

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, CHANCERY DIVISION**

BETTER GOVERNMENT ASSOCIATION, )  
)  
Plaintiff, )  
)  
v. )  
)  
CHICAGO PUBLIC SCHOOLS, )  
)  
Defendant. )

**COMPLAINT**

NOW COMES Plaintiff, BETTER GOVERNMENT ASSOCIATION, by its undersigned attorneys, LOEVY & LOEVY, and brings this suit to overturn Defendant CHICAGO PUBLIC SCHOOLS' repeated refusals to respond to BGA's Freedom of Information Act requests and to obtain injunctive relief to remedy CHICAGO PUBLIC SCHOOLS' systematic disregard for its FOIA obligations. In support of its Complaint, BGA alleges:

**INTRODUCTION**

1. Pursuant to the fundamental philosophy of the American constitutional form of government, the General Assembly has declared it to be the public policy of the State of Illinois that all persons are entitled to full and complete information regarding the affairs of government and the official acts and policies of those who represent them as public officials and public employees consistent with the terms of the Illinois Freedom of Information Act ("FOIA"). 5 ILCS 140/1.

2. All public records of a public body are presumed to be open to inspection or copying. Any public body that asserts that a record is exempt from disclosure has the burden of proving by clear and convincing evidence that it is exempt. 5 ILCS 140/1.2.

ELECTRONICALLY FILED  
7/27/2015 12:22 PM  
2015-CH-11326  
PAGE 2 of 28

3. A public body is required to respond to FOIA requests within five business days, or, when specific criteria are met and the public body properly claims an extension of time within the five-day deadline, within another five business days. Failure to respond to a FOIA request in a timely manner is a denial. 5 ILCS 140/3(d)-(e).

4. Under FOIA Section 11(h), “except as to causes the court considers to be of greater importance, proceedings arising under [FOIA] shall take precedence on the docket over all other causes and be assigned for hearing and trial at the earliest practicable date and expedited in every way.”

5. Defendant CHICAGO PUBLIC SCHOOLS has willfully and intentionally violated FOIA by failing to respond to BGA’s FOIA requests for non-exempt records.

6. Absent court-ordered remedial relief, CPS will continue to violate FOIA in a systemic and widespread manner.

**PARTIES**

7. Plaintiff BETTER GOVERNMENT ASSOCIATION is a nonpartisan, Illinois non-profit corporation, whose mission is to educate the public about waste, inefficiencies, and corruption in government by acting as a watchdog agency uncovering and exposing this type of activity; to promote respect for the law; and to support public officials in the rightful performance of their duties. BGA was founded in 1923 to protect the integrity of the political process in Chicago.

8. Defendant CHICAGO PUBLIC SCHOOLS is a public body located in Cook County, Illinois.

## **PRIOR LITIGATION**

9. On September 5, 2014, BGA and NBC-Chicago filed a FOIA suit against CPS for its repeated failures to respond to FOIA requests in a timely manner. A true and correct copy of the complaint from the prior litigation is attached as Exhibit A.

10. In addition to the specific violations against BGA and NBC-Chicago, the prior complaint explained that in the period from January 2013 through March 2014, CPS was the subject of 40 different Attorney General reviews for failing to respond to FOIA requests on time, including a rare binding opinion against CPS on this issue.

11. The prior litigation sought court-ordered injunctive relief to remedy CPS's systemic FOIA violations.

12. During the prior litigation, CPS claimed that its then newly launched electronic FOIA system would correct CPS's FOIA compliance problems, and on that basis, BGA resolved the prior litigation without any court-ordered injunctive relief or civil penalties.

### **CHICAGO PUBLIC SCHOOLS CONTINUES TO IGNORE FOIA REQUESTS**

13. On May 28, 2015, BGA requested various records from CPS regarding custodial, janitorial, maintenance, and electrician services. A true and correct copy of CPS's automated confirmation of receipt, which was sent the same day as the request, is attached as Exhibit B.

14. CPS failed to respond to the May 28 request by the required five-day deadline.

15. CPS's first and only response to the May 28 request was sent on June 11, 2015, and improperly claimed the undue burden exemption under Section 3(g) of FOIA even though the plain text of the statute makes clear that a public body that fails to respond to a request by the required deadline is not permitted to assert the undue burden exemption. A true and correct copy of the response is attached as Exhibit C.

16. On June 15, 2015, BGA made a narrower FOIA request for a subset of the records sought in the May 28 request.

17. CPS has not responded to the June 15 FOIA request.

18. On June 10, 2015, BGA requested various records from CPS regarding CPS finances. A true and correct copy of CPS's automated confirmation of receipt, which was sent the same day as the request, is attached as Exhibit D.

19. On June 17, 2015, CPS asserted a five-day extension of time to respond to the request and stated that it would respond by June 25, 2015. A true and correct copy of the response is attached as Exhibit E.

20. CPS has not provided any further response to the June 10 request.

21. On June 10, 2015, BGA also requested records from CPS related to the employment of CPS employees by a private organization. A true and correct copy of CPS's automated confirmation of receipt, which was sent the same day as the request, is attached as Exhibit F.

22. On June 17, 2015, CPS asserted a five-day extension of time to respond to the second June 10 request and stated that it would respond by June 25, 2015. A true and correct copy of the response is attached as Exhibit G.

