



## CRYSTAL LAKE ELEMENTARY DISTRICT #47

300 Commerce Drive, Crystal Lake, Illinois 60014 (815) 788-5000

[www.d47.org](http://www.d47.org)

[/D47schools](#) [@crystallakeSD47](#)

January 12, 2022

Mr. Finn Dalcassian  
[dinndalcassian@gmail.com](mailto:dinndalcassian@gmail.com)

### **Re: Freedom of Information Request**

Dear Mr. Dalcassian:

On January 6, 2021 Crystal Lake School District No. 47 received a Freedom of Information Act (“FOIA”) Request from you via email, in which you requested the following:

- 1. Any and all correspondence, including but not limited to documents, records of documents or information exchanges, any and all electronic communications such as email messages, text or sms messages or any and all information relating to any exchanges or written conversations between Crystal Lake Elementary District 47, Assistant Director, Special Education, Kristin Schmidt, and Karen Sourwine.

The time-frame for the above-requested public information may be limited to between July, 2021 to the present, most current information.

- 2. Any and all information, including but not limited to correspondence, documents, records of documents or information exchanges, any and all electronic communications such as email messages, text or sms messages or any and all information relating to any exchanges or written conversations from Crystal Lake Elementary District 47, Assistant Director, Special Education, Kristin Schmidt, to any other individual, where the conversation, content, nature or subject-matter includes, references or mentions in any way, District 158 Chesak Elementary School Social Worker, Kimberly Neilson.

The time-frame for the above-requested public information may be limited to between July, 2021 to the present, most current information.

- 3. Any and all correspondence, including but not limited to documents, records of documents or information exchanges, any and all electronic communications such as email messages, text or sms messages or any and all information relating to any exchanges or written conversations between Crystal Lake Elementary District 47, Assistant Director, Special Education, Kristin Schmidt, and specifically Huntley Community School District 158 Superintendent, Scott Rowe, where the conversation, content, nature or subject-matter includes, references or mentions in any way, District 158 Chesak Elementary School Social Worker, Kimberly Neilson.

*Educational Excellence for All Students is Our Passion and Commitment.*

The time-frame for the above-requested public information may be limited to between July, 2021 to the present, most current information.

After sending you an initial response, the district conducted an additional search for responsive documents. This correspondence will serve as a revised response. The district does not have any documents responsive to Request #1. Attached are documents responsive to Requests #2 and #3. The district is withholding two email communications responsive to Request #2 pursuant to 105 ILCS 140/7(1)(f), which exempts from disclosure preliminary drafts, notes, recommendations, memoranda, and other records in which opinions are expressed or policies or actions are formulated.

To the extent you consider this response a denial to your request; you have the right to have the denial 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](mailto:publicaccess@atg.state.il.us), Phone: 312-814-5526. If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days after the date of the denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original request for documents and the denial letter when filing a Request for Review with the PAC. You also have the right to seek judicial review of your denial by filing a lawsuit in the State circuit court. 5 ILCS 140/11.

If you have any questions, please feel free to contact me 815-788-5000.

Sincerely,



Clare F. Bourne  
Freedom of Information Officer  
Crystal Lake School District 47

FOIA REQUEST

External

Inbox



Jan 6, 2022,

**finn DALCASSIAN**  
<finndalcassian@gmail.com>

to FOIA,  
lawdal,

Kim

January 6, 2022

Crystal Lake Elementary District 47,  
300 Commerce Dr.  
Crystal Lake, IL 60014

ATTENTION: District 47's FOIA Officer  
Clare Bourne  
[FOIA@d47.org](mailto:FOIA@d47.org)

Dear Ms. Bourne,

Pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1, 4, et al, I would request the following public information:

1. Any and all correspondence, including but not limited to documents, records of documents or information exchanges, any and all electronic communications such as email messages, text or sms messages or any and all information relating to any exchanges or written conversations between Crystal Lake Elementary District 47, Assistant Director, Special Education, Kristin Schmidt, and Karen Sourwine.

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or subject-matter includes, references or mentions in any way, District 158 Chesak Elementary School Social Worker, Kimberly Neilson.

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The time-frame for the above-requested public information may be limited to between July, 2021 to the present, most current information.

My request is for legal purposes and not for commercial purposes or intent.

Standard-size, black and white copies are requested or can be substituted with email.

