

Caren Helmich, Administrative Assistant at Central Office

Maghen Mathews, Teacher at Early Years

Concerned Citizens, Parents, and Grandparents:

Teresa S Wilson, Concerned Grandparent

Allison Tucker, Concerned Parent

Kassy Davis, Concerned Citizen

Jay Jones, Concerned Citizen