23. CPS has not provided any further response to the second June 10 request.

24. On June 10, 2015, BGA also requested from CPS records related to preschool and kindergarten suspensions and expulsions. A true and correct copy of CPS's automated confirmation of receipt, which was sent the same day as the request, is attached as Exhibit H.

ELECTRONICALLY FILED  
7/27/2015 12:22 PM  
2015-CH-11326  
PAGE 5 of 28

25. On June 16, 2015, CPS asserted a five-day extension of time to respond to the third June 10 request and stated that it would respond by June 25, 2015. A true and correct copy of the response is attached as Exhibit I.

26. On June 24, 2015, CPS purported to take an unauthorized further extension of time to respond to the third June 10 request and stated that it would respond by July 2, 2015. A true and correct copy of the response is attached as Exhibit J.

27. CPS has not provided any further response to the third June 10 request.

28. On June 10, 2015, BGA also requested from CPS an inventory of materials removed from closed schools that were paid for with federal funds. A true and correct copy of CPS's automated confirmation of receipt, which was sent the same day as the request, is attached as Exhibit K.

29. On June 17, 2015, CPS asserted a five-day extension of time to respond to the fourth June 10 request and stated that it would respond by June 25, 2015. A true and correct copy of the response is attached as Exhibit L.

30. CPS has not provided any further response to the fourth June 10 request.

31. Upon information and belief, CPS has systematically failed to respond to other requests made by other requesters in 2015.

32. Upon information and belief, the rate of untimely FOIA responses by CPS in 2015 to date versus 2014 has not improved.

**COUNT I – WILLFUL VIOLATION OF FOIA – MAY 28 REQUEST**

33. The above paragraphs are incorporated by reference.

34. CHICAGO PUBLIC SCHOOLS is a public body under FOIA.

35. The May 28 request sought public records of CPS.

36. CPS failed to produce the records sought in the May 28 request.

37. CPS willfully and intentionally violated FOIA by claiming the undue burden exemption knowing that it had been waived based on CPS's untimely response.

**COUNT II – WILLFUL VIOLATION OF FOIA – JUNE 5 REQUEST**

- 38. The above paragraphs are incorporated by reference.
- 39. CHICAGO PUBLIC SCHOOLS is a public body under FOIA.
- 40. The June 5 request sought public records of CPS.
- 41. CPS failed to produce the records sought in the June 5 request.
- 42. CPS willfully and intentionally violated FOIA by ignoring the June 5 request.

**COUNT III – WILLFUL VIOLATIONS OF FOIA – FIRST JUNE 10 REQUEST**

- 43. The above paragraphs are incorporated by reference.
- 44. CHICAGO PUBLIC SCHOOLS is a public body under FOIA.
- 45. The first June 10 request sought public records of CPS.
- 46. CPS failed to produce the records sought in the first June 10 request.
- 47. CPS willfully and intentionally violated FOIA by ignoring the first June 10 request.

**COUNT IV – WILLFUL VIOLATION OF FOIA – SECOND JUNE 10 REQUEST**

- 48. The above paragraphs are incorporated by reference.
- 49. CHICAGO PUBLIC SCHOOLS is a public body under FOIA.
- 50. The second June 10 request sought public records of CPS.
- 51. CPS failed to produce the records sought in the second June 10 request.
- 52. CPS willfully and intentionally violated FOIA by ignoring the second June 10 request.

ELECTRONICALLY FILED  
7/27/2015 12:22 PM  
2015-CH-11326  
PAGE 6 of 28

**COUNT V – WILLFUL VIOLATION OF FOIA – THIRD JUNE 10 REQUEST**

- 53. The above paragraphs are incorporated by reference.
- 54. CHICAGO PUBLIC SCHOOLS is a public body under FOIA.
- 55. The third June 10 request sought public records of CPS.
- 56. CPS failed to produce the records sought in the third June 10 request.
- 57. CPS willfully and intentionally violated FOIA by ignoring the third June 10 request.

**COUNT VI – WILLFUL VIOLATION OF FOIA – FOURTH JUNE 10 REQUEST**

- 58. The above paragraphs are incorporated by reference.
- 59. CHICAGO PUBLIC SCHOOLS is a public body under FOIA.
- 60. The fourth June 10 request sought public records of CPS.
- 61. CPS failed to produce the records sought in the fourth June 10 request.
- 62. CPS willfully and intentionally violated FOIA by ignoring the fourth June 10 request.

**WHEREFORE**, BGA asks that the Court:

- i. in accordance with FOIA Section 11(f), afford this case precedence on the Court’s docket except as to causes the Court considers to be of greater importance, assign this case for hearing and trial at the earliest practicable date, and expedite this case in every way;
- ii. declare that CHICAGO PUBLIC SCHOOLS has violated FOIA;
- iii. order CHICAGO PUBLIC SCHOOLS to produce the requested records under FOIA;
- iv. order CHICAGO PUBLIC SCHOOLS to undertake remedial measures under the supervision of this Court to correct its systemic failure to comply with FOIA;

ELECTRONICALLY FILED  
7/27/2015 12:22 PM  
2015-CH-11326  
PAGE 7 of 28

- v. enjoin CHICAGO PUBLIC SCHOOLS from withholding non-exempt public records under FOIA;
- vi. order CHICAGO PUBLIC SCHOOLS to respond to FOIA requests within the required deadline;
- vii. award BGA reasonable attorneys' fees and costs;
- viii. award civil penalties of between \$2,500 and \$5,000 for each denial; and
- ix. award such other relief the Court considers appropriate.