My email address is [finndalcassian@gmail.com](mailto:finndalcassian@gmail.com)

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Finn Dalcassian". The signature is written in a cursive style with a large, stylized initial "F".

**Finn Dalcassian**  
**Legal Affairs Counselor**  
CC: Dept File; KN-17-21

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# Concern with a current employees unethical behavior

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**email: "klschmidt@d47.org Schmidt, Kristin" Thursday, September 16, 2021 at 8:34:52 PM Central Daylight Time**  
To: email: "azehr@district158.org Adam Zehr" , email: "superintendent@district158.org Huntley Superintendent" , email: "swaughon@district158.org"  
Bcc: email: "khinz@d47.org Kathy Hinz" , email: "abrooks@d47.org Anthony (Tony) Brooks"

Good evening! As an educator, administrator and D158 parent, I wanted to bring your attention to the public behavior of one of your employees. Her daily postings on multiple social media sites are noticed, shared and flagged by many within the community due to their inflammatory nature. As a social worker myself, I hold the value and integrity of my role as a social worker as well as an educator as one of the greatest honors and privileges I am bestowed. For many weeks, your social worker Kimberly Neilson has posted multiple times a day regarding both your district's and my district's decisions around covid.

I am a firm believer of the right to freedom of speech. However, as a representative of your district, school social workers as a whole and an Illinois educator, she continues to cross the line to what I believe has become unethical behavior. I have attached just a few screenshots from the last week or so. As I mentioned, she posts multiple times a day, often during the work day. In recent days, she has encouraged not only suing districts but also arresting educators for felony misconduct.

While I can appreciate everyone having varying opinions on the things we are dealing with as districts and the decisions we are being asked to make, I also believe that it is our duty as educators and representatives of our districts to conduct ourselves in a professional manner. If this were one of my employees, I would want to know so that I could have a conversation around professional conduct and the way they represent their employer.

As a social worker, we are held to additional ethical standards by both the NASW and IASSW. I am including 2 of the standards I believe she has violated below.

Overall, my hope is that by becoming aware of this behavior, you will take an opportunity to address her recent actions. We as educators are under enough scrutiny by the public. Being under fire by one of our own seems avoidable and unnecessary.

I appreciate your time!

## **3.09 Commitments to Employers**

(a) Social workers generally should adhere to commitments made to employers and employing organizations.

## **4.06 Misrepresentation**

(a) Social workers should make clear distinctions between statements made and actions engaged in as a private individual and as a representative of the social work profession, a professional social work organization, or the social worker's employing agency.

**Kind Regards,  
Kristin Schmidt  
Assistant Director of Special Ed.**

“The truth of your character is expressed through the choice of your actions.”

—Steve Maraboli (born 1975)  
Author

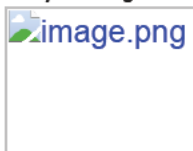


**CORE Center**  
300 Commerce Dr.  
Crystal Lake, IL 60014  
815.788.5047  
[www.d47.org](http://www.d47.org)

 Follow **@crystallakesd47** on Twitter

 Like **D47schools** on Facebook

*"Empowering All Students: Learners Today – Leaders Tomorrow"*



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**Attachments:**

- image.png 32k
- 223894.jpeg 334k
- 223892.jpeg 328k
- 223890.jpeg 252k
- 223889.jpeg 227k
- 223887.jpeg 177k
- 223885.jpeg 238k
- 223883.jpeg 225k
- 223881.jpeg 261k
- 223879.jpeg 333k
- 223877.jpeg 310k
- 223874.jpeg 297k
- 223872.jpeg 380k

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email: "srowe@district158.org Scott Rowe"  
To: email: "klschmidt@d47.org"

**Monday, September 20, 2021 at 1:58:20 PM Central Daylight Time**

Ms. Schmidt,

Thank you for the email, and for sharing your concerns with me. We are aware of this employee's social media behaviors in your district and have addressed them as they pertain to the work being done in Huntley 158. The challenge we face when dealing with freedom of speech rights is where the line is crossed into interference with an employee doing his/her job or acting as a representative of District 158. None of these posts, or the previous posts others have shared with us indicate this is occurring, and Huntley 158 responsibilities are not being impacted as a result of her behaviors. I can assure you it is

something we continue to monitor and openly communicate with this employee any concerns that arise to ensure the work in Huntley 158 is not impacted and our district is not mentioned in any of her personal opinions.

