



February 21, 2017

Michael Wareman
209 Julep Avenue
Oswego, IL, 60543

VIA EMAIL – Michael+foia@waremanfamily.com

Re: FOIA Request Dated February 8, 2017 and received February 8, 2017

Subject: A request regarding the application in 2004 to the State of Illinois for a construction grant for \$49 million, any and all email correspondence sent or received by SD308 or its Board members on where the application of this construction grant was discussed.

Dear Mr. Wareman:

This letter will serve as Community Unit School District 308's response to your February 8, 2017 request under the Freedom of Information Act (5 ILCS 140/1 et seq.), in which you asked for the above referenced information. The information responsive to your request is attached.

Please note that certain records are exempt from disclosure pursuant to Section 5 ILCS 140/6(m) of the Illinois Freedom of Information Act as they constitute communications between the public body and an attorney that would not be subject to discovery in litigation.

You have a right to request review of this action by the Public Access Counselor at the Office of the Illinois Attorney General. You can file your request for review by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396

You also have the right to seek judicial review of your denial by filing a lawsuit in the State circuit court.

To promote district transparency and assist others who may have a similar question, this responsive document will be posted online on the district's website. To access it, go to www.sd308.org and select *Our District > Freedom of Information Act Request > FOIA Request Responses*, then select *FOIA ID #17-4*.

Please be advised that to comply with your FOIA request, the district incurred the expense of \$691.49 comprised of the cost of labor and resources used to search for records responsive to your request. You are not legally required to reimburse the district for the amount incurred.

Please let me know if you have additional questions. Thank you.

A handwritten signature in black ink, appearing to read 'B. Graves', is written over the text 'Please let me know if you have additional questions. Thank you.'.

Brian Graves
Freedom of Information Officer

January 13, 2014

Senator Jennifer Bertino-Tarrant
District 49
218 B State Capital Building
Springfield, IL 62706

Mr. Gary Chico, Chairman
Illinois State Board of Education
100 North First Street
Springfield, IL 62777

State Representative Tom Cross
District 97
200-1 N Stratton Office Building
Springfield, IL 62706

Congressman Bill Foster
District 11
1224 Longworth House Office Building
Washington, DC 20515

Senator Linda Holmes
District 42
129 State Capital Building
Springfield, IL 62706

Congressman Randy Hultgren
District 14
332 Cannon House Office Building
Washington, DC 20515

State Representative Stephanie Kifowit
District 84
200-3 S Stratton Office Building
Springfield, IL 62706

Dr. Chris Kock, State Superintendent
Illinois State Board of Education
100 North First Street
Springfield, IL 62777

Pat Quinn, Governor
207 State House
Springfield, IL 62706

Dear Elected Officials and Representatives of the State of Illinois:

On behalf of Community Unit School District 308, which serves over 17,000 students in the communities of Aurora, Joliet, Montgomery, Oswego, Plainfield and Yorkville, Illinois, I would respectfully request your continued consideration for funding of the School Construction Grant Entitlement. I have attached our FY2004 application for construction grant funding for your reference, which shows approximately \$49 million in anticipated entitlements.

School District 308 is the ninth largest district in Illinois with most of its residents living in Kendall County. Kendall County experienced a 110% growth increase from 2000 to 2010 and was the fastest-growing county in the United States over the same time period. Because of this spike in population, student enrollment has almost doubled since applying for construction grant funds in 2002.

This exponential growth, combined with depreciation of property values, business closures, reduced state funding and unfunded state mandates has left a very heavy tax burden on an already encumbered community. The district has already seen a reduction of \$11 million dollars in general state aid over several years, and carries over \$675 million in debt, including principal and interest.

In the interest of maintaining transparent and responsible fiscal accountability, we are reaching out to elected officials in Springfield representing Community Unit School District 308 to urge you to fulfill the commitment of funding the FY2004 School Construction Grant Entitlement. I look forward to meeting with you to discuss ways this money can be distributed in an expeditious manner.

Sincerely,

Dr. Paul O'Malley
Associate Superintendent

C: Bill Walsh, Board President
Dr. Matthew Wendt, Superintendent of Schools

Enclosure

PO/mr



Illinois State Board of Education

100 North First Street • Springfield, Illinois 62777-0001
www.isbe.net

Gery J. Chico
Chairman

Christopher A. Koch, Ed.D.
State Superintendent of Education

February 18, 2014

Dr. Matthew Wendt
Superintendent
Oswego CUSD 308
4175 State Route 71
Oswego, IL 60543-8340

Dear Superintendent:

Thank you for your correspondence with regards to the status of the School Construction Grant Program and thank you for the opportunity to clarify when school districts are "entitled" to receive School Construction Grant Funds.

While we recognize the vast construction needs across Illinois, ISBE cannot promise funds or issue entitlements to a school district until we are given the release of funds from the Governor. School districts that submitted a School Construction application by October 2004 received a letter from ISBE acknowledging the receipt of the application. The letter stated that if funding for the program was extended by the General Assembly and further verification of the application indicated that the district was eligible for entitlement, the entitlement would be retroactive back to the receipt date of the application. The letter further states that, since authorization has not been approved to fund the program, it was inappropriate to take action towards issuing any additional entitlements. Therefore, the 2004 through the 2015 listing of school districts is merely an alphabetical listing of districts that have submitted an application. None of these districts have been entitled for a School Construction Grant award. After October 2004, no letters have been issued by ISBE acknowledging the receipt of the application or assuring that if they receive an entitlement, it will be retroactive back to the date of the application.