RESPECTFULLY SUBMITTED,

*/s/ Matthew V. Topic*

---

Attorneys for Plaintiff  
BETTER GOVERNMENT ASSOCIATION

Matthew Topic  
LOEVY & LOEVY  
312 North May St., Suite 100  
Chicago, IL 60607  
(312) 243-5900  
matt@loevy.com  
Atty. No. 41295

ELECTRONICALLY FILED  
7/27/2015 12:22 PM  
2015-CH-11326  
PAGE 8 of 28



**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, CHANCERY DIVISION**

BETTER GOVERNMENT ASSOCIATION, )  
NBC SUBSIDIARY (WMAQ-TV) LLC )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
CHICAGO PUBLIC SCHOOLS, )  
 )  
Defendant. )

2014CH14398  
CALENDAR/ROOM 13  
TIME 00:00  
General Chancery

**COMPLAINT**

NOW COME Plaintiffs, BETTER GOVERNMENT ASSOCIATION (“BGA”) and NBC SUBSIDIARY (WMAQ-TV) LLC (“NBC CHICAGO”) (collectively “PLAINTIFFS”), by their undersigned attorneys, LOEVY & LOEVY, and bring this suit to remedy CHICAGO PUBLIC SCHOOLS’ systematic failure to comply with the Freedom of Information Act. In support of their Complaint, PLAINTIFFS allege:

**INTRODUCTION**

1. This is a complaint under the Illinois Freedom of Information Act (“FOIA”), 5 ILCS 140/1 *et seq.*
2. Pursuant to the fundamental philosophy of the American constitutional form of government, the General Assembly has declared it to be the public policy of the State of Illinois that all persons are entitled to full and complete information regarding the affairs of government and the official acts and policies of those who represent them as public officials and public employees consistent with the terms of the Act. 5 ILCS 140/1.
3. Restraints on access to information, to the extent permitted by FOIA, are limited and narrow exceptions to the principle that the people of this state have a right to full disclosure

of information relating to the decisions, policies, procedures, rules, standards, and other aspects of government activity that affect the conduct of government and the lives of the people. *Id.*

4. All public records of a public body are presumed to be open to inspection or copying. Any public body that asserts that a record is exempt from disclosure has the burden of proving by clear and convincing evidence that it is exempt. 5 ILCS 140/1.2.

5. A public body is required to respond to FOIA requests within five business days, or, when specific criteria are met and the public body properly claims an extension of time within the five-day deadline, within another five business days. 5 ILCS 140/3(d), (e). Failure to respond to a FOIA request in a timely manner constitutes a denial. *Id.*

6. If the court determines that a public body willfully and intentionally failed to comply with FOIA, or otherwise acted in bad faith, the court shall impose upon the public body a civil penalty of not less than \$2,500 nor more than \$5,000 for each occurrence. 5 ILCS 14/11(j).

7. Under FOIA Section 11(h), “except as to causes the court considers to be of greater importance, proceedings arising under [FOIA] shall take precedence on the docket over all other causes and be assigned for hearing and trial at the earliest practicable date and expedited in every way.”

8. Defendant CHICAGO PUBLIC SCHOOLS has willfully and intentionally violated FOIA by failing to respond to FOIA requests by BETTER GOVERNMENT ASSOCIATION and NBC CHICAGO for non-exempt records.

9. CHICAGO PUBLIC SCHOOLS has systematically failed to comply with FOIA requests in a timely manner and requires Court-supervised remedial changes to correct this systemic failure and achieve the transparency required under FOIA.

## PARTIES

10. Plaintiff BETTER GOVERNMENT ASSOCIATION (“BGA”) is a nonpartisan, Illinois non-profit corporation, whose mission is to educate the public about waste, inefficiencies, and corruption in government by acting as a watchdog agency uncovering and exposing this type of activity; to promote respect for the law; and to support public officials in the rightful performance of their duties. BGA was founded in 1923 to protect the integrity of the political process in Chicago.

11. Plaintiff NBC SUBSIDIARY (WMAQ-TV) LLC (“NBC CHICAGO”) is an NBCUniversal owned and operated television station that has provided continuous local news coverage of the Chicago area for over sixty-five years. NBC Chicago broadcasts over thirty hours of locally produced newscasts each week. The station has received numerous awards for journalism, including awards from the Illinois Broadcaster’s Association and a national Emmy Award for Outstanding Regional News coverage.

12. Defendant CHICAGO PUBLIC SCHOOLS is a public body located in Cook County, Illinois.

### **BGA’S FOIA REQUEST AND CHICAGO PUBLIC SCHOOLS’ DENIAL**

13. On April 29, 2014, BGA requested the following records from CHICAGO PUBLIC SCHOOLS: “copies of any and all settlement agreements, severance agreements and termination agreements approved or adopted from Jan. 1, 2013, until present.” (Exhibit A)

14. All settlement agreements entered into by or on behalf of a public body are public records subject to inspection and copying by the public, provided that exempt information may be redacted. 5 ILCS 140/2.2. All records relating to the obligation, receipt, and use of public funds are public records subject to inspection and copying. 5 ILCS 140/2.5.