As hard as it is to accept, because I know you and your colleagues in D47 are doing everything you can to help the students of the community you serve, I do hope you understand the position we have to take.

Respectfully,

Dr. Scott Rowe Ed.D  
Superintendent  
Huntley Community School District 158



**Kim Breust Neilson**

5h · 

D47 Teachers willing to go forward with legal representation on the vaccination/testing mandates private message me and I can put you in contact with someone in the the district gathering a group to fight this.

For our community -

Has anyone noticed that in the entire district there is only 1 single positive staff member? D47 staff have received notice they are required to receive an experimental vaccination or submit to weekly experimental testing on their own time and paid for out of their own pocket because even insurance does not cover this. Both the vaccine and the testing are only authorized for Emergency Use and to me 1 positive staff member; symptomatic or non symptomatic we don't know, is hardly an emergency. Why would staff then be required to submit to this? It violates their contract. What a horrible way to treat our teachers and the Union - of course - is not providing any relief. I have an attorney for them with a retainer is \$10,000 I believe there are enough staff ready to pursue. God Bless every single one of these teachers who love our kids no matter what and give their lives to educating them. Our family is praying for each of you and our community needs you!!



COVID-19 vaccines go through many tests for safety and effectiveness and are then monitored closely.

Source: World Health Organization

[Get Vaccine Info](#)



 1



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This was sent to me that "in D47, if a student is asked to put on a mask more than 5 times, they won't be removed from the classroom or suspended, they will be removed from the district!!"

Quite the progressive disciplinary plan there D47.

Anyone see this or know what it's from? I had not seen this before.

### COVID-19 Prevention Strategy Guidelines

Per Governor J.B. Pritzker's Executive Order 2021-18, face coverings must be worn by all students, staff, and visitors while in any District 47 facilities (school or otherwise) and while on a school bus or school-provided transportation. As a result, we have developed the following guidelines to support the enforcement of the mask mandate. We will consider all situations as they arise on a case-by-case basis.

**Refusal:** Students who refuse to wear an appropriate and well-fitted face mask, or who refuse to follow any other COVID-19 prevention strategy, will be addressed as follows:

- 1st Offense - Verbal correction, parent contact, students will be provided a face mask and sent to class. If the student refuses they will be kept from class until such time as their parent comes to get them.
- 2nd Offense - Verbal correction, parent contact, students will be issued a detention at the middle school level or a major form filled out in elementary, and the student will be issued a face mask and sent back to class. If the student refuses, they will be kept from class until such time as their parent comes to get them.
- 3rd Offense - Verbal correction, parent contact, students will be kept from class until parents come to get them. Students will





# Open D47 and 155 Schools for In Person Learning



Group post by Kim Breust Neilson · 2d ·



**Kim Breust Neilson**

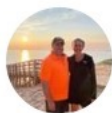
[Edith Yee-Fisher](#) 🙌 I just sent it to Dr. Hinz and asked where it came from and to make sure this was the District's current position. If so then I will follow with where are the restorative practices? Expand on Alternative Placement and fiscal responsibility. 👍

2d Like Reply

4



Write a reply...



**Allison Mueller**

I wouldn't be surprised on the above with what we've experienced in how some staff are handling mask issues.

We feel my 7 year old who has a disability was discriminated against due to challenges mask wearing causes her. She was sent home from school during a 90+ degree school week (no AC) for Covid symptoms when in reality she was having a physical reaction to wearing a mask in heat (sneezing & coughing), so she removes it. She is unable to vocalize her discomfort due to her cognitive & speech delays. The nurse did not even bring my daughter to her office see her or assess her well being

Rules



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Kim Breust Neilson shared a link.

1d ·



CITIES929.COM

Judge says masks can't be required without official quarantine order

Like

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Kate Krallitsch and 23 others

All Comments



Kim Breust Neilson

<https://edgarcountywatchdogs.com/2021/09/restraining-order-issued-against-carlyle-community-school-district-masks-are-a-form-of-quarantine/?fbclid=IwAR1zZtwgIVEIWmZiHeAquKGRkaacIXYE1f4IwMAFonOchzSP6LnEoWpHQd8>



Restraining Order Issued Against Carlyle Community School District...

edgarcountywatchdogs.com

Rules



Write a comment...





Kim Breust Neilson shared a link.