In accordance with 105 ILCS 230/5-37, only school districts that have been issued a grant entitlement for a school construction project and have arranged and approved all local financing but did not receive a grant award due to lack of adequate appropriations shall be placed ahead of any new school construction project. Since the districts that are on the 2004 through 2015 application listings have not been entitled, they are not guaranteed funding for their project. A State liability is not incurred until a formal entitlement letter is issued. An entitlement letter has not been issued for the districts on the 2004 through 2015 applicant listings.

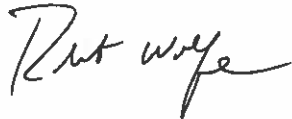
Dr. Matthew Wendt
February 18, 2014
Page Two

I would also like to point out that the Illinois State Board of Education approved as part of its FY 2015 Budget request a \$450 million capital funds request for school technology infrastructure. The request approved by the Board at the January 2014 meeting does not include utilizing any remaining bond proceeds, but rather is being proposed a new, separate capital funds request.

This letter is intended to remind school districts that are on the 2004 through 2015 school construction alphabetical, application listings that they have not been entitled for School Construction Grant awards. These listings are merely an alphabetical listing of school districts that have submitted an application for potential future School Construction funds. No guarantee of funding has been issued for these districts.

If you have any further questions, please contact Deb Vespa, School Business Services Division Administrator, at 217-785-8779 or email dvespa@isbe.net.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rob Wolfe".

Robert Wolfe, CPA
Chief Financial Officer

Attachment

PLEASE NOTE: A District Facilities Plan must accompany each Application for Construction Grant Entitlement submitted.

Oswego Community Unit School District #308
4175 Rt. 71
Oswego, IL 60543

NAME OF CONTACT	PHONE NUMBER
Joel Murphy	630-554-3447
COUNTY	FAX NUMBER
Kendall	630-554-2168

Classification is to be determined by the client, subject to verification by (S&E)

classification is to be determined by the director, subject to verification by (SBE.)

Record the letter (only one) corresponding to the priority classification for which application is being made **B**

- A. Building replacement or reconstruction due to disaster. (Description and Date of Disaster) _____
- B. Insufficient classrooms due to ☒ enrollment growth; or ☐ replacement of aging building(s).
- C. New school construction due to interior reorganization/consolidation/reorganization. (Date of Consolidation Resolution _____)
- D. Project(s) to correct problems stemming from severe and continuing health or life safety problems. (Attach Synopsis of all Outstanding HHS Work)
- E. Project(s) designed to provide accessibility to qualified individuals with disabilities. (Attach Self-Survey)
- F. Project(s) designed to address other unique solutions to space needs. (Describe Briefly)

A. PRE K-8 ENROLLMENTS

2002 Fall Enrollment	2003 Fall Enrollment	2002 Fall Enrollment	Growth Enrollment (Percent Enrollment Increase)
6483	4483	6483	9375

REG. 9-12 ENROLLMENTS

2002 Fall Enrollment	/	2000 Fall Enrollment	x	2002 Fall Enrollment	=	Growth Enrollment (2002-2000)
2268	/	1684	x	2268	=	3055

- | | |
|---|---|
| 1. <u>9375</u> Pre K - 8 Enrollment (or 2002 Pre K - 8 Enrollment if greater) | 1. <u>3055</u> Grade 9 - 12 Enrollment (or 2002 Grade 9 - 12 Enrollment if greater) |
| 2. <u>6778</u> Pre K - 8 Available Capacity | 2. <u>2214</u> Grade 9 - 12 Available Capacity |
| 3. <u>2597</u> Number of Inadequately Housed Pre K - 8 Students (Line 1 minus Line 2) | 3. <u>841</u> Number of Inadequately Housed Grade 9 - 12 Students (Line 1 minus Line 2) |

SECTION (I) COSTS AND FINANCING

A. ESTIMATED COSTS

A. ESTIMATED COSTS	NON-RECOGNIZED/ ENHANCEMENT COST	RECOGNIZED PROJECT COSTS	TOTAL
1. Site Acquisition		\$5,000,000	\$5,000,000
2. Site Development		\$11,476,604	\$11,476,604
3. Construction	\$5,524,616	\$101,817,580	\$107,342,196
4. Furniture and Equipment		\$13,839,432	\$13,839,432
5. Fees		\$8,936,453	\$8,936,453
6. Total Recognized Project Costs (RPC)		\$ 141,070,068	141,070,068
7. Times (X) Preliminary Grant Index		0.35	
8. Equals (-) Estimated State Share RPC		\$ 49,374,524	
9. Total Project Costs			\$ 141,070,068
10. Local Share of Total Project Costs (Line 9 minus Line 8)			\$ 91,695,544

B. FUND SOURCE

1. ☐ Yes ☒ No Does the district have the local share of funds on hand?
If yes, in what fund(s) and accounts are these funds currently held?

FUND NAME	ACCOUNT NUMBER	AVAILABLE AMOUNT
TOTAL →		

2. ☒ Yes ☐ No Will a referendum be required to authorize borrowing the money? If yes, at what election?
☒ 11/5/12 ☐ 4/01/03 ☐ Special Election
☐ 2/23/09

5. ☒ Yes ☐ No Will a referendum be required to obtain authorization for the project? If yes, at what election?
☒ 11/3/02 ☐ Special Election Date

SECTION IV CERTIFICATION AND SIGNATURES

This certifies that the information provided above is true and accurate, and that work was not begun on the Construction Grant Project (such as letting bids, awarding contracts, or starting actual construction) prior to receiving entitlement from the State Board of Education for the project submitted by this applicant.

11/4/02

David Behrman

Type Name of Board Secretary

11/4/02

Patricia Cote

Type Norms of Board President

David Behrens / R
Signature of Board Secretary

Patricia Cole, R18