15. In response on May 6, 2014, CHICAGO PUBLIC SCHOOLS asserted that the request was unduly burdensome under FOIA Section 3(g), erroneously claiming that BGA made a request for “any and all information, without a specified timeframe.” (Exhibit B)

16. BGA’s request plainly sought a specific and discrete set of records for a specific and limited time period—something a public body charged with the education of over 400,000 schoolchildren and an annual budget of over \$5.5 billion should have readily available.

17. The same day as CHICAGO PUBLIC SCHOOLS’ response, BGA responded: “If you look at our original FOIA request we do have a time frame—we’re seeking documents since Jan. 1, 2013. Can you relay how many documents you are dealing with so I can assess the unduly burdensome argument asap?” (Exhibit C)

18. CHICAGO PUBLIC SCHOOLS provided no further response.

#### **NBC CHICAGO’S FOIA REQUEST AND CHICAGO PUBLIC SCHOOLS’ DENIAL**

19. On December 16, 2013, NBC CHICAGO requested the following records from CHICAGO PUBLIC SCHOOLS: “documents sufficient to show (1) a list of Chicago Public School buildings that are currently vacant and/or shuttered; (2) the cost to heat each of these buildings from September 1, 2013 to the present; (3) the cost to provide lighting for each of these buildings from September 1, 2013 to the present; and (4) the cost to provide water for each of these buildings from September 1, 2013 to the present.” (Exhibit D)

20. On January 3, 2014, well after the five-day deadline to respond, CHICAGO PUBLIC SCHOOLS responded, stating: “Please extend us the courtesy of 6 additional business days to comply.” (Exhibit E)

21. On January 29, 2014, well after the six additional business days it requested, CHICAGO PUBLIC SCHOOLS stated that it was working on the request and sought an additional three days to respond. (Exhibit F)

22. CHICAGO PUBLIC SCHOOLS has failed to provide any further response to NBC CHICAGO's December 16, 2013 request.

**CHICAGO PUBLIC SCHOOLS' SYSTEMIC FAILURE TO COMPLY WITH FOIA**

23. CHICAGO PUBLIC SCHOOLS has engaged in a pattern and practice of delay in responding to FOIA requests.

24. In February 2013, the Attorney General's Public Access Counselor issued a binding opinion against CHICAGO PUBLIC SCHOOLS for its failure to respond to a request in a timely and complete manner and its failure even to respond to the Public Access Counselor's request for review, in clear violation of multiple FOIA provisions. (Exhibit G)

25. According to records obtained from the Attorney General's Public Access Counselor, from January 2013 to March 2014, CHICAGO PUBLIC SCHOOLS failed to respond to more than 40 different FOIA requests in a timely manner. (Exhibit H)

26. Upon information and belief, based upon the recurring pattern of delay indicated by Attorney General records, discovery will further show that CHICAGO PUBLIC SCHOOLS fails to respond to FOIA requests in a timely manner on a consistent basis.

27. Despite the strong public interest in timely disclosure of information about CHICAGO PUBLIC SCHOOLS and the clear failure of CHICAGO PUBLIC SCHOOLS to comply with requests in a timely manner, upon information and belief, CHICAGO PUBLIC SCHOOLS devotes only one employee to handle the large volume of FOIA requests it receives,

which is plainly insufficient and amounts to at least a reckless disregard for its obligations under FOIA.

28. There is a strong interest from parents and the general public in transparency into the operation of CHICAGO PUBLIC SCHOOLS, and without Court intervention, CHICAGO PUBLIC SCHOOLS will continue to violate FOIA routinely, as evidenced at least by its continuing violations after the Attorney General's February 2013 binding opinion.

#### **COUNT I – WILLFUL VIOLATIONS OF FOIA**

29. The above paragraphs are incorporated by reference.

30. CHICAGO PUBLIC SCHOOLS is a public body under FOIA.

31. The records sought in BGA's request are not exempt.

32. The records sought in NBC CHICAGO's request are not exempt.

33. CHICAGO PUBLIC SCHOOLS willfully and intentionally violated FOIA by failing to respond to BGA's and NBC CHICAGO's requests.

34. CHICAGO PUBLIC SCHOOLS has an ongoing pattern and practice of failing to comply with FOIA in a timely manner.

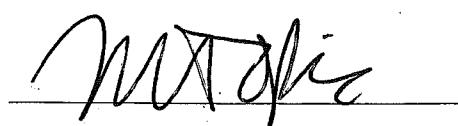
**WHEREFORE, PLAINTIFFS ask that the Court:**

- i. in accordance with FOIA Section 11(f), afford this case precedence on the Court's docket except as to causes the Court considers to be of greater importance, assign this case for hearing and trial at the earliest practicable date, and expedite this case in every way;
- ii. declare that CHICAGO PUBLIC SCHOOLS has violated FOIA;
- iii. order CHICAGO PUBLIC SCHOOLS to produce the requested records under FOIA;

ELECTRONICALLY FILED  
7/27/2015 12:22 PM  
2015-CH-11326  
PAGE 15 of 28

- iv. order CHICAGO PUBLIC SCHOOLS to undertake remedial measures under the supervision of this Court to correct its systemic failure to comply with FOIA;
- v. enjoin CHICAGO PUBLIC SCHOOLS from withholding non-exempt public records under FOIA;
- vi. order CHICAGO PUBLIC SCHOOLS to respond to FOIA requests within the required deadline;
- vii. award reasonable attorneys' fees and costs;
- viii. only in the event the Court does not enter systemic injunctive relief, award civil penalties of between \$2,500 and \$5,000 for each willful and intentional failure to comply with FOIA and any other act of bad faith in responding to the requests;
- ix. award such other relief the Court considers appropriate.