1d ·



Kim Breust Neilson

<https://edgarcountywatchdogs.com/2021/09/restraining-order-issued-against-carlyle-community-school-district-masks-are-a-form-of-quarantine/?fbclid=IwAR1zZtwgIVEIWmZiHeAquKGRkaacIXYE1f4IwMAFonOchzSP6LnEoWpHQd8>



Restraining Order Issued Against Carlyle Community School District...

[edgarcountywatchdogs.com](https://edgarcountywatchdogs.com)

1d Like Reply

1



Bobby Rob Johnson

Lead the charge Kim, I'm behind you!

20h Like Reply

1



Kim Breust Neilson

[Bobby Rob Johnson](#) class action lawsuit is in the works 👍👉🙏

20h Like Reply

2



Bobby Rob Johnson

[Kim Breust Neilson](#) count me in!

19h Like Reply

2



Write a reply...



Write a reply...

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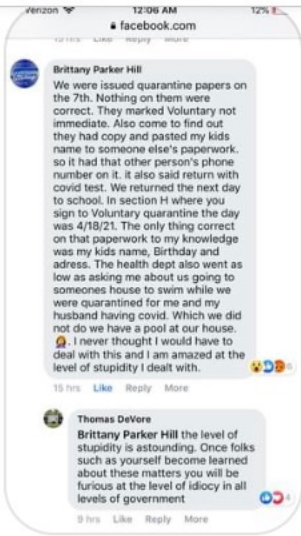


Menu



# Open D47 and 155 Schools for In Person Learning

Group post by Rebecca Helm · Sep 9 ·



4d Like Reply

1



## Agnes Cook Viard



4d Like Reply

1



## Kim Breust Neilson

School employees are officials; Official Misconduct is a Felony. People need to start going to jail.

4d Like Reply

4

Rules



Write a comment...





Kim Breust Neilson

3d ·

As of September 7th ISBE had an emergency meeting that specifically states:

"providing remote learning for students who are excluded from school;" in the 2nd to last paragraph. So yes districts are required to provide remote learning. It also does not say this is only for Sped Students. It says "students" it does not discriminate. It is all inclusive. For all students who are out. Further, All teachers need to have kids join if they are out. Unless exclusion is legal. Quarantine does not give the schools the right to exclude children from their education.

## Illinois State Board of Education



## RESOLUTION

Supporting  
In-Person Learning

September 7, 2021

1 of 1

**WHEREAS**, the hard work of our health care professionals and the conscientious diligence of all Illinoisans who altered their lives and daily habits to contain the spread of COVID-19 have allowed Illinois to transition into Phase 5 of the Restore Illinois Plan on June 11, 2021, allowing businesses to resume normal operations and public gatherings of all sizes to proceed; and

**WHEREAS**, students and school staff have meaningful protection from COVID-19, with three highly effective vaccines widely available to all Illinoisans age 12 and older and trials underway to determine if younger children can benefit from COVID-19 vaccines; and

**WHEREAS**, our schools have the capability to rapidly identify new cases to prevent COVID-19 outbreaks and reduce the risk of further transmission, thanks to the State of Illinois providing schools free access to Abbott's BinaxNOW rapid test and offering all schools in Illinois the use of covidSHIELD tests free of charge; and

**WHEREAS**, multiple studies show that – although online classes are a far better option than no classes at all – students, particularly students who struggle academically, still learn better while in person alongside their teachers; and

**WHEREAS**, reconnecting with teachers and peers in-person is essential for students' mental health and social-emotional development, especially after the prolonged isolation of the pandemic; and

**WHEREAS**, Illinois schools are receiving \$7.8 billion in federal pandemic relief funds for the safe return to in-person learning and to address learning gaps caused by the pandemic through strategies, such as tutoring, summer school, and community partnerships for mental health; and

**WHEREAS**, all Illinois public school districts are offering in-person learning consistent with Illinois State Superintendent of Education Dr. Carmen I. Ayala's declaration in July 2021; and

**WHEREAS**, in August 2021, the Illinois Department of Public Health and Illinois State Board of Education issued guidance titled Revised Public Health Guidance for Schools: Part - 5 Supporting the Full Return to In-Person Learning for All Students that provides instruction on effectively layering required and recommended mitigation strategies to protect the safety of in-person learning; and

**WHEREAS**, 77 IL Admin Code 690.30 grants Illinois schools the authority to exclude Illinois students from school due to contacts related to communicable and infectious diseases, including COVID-19; and