RESPECTFULLY SUBMITTED,



Attorneys for Plaintiffs  
BETTER GOVERNMENT ASSOCIATION  
NBC SUBSIDIARY (WMAQ-TV) LLC

Matthew Topic  
Julie Goodwin  
LOEVY & LOEVY  
312 North May St., Suite 100  
Chicago, IL 60607  
(312) 243-5900  
matt@loevy.com; julie@loevy.com  
Atty. No. 41295

---

## FOIA Request :: N000720-052815

---

Chicago Public Schools FOIA Center <cps@mycusthelp.net>  
To: skarp@bettergov.org

Thu, May 28, 2015 at 4:21 PM

Dear Sarah:

Thank you for your interest in Chicago Public Schools. Your FOIA request has been received and is being processed. Your FOIA Center reference number for tracking purposes is: **N000720-052815**

You have requested the following records: **Note: This is a joint request for information with the Better Government Association and the Chicago Sun Times. Please provide a copy of any and all bid-related solicitation, including the "request for proposal," for custodial, janitorial, maintenance or electrician services issued in FY 2014. Please provide a copy of any or all bids or proposals submitted in response to any and all solicitations for custodial, janitorial, maintenance or electrician services. Please provide a log of all correspondence between all companies that submitted proposals for custodial, janitorial, maintenance or electrician services in FY 2014 and any district official, including but not limited to CPS CEO Barbara Byrd-Bennett, CPS Board President David Vitale, Chief Administrative Officer Tim Cawley, Chief Procurement Officer Sébastien de Longeaux, and Chief of Staff Sherry Ulery. If the correspondence is an e-mail, please include the subject line. Please provide all correspondence from FY 2012 through FY 2014. Please specify the date and time of the correspondence.**

Chicago Public Schools responds to all public records requests in accordance with the Illinois Freedom of Information Act (FOIA), 5 ILCS140. A response will be made within five (5) business days.

If an extension of time is required, written notice will be provided within five business days and the reason for the extension.

Upon the completion of a response, CPS will provide the first 50 pages to you at no charge. If a response is more than 50 pages, each additional page will be .15¢ per page. Copies of video recordings have a fee of \$48, and the fee must be received prior to the copying of the recording. **CPS will inform you of any fees due if your paper response exceeds 50 pages.**

**You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed. Thank you for using the CPS FOIA Center.**

---

ELECTRONICALLY FILED  
7/27/2015 12:22 PM

2015-CH-14326  
Page 16 of 28



---

## Non-Commercial FOIA Request :: N000720-052815

4 messages

---

**Chicago Public Schools FOIA Center** <cps@mycusthelp.net>  
To: skarp@bettergov.org

Thu, Jun 11, 2015 at 2:59 PM

--- Please respond above this line ---

6/11/2015

Senior Reporter Sarah S Karp  
223 W. Jackson Blvd. Suite 900  
Chicago IL 60637

Dear Sarah:

**RE: Chicago Public Schools FOIA Request N000720-052815**

Thank you again for using the Chicago Public Schools FOIA Center. We are writing regarding your Freedom of Information Act Request for the following records: Note: This is a joint request for information with the Better Government Association and the Chicago Sun Times. Please provide a copy of any and all bid-related solicitation, including the "request for proposal," for custodial, janitorial, maintenance or electrician services issued in FY 2014. Please provide a copy of any or all bids or proposals submitted in response to any and all solicitations for custodial, janitorial, maintenance or electrician services. Please provide a log of all correspondence between all companies that submitted proposals for custodial, janitorial, maintenance or electrician services in FY 2014 and any district official, including but not limited to CPS CEO Barbara Byrd-Bennett, CPS Board President David Dale, Chief Administrative Officer Tim Cawley, Chief Procurement Officer Sébastien de Longeaux, and Chief of Staff Sherry Ulery. If the correspondence is an e-mail, please include the subject line. Please provide all correspondence from FY 2012 through FY 2014. Please specify the date and time of the correspondence.

In accordance with 5 ILCS 140/3 (g), the District asks that you narrow your request for information.

If you wish to narrow your request, you must submit a revised request via the FOIA Center. The CPS will take no further action or send you any further correspondence unless and until your current request is narrowed. If we do not receive your narrowed request within five (5) calendar days of the date of this letter, the unduly burdensome parts of your current request will be considered denied.

If you have any questions, feel free to contact me at (773) 553-1620. Thank you for your interest in Chicago Public Schools.

Sincerely,

Chicago Public Schools

---

ELECTRONICALLY FILED  
7/27/2015 12:22 PM  
2015 CHS 1626  
BY  
SARAH S KARP

---

## FOIA Request :: N000785-061015

---

Chicago Public Schools FOIA Center <cps@mycusthelp.net>  
To: skarp@bettergov.org

Wed, Jun 10, 2015 at 4:46 PM

Dear Sarah:

Thank you for your interest in Chicago Public Schools. Your FOIA request has been received and is being processed. Your FOIA Center reference number for tracking purposes is: **N000785-061015**

You have requested the following records: **Specifically under FOIA I am requesting: 1) as of June 11, 2015, an accounting of the amount of money CPS has available in all bank accounts, the names of the accounts and the institutions the accounts they are in. 2) as of June 11, 2015, the amount of money that CPS has in reserves and the name of those reserve accounts. 3) as of June 11, 2015, please provide an accounting of all expected expenses between June 10, 2015 and June 30, 2015. 4) An accounting of all expected revenue, but not yet received, revenue to be used in FY 2015 and when it is expected. 5) an accounting of what the specific expenses in the oft-cited projected 2016 \$1.1 billion deficit. includes.**

Chicago Public Schools responds to all public records requests in accordance with the Illinois Freedom of Information Act (FOIA), 5 ILCS140. A response will be made within five (5) business days.

If an extension of time is required, written notice will be provided within five business days and the reason for the extension.

Upon the completion of a response, CPS will provide the first 50 pages to you at no charge. If a response is more than 50 pages, each additional page will be .15¢ per page. Copies of video recordings have a fee of \$48, and the request must be received prior to the copying of the recording. **CPS will inform you of any fees due if your paper response exceeds 50 pages.**

**You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed. Thank you for using the CPS FOIA Center.**

ELECTRONICALLY FILED  
7/27/2015 12:22 PM  
2015-CH-11326  
PAGE 28 OF 28

---

## Non-Commercial FOIA Request :: N000785-061015

---

Chicago Public Schools FOIA Center <cps@mycusthelp.net>  
To: skarp@bettergov.org

Wed, Jun 17, 2015 at 1:16 PM

--- Please respond above this line ---

6/17/2015

Senior Reporter Sarah S Karp  
223 W. Jackson Blvd. Suite 900  
Chicago IL 60637

Dear Sarah:

### RE: Chicago Public Schools FOIA Request N000785-061015

Thank you again for using the Chicago Public Schools FOIA Center. On 6/10/2015, you requested the following: Specifically under FOIA I am requesting:1) as of June 11, 2015, an accounting of the amount of money CPS has available in all bank accounts, the names of the accounts and the institutions the accounts they are in. 2) as of June 11, 2015, the amount of money that CPS has in reserves and the name of those reserve accounts. 3) as of June 11, 2015, please provide an accounting of all expected expenses between June 10, 2015 and June 30, 2015.4) An accounting of all expected revenue, but not yet received, revenue to be used in FY 2015 and when it is expected.5) an accounting of what the specific expenses in the oft-cited projected 2016 \$1.1 billion deficit. includes..

Under the Freedom of Information Act, 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 reason(s):

Responding to the request requires that we collect a substantial number of specified records.

We will respond to your request by 6/25/2015.

Sincerely,

Chicago Public Schools

---

ELECTRONICALLY FILED  
7/27/2015 12:22 PM

2015-CH-11326  
Page 1 of 1

---

## FOIA Request :: N000787-061015

---

Chicago Public Schools FOIA Center <cps@mycusthelp.net>  
To: skarp@bettergov.org

Wed, Jun 10, 2015 at 5:06 PM

Dear Sarah:

Thank you for your interest in Chicago Public Schools. Your FOIA request has been received and is being processed. Your FOIA Center reference number for tracking purposes is: **N000787-061015**

You have requested the following records: **Specifically under FOIA I am requesting any and all information about the organization that Byron Houzz, coordinator of Attendance and Student Support Services, is employed by. Please include information about other CPS employees who work for that organization, how long they have worked for that organization, all the contracts that organization has with CPS and how much they have been paid. Please note this is for a possible news story.**

Chicago Public Schools responds to all public records requests in accordance with the Illinois Freedom of Information Act (FOIA), 5 ILCS140. A response will be made within five (5) business days.

If an extension of time is required, written notice will be provided within five business days and the reason for the extension.

Upon the completion of a response, CPS will provide the first 50 pages to you at no charge. If a response is more than 50 pages, each additional page will be .15¢ per page. Copies of video recordings have a fee of \$48, and the fee must be received prior to the copying of the recording. **CPS will inform you of any fees due if your paper response exceeds 50 pages.**

**You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed. Thank you for using the CPS FOIA Center.**

ELECTRONICALLY FILED  
7/27/2015 12:22 PM

2015-CH-11326  
PAGE 000138

---

## Non-Commercial FOIA Request :: N000787-061015

---

Chicago Public Schools FOIA Center <cps@mycusthelp.net>  
To: skarp@bettergov.org

Wed, Jun 17, 2015 at 1:17 PM

--- Please respond above this line ---

6/17/2015

Senior Reporter Sarah S Karp  
223 W. Jackson Blvd. Suite 900  
Chicago IL 60637

Dear Sarah:

### RE: Chicago Public Schools FOIA Request N000787-061015

Thank you again for using the Chicago Public Schools FOIA Center. On 6/10/2015, you requested the following: Specifically under FOIA I am requesting any and all information about the organization that Byron Houzz, coordinator of Attendance and Student Support Services, is employed by. Please include information about other CPS employees who work for that organization, how long they have worked for that organization, all the contracts that organization has with CPS and how much they have been paid. Please note this is for a possible news story..