**WHEREAS**, the purpose of brief intervals of remote learning for individual students or schools pursuant to 105 ILCS 5/10-30 and 105 ILCS 5/34-18.66 is to keep the school community safe, provide continuity of learning, and ensure students transition back to in-person learning successfully and as quickly as possible; and

**WHEREAS**, the Illinois State Board of Education wishes to reaffirm the rights, powers, and duties of schools to ensure a safe and healthy learning environment for all students and staff, including providing remote learning for students who are excluded from school;

**THEREFORE, BE IT RESOLVED** that the Illinois State Board of Education supports Illinois State Superintendent of Education Dr. Carmen I. Ayala in making the following amended declaration: Beginning with the 2021-22 school year, all schools must resume fully in-person learning for all student attendance days, provided that, pursuant to 105 ILCS 5/10-30 and 105 ILCS 5/34-18.66, remote instruction must be made available for students who are excluded by a school pursuant to 77 Ill. Admin. Code 690.30, or students who are under isolation, quarantine, or adaptive pause consistent with guidance or requirements from a local health department or the Illinois Department of Public Health.

Darren Reisberg, Board Chair

Dr. Donna S. Leak, Vice Chair



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# Open D47 and 155 Schools for In Person Learning

Group post by Kim Breust Neilson · Sep 8 ·

Remote INSTRUCTION must be made available to students the District quarantines.

## On Sept. 7, 2021, Illinois State Superintendent of Education Dr. Carmen I. Ayala declared:

"Beginning with the 2021-22 school year, all schools must resume fully in-person learning for all student attendance days, provided that, pursuant to 105 ILCS 5/10-30 and 105 ILCS 5/34-18.66, remote instruction must be made available for students who are excluded by a school pursuant to 77 Ill. Admin. Code 690.30, or students who are under isolation, quarantine, or adaptive pause consistent with guidance or requirements from a local health department or the Illinois Department of Public Health."



12

### All Comments



**Sherri Fors Modrzejewski**  
Who's gonna bring this to Kathy Hinz' attention?

1w Like Reply



**Kim Breust Neilson**  
[Sherri Fors Modrzejewski](#) hopefully the 240 families with O...

Rules



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# Open D47 and 155 Schools for In Person Learning

Group post by Kim Breust Neilson · Sep 8 ·

There are currently 310 District 47 Students in Quarantine. 310 students X 14days is 4,340 missed learning opportunities.

Like

Comment

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28

## All Comments



**Kalyn Macchia**

This is from the other day - not sure if it is quarantine or other absences but big # of kids out of school.

**Re: Freedom of Information Request**

Dear Ms. Macchia:

On Wednesday, September 1, 2021, Crystal Lake School District No. 47 received a Freedom of Information Act ("FOIA") Request from you via email, in which you requested the following:

- Total enrollment number & total number of students in attendance for the entire district for 9/1/2021.
  - Enrollment number = 6981
  - Students in attendance = 6321.5

The information provided above fulfills our obligation to your FOIA request.

If you have any questions, please feel free to contact me at 815-788-5000.

Sincerely,

Clare F. Bourne  
Freedom of Information Officer  
Crystal Lake School District 47

1w Like Reply

2



**Kim Breust Neilson**

[Kalyn Macchia](#) that's 660 students out of school on that day I'm sure some were for other reasons, but still!!