Under the Freedom of Information Act, 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 reason(s):

Responding to the request requires that we collect a substantial number of specified records.

We will respond to your request by 6/25/2015.

Sincerely,

Chicago Public Schools

---

ELECTRONICALLY FILED  
7/27/2015 12:22 PM  
2015 CHS 1326  
FOIA

---

## FOIA Request :: N000789-061015

---

Chicago Public Schools FOIA Center <cps@mycusthelp.net>  
To: skarp@bettergov.org

Wed, Jun 10, 2015 at 5:12 PM

Dear Sarah:

Thank you for your interest in Chicago Public Schools. Your FOIA request has been received and is being processed. Your FOIA Center reference number for tracking purposes is: **N000789-061015**

You have requested the following records: **Specifically under FOIA, I am asking for the following information:**

• **The number of students in any CPS preschool program suspended, the length of time they were suspended and whether they were suspended multiple times for each of the past five years, including the most up to date information for school year 2014-2015. Please break this information broken down by the school or program attended by the student and the race of the students.** • **The number of students in any CPS early childhood program expelled for each of the past five years, including the most up-to-date information for school year 2014-2015. Please break this information broken down by the school or program attended by the student and the race of the students.** • **The number of students in kindergarten suspended, the length of time they were suspended, whether they were suspended multiple times and the length of time for each suspension for each of the past five years, including the most up to date information for 2014-2015. Please break this information broken down by the school attended by the student and the race of the students.** • **The number of students in kindergarten expelled for each of the past five years, including the most up-to-date information for school year 2014-2015. Please break this information broken down by the school or program attended by the student and the race of the students.** Please do not redact this information. My understanding is that CPS redacts the reports in order to comply with the Family Educational Rights and Privacy Act. The federal government, however, does not redact reports on discipline at all and provides specific information even in cases in which the unit is less than 10. Such reports can be found on the U.S. Department of Education website: <http://ocrdata.ed.gov/>. If the federal government does not redact this information, then CPS should not redact it based on a federal law.

Chicago Public Schools responds to all public records requests in accordance with the Illinois Freedom of Information Act (FOIA), 5 ILCS140. A response will be made within five (5) business days.

If an extension of time is required, written notice will be provided within five business days and the reason for the extension.

Upon the completion of a response, CPS will provide the first 50 pages to you at no charge. If a response is more than 50 pages, each additional page will be .15¢ per page. Copies of video recordings have a fee of \$48, and the fee must be received prior to the copying of the recording. **CPS will inform you of any fees due if your paper response exceeds 50 pages.**

**You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed. Thank you for using the CPS FOIA Center.**

---

ELECTRONICALLY FILED  
7/27/2015 12:22 PM  
2015 CH-11326  
AUG 27 11:38 AM '15

---

## Non-Commercial FOIA Request :: N000789-061015

---

Chicago Public Schools FOIA Center <cps@mycusthelp.net>  
To: skarp@bettergov.org

Tue, Jun 16, 2015 at 12:18 PM

--- Please respond above this line ---

6/16/2015

Senior Reporter Sarah S Karp  
223 W. Jackson Blvd. Suite 900  
Chicago IL 60637

Dear Sarah:

### RE: Chicago Public Schools FOIA Request N000789-061015

Thank you again for using the Chicago Public Schools FOIA Center. On 6/10/2015, you requested the following: Specifically under FOIA, I am asking for the following information: • The number of students in any CPS preschool program suspended, the length of time they were suspended and whether they were suspended multiple times for each of the past five years, including the most up-to-date information for school year 2014-2015. Please break this information broken down by the school or program attended by the student and the race of the students. • The number of students in any CPS early childhood program expelled for each of the past five years, including the most up-to-date information for school year 2014-2015. Please break this information broken down by the school or program attended by the student and the race of the students. • The number of students in kindergarten suspended, the length of time they were suspended, whether they were suspended multiple times and the length of time for each suspension for each of the past five years, including the most up to date information for 2014-2015. Please break this information broken down by the school attended by the student and the race of the students. • The number of students in kindergarten expelled for each of the past five years, including the most up-to-date information for school year 2014-2015. Please break this information broken down by the school or program attended by the student and the race of the students. Please do not redact this information. My understanding is that CPS redacts the reports in order to comply with the Family Educational Rights and Privacy Act. The federal government, however, does not redact reports on discipline at all and provides specific information even in cases in which the unit is less than 10. Such reports can be found on the U.S. Department of Education website: <http://ocrdata.ed.gov/>. If the federal government does not redact this information, then CPS should not redact it based on a federal law..

Under the Freedom of Information Act, 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 reason(s):

Responding to the request requires that we collect a substantial number of specified

Exhibit I

ELECTRONICALLY FILED  
7/27/2015 12:22 PM  
2015 CHS 1326  
CPS

records.

We will respond to your request by 6/25/2015.

Sincerely,

Chicago Public Schools

ELECTRONICALLY FILED  
7/27/2015 12:22 PM  
2015-CH-11326  
PAGE 24 of 28



---

## Non-Commercial FOIA Request :: N000789-061015

---

Chicago Public Schools FOIA Center <cps@mycusthelp.net>  
To: skarp@bettergov.org

Wed, Jun 24, 2015 at 1:51 PM

--- Please respond above this line ---

6/24/2015

Senior Reporter Sarah S Karp  
223 W. Jackson Blvd. Suite 900  
Chicago IL 60637

Dear Sarah:

### RE: Chicago Public Schools FOIA Request N000789-061015

Thank you again for using the Chicago Public Schools FOIA Center. On 6/10/2015, you requested the following: Specifically under FOIA, I am asking for the following information: • The number of students in any CPS preschool program suspended, the length of time they were suspended and whether they were suspended multiple times for each of the past five years, including the most up-to-date information for school year 2014-2015. Please break this information broken down by the school or program attended by the student and the race of the students. • The number of students in any CPS early childhood program expelled for each of the past five years, including the most up-to-date information for school year 2014-2015. Please break this information broken down by the school or program attended by the student and the race of the students. • The number of students in kindergarten suspended, the length of time they were suspended, whether they were suspended multiple times and the length of time for each suspension for each of the past five years, including the most up to date information for 2014-2015. Please break this information broken down by the school attended by the student and the race of the students. • The number of students in kindergarten expelled for each of the past five years, including the most up-to-date information for school year 2014-2015. Please break this information broken down by the school or program attended by the student and the race of the students. Please do not redact this information. My understanding is that CPS redacts the reports in order to comply with the Family Educational Rights and Privacy Act. The federal government, however, does not redact reports on discipline at all and provides specific information even in cases in which the unit is less than 10. Such reports can be found on the U.S. Department of Education website: <http://ocrdata.ed.gov/>. If the federal government does not redact this information, then CPS should not redact it based on a federal law..

Under the Freedom of Information Act, 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 reason(s):

Responding to the request requires that we collect a substantial number of specified

Exhibit J

ELECTRONICALLY FILED  
7/27/2015 12:22 PM  
2015-CHI-1326  
CPS

records.

We will respond to your request by 7/2/2015.

Sincerely,

Chicago Public Schools

ELECTRONICALLY FILED  
7/27/2015 12:22 PM  
2015-CH-11326  
PAGE 26 of 28

---

## FOIA Request :: N000790-061015

---

Chicago Public Schools FOIA Center <cps@mycusthelp.net>  
To: skarp@bettergov.org

Wed, Jun 10, 2015 at 5:28 PM

Dear Sarah:

Thank you for your interest in Chicago Public Schools. Your FOIA request has been received and is being processed. Your FOIA Center reference number for tracking purposes is: **N000790-061015**

You have requested the following records: **I am specifically requesting this under the Freedom of Information Act. Please provide an inventory of everything (materials, textbooks and equipment) removed from the 49 schools that were shuttered in June 2013 that was paid for with federal Title 1 money. This should have been documented and handed over to the Federal Programs and Inventory Department. Also, please provide information on whereabouts of each item on this list. If CPS held a sale for any of these items, please provide information on how much the item was sold for and the account the money was placed in. if you need a list of schools closed on June 13, please contact me and I can provide it.**

Chicago Public Schools responds to all public records requests in accordance with the Illinois Freedom of Information Act (FOIA), 5 ILCS140. A response will be made within five (5) business days.

If an extension of time is required, written notice will be provided within five business days and the reason for the extension.

Upon the completion of a response, CPS will provide the first 50 pages to you at no charge. If a response is more than 50 pages, each additional page will be .15¢ per page. Copies of video recordings have a fee of \$48, and the request must be received prior to the copying of the recording. **CPS will inform you of any fees due if your paper response exceeds 50 pages.**

**You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed. Thank you for using the CPS FOIA Center.**

ELECTRONICALLY FILED  
7/27/2015 12:22 PM  
2015-CH-11326  
PAGE 7 OF 28

---

## Non-Commercial FOIA Request :: N000790-061015

---

Chicago Public Schools FOIA Center <cps@mycusthelp.net>  
To: skarp@bettergov.org

Wed, Jun 17, 2015 at 1:19 PM

--- Please respond above this line ---

6/17/2015

Senior Reporter Sarah S Karp  
223 W. Jackson Blvd. Suite 900  
Chicago IL 60637

Dear Sarah:

### RE: Chicago Public Schools FOIA Request N000790-061015

Thank you again for using the Chicago Public Schools FOIA Center. On 6/10/2015, you requested the following: I am specifically requesting this under the Freedom of Information Act. Please provide an inventory of everything (materials, textbooks and equipment) removed from the 49 schools that were shuttered in June 2013 that was paid for with federal Title 1 money. This should have been documented and handed over to the Federal Programs and Inventory Department. Also, please provide information on whereabouts of each item on this list. If CPS held a sale for any of these items, please provide information on how much the item was sold for and the account the money was placed in. If you need a list of schools closed on June 13, please contact me and I can provide it..

Under the Freedom of Information Act, 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 reason(s):

Responding to the request requires that we collect a substantial number of specified records.

We will respond to your request by 6/25/2015.

Sincerely,

Chicago Public Schools

---

ELECTRONICALLY FILED  
7/27/2015 12:22 PM  
2015 CHICAGO  
FOIA REQUEST