Rules



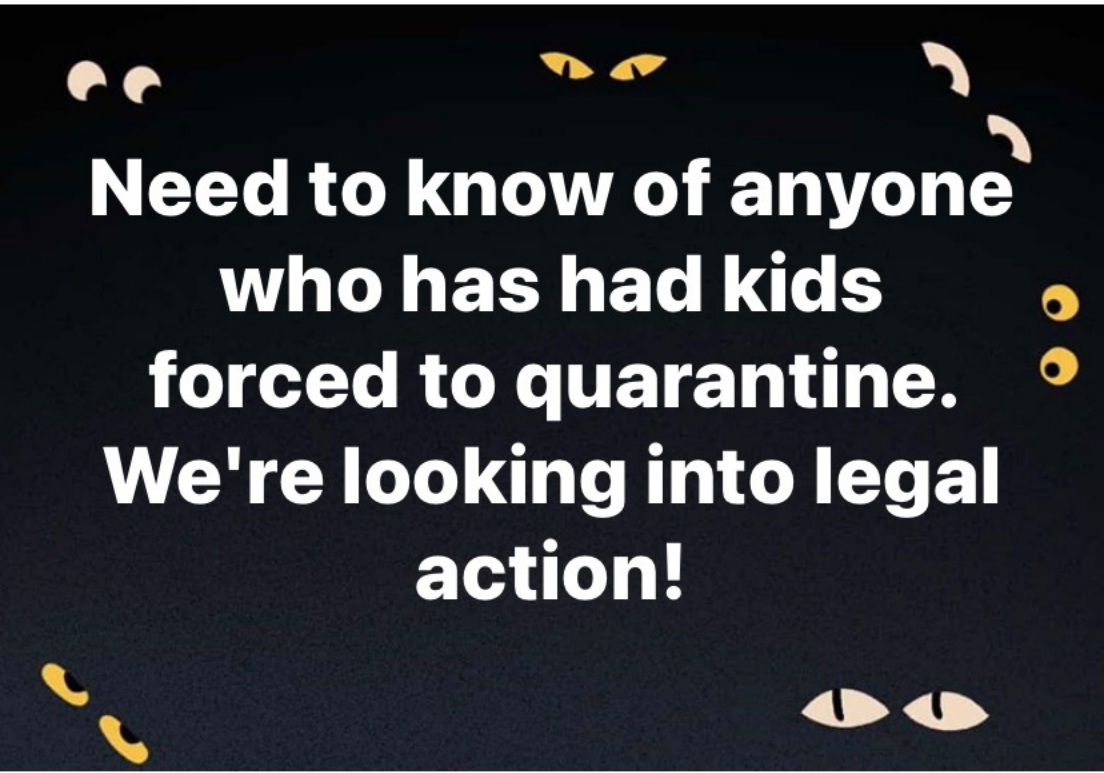
Write a comment...





# Open D47 and 155 Schools for In Person Learning

Group post by Sherri Fors Modrzejewski · Sep 7 ·



Like

Comment

Send

7

### All Comments



Jenny Morrow-Linquist



1w Like Reply



Kim Breust Neilson



1w Like Reply

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Write a comment...





Kim Breust Neilson shared a link.

6d · [Profile icon]

In Illinois the law states a student shall be granted 5 days of excused absences in any school year and, at the discretion of the school board, additional excused absences to visit the student's parent or legal guardian relative to such leave or deployment of the parent or legal guardian.

<https://www.ilga.gov/legislation/ilcs/fulltext.asp?DocName=010500050K26-1>

It is the responsibility of a parent or guardian to ensure his/her child attends school regularly in order to obtain the maximum benefits from the educational program. Fine \$500 or 30 Days in jail.

[https://core-docs.s3.amazonaws.com/documents/asset/uploaded\\_file/410691/Truancy\\_Illinois\\_Truancy\\_Document2015.pdf](https://core-docs.s3.amazonaws.com/documents/asset/uploaded_file/410691/Truancy_Illinois_Truancy_Document2015.pdf)



ILGA.GOV  
Illinois General Assembly - Illinois Compiled Statutes



3 [Angry face] [Like]

3 Comments

Like

Comment

Send



Write a comment...



Cassandra Beck

<  Open D47 and 155 Scho...



Kim Breust Nelson shared a link.

Sep 5 · 

How are schools getting away with kicking kids off buses for 2 weeks for Covid claims of close contact? State law requires schools to provide transportation for students who live more than 1.5 miles of walking distance from the school. However, those who live in what the board approves of as "hazardous walk areas" in the city but live less than 1.5 miles from the school can get bus service.

Some laws on transportation:

<https://www.isbe.net/Documents/pupil-transp-faq.pdf>

<ftp://www.ilga.gov/JCAR/AdminCode/023/023000010E05100R.html>

<https://codes.findlaw.com/il/chapter-105-schools/il-st-sect-105-5-29-5.html>

<https://www.ilga.gov/legislation/ilcs/fulltext.asp?DocName=010500050K29-5>

Schools cannot just be kicking kids off buses for two weeks right? I mean all these parents should be reimbursed! It's a legal requirement for districts to provide transportation. That's why Chicago Public Schools are paying parents. That's why school districts provide cabs when students are in alternative placements. They receive funds for this!!!!



ILGA.GOV

Illinois General Assembly - Illinois  
Compiled Statutes



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