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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

Parents Defending Education,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No.: 2024CH03055
	)	
	)	
NEW TRIER TOWNSHIP HIGH SCHOOL DISTRICT 203,	)	
	)	
Defendant.	)	

COMPLAINT

Plaintiff Parents Defending Education ("PDE"), by and through undersigned counsel, brings this Illinois Freedom of Information Act suit against Defendant, New Trier Township High School District 203, to fulfill Ms. Nicole Neily's—President of Parents Defending Education—request for records. In support thereof, PDE alleges as follows:

INTRODUCTION

1. This complaint is filed under the Illinois Freedom of Information Act ("IL FOIA"), 5 ILCS 140/1 *et seq.*, challenging the failure of Defendant New Trier Township High School District 203 to fulfill Ms. Neily's request for records.

2. On February 15, 2024, Ms. Neily, as President of Parents Defending Education, submitted an IL FOIA request to Defendant, seeking email records in Defendant's possession.

3. Specifically, PDE's IL FOIA request sought email communications in the possession of Defendant's employees Niki Dizon; Denise Dubravec; Gail Gamrath; Christopher Johnson; Joanne Panopoulos; Dan Paustian; Paul Sally; Peter Tragos; Paul Waechtler; Timothy Hayes; Patricia Savage-Williams; Kiran Subhani; and Chimille Tillery, between the dates of

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January 1, 2024, and February 15, 2024, that contain the terms "Holocaust", "Palestine", or "Gaza." *See* Exh. 1.

4. On March 1, 2024, Defendant denied PDE's request for records, alleging that PDE's request was "unduly burdensome." Defendant also alleged "the burden on the School District outweighs the public interest in the information." *See* Exh. 2.

5. Defendant's denial and justifications are unfounded and unlawful.

6. PDE's request was circumscribed, requesting records from *just thirteen* identified individuals, pertaining to *only three* search terms, and spanning just a *45-day period*. Ms. Neily's request was not "unduly burdensome."

7. Further, the public has a strong interest in the requested records considering the massacre of Israelis on October 7, 2023, and the rise of antisemitism in schools across the United States.

8. Even more so, in January of this year, Defendant's Superintendent denied students the opportunity to commemorate Holocaust Remembrance Day. These actions garnered widespread media attention in the Chicago Tribune, The Patch, The Record North Shore, and the New Trier News. *See* Exh. 3.

9. The public backlash proved so strong that the Superintendent was compelled to publicly apologize and address the events during a February Board of Education meeting.

10. Both New Trier Township and New Trier High School have a substantial Jewish population.

11. Therefore, PDE seeks relief from this Court in the form of an order to release the requested records.

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PARTIES

12. Plaintiff Parents Defending Education is a nationwide, grassroots membership organization whose members include parents, students, and other concerned citizens. PDE's mission is to prevent—through advocacy, disclosure, and, if necessary, litigation—the politicization of K-12 education. PDE is authorized to request and obtain public records and is a "person" as codified in 5 ILCS 140/2(b).

13. Defendant New Trier Township High School District 203 is a public high school with campuses in Northfield and Winnetka, Illinois, and is a "public body" as codified in 5 ILCS 140/2(a).

LEGAL STANDARD

14. Pursuant to the IL FOIA, "[a]ll records in the custody or possession 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.

15. "Each public body shall, promptly, either comply with or deny a request for public records within 5 business days after its receipt of the request, unless the time for response is properly extended" in writing. 5 ILCS 140/3(d)-(e).

16. The First District Court of Appeals of Illinois has stated that "for compliance with a FOIA request to be considered unduly burdensome . . . the request must be a categorical one, seeking 'all records falling within a category.'" *Sargent Shriver Nat'l Ctr. on Poverty Law, Inc. v. Bd. of Educ.*, 2018 IL App (1st) 171846, P28.

17. Illinois courts have consistently determined that there is no "undue burden" posed by FOIA requests like the one made by Ms. Neily here on behalf of PDE. *See National Ass'n of*

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Criminal Defense Lawyers v. Chicago Police Department, 399 Ill. App. 3d 1, 14-17, 924 N.E.2d 564, 338 Ill. Dec. 358 (2010) (finding no undue burden where redacting requested records would require 150 staff hours, or about 20 personnel days, when the burden did not outweigh the public interest); *Hites v. Waubonsee Cmty. College*, 2018 IL App (2d) 170617, P65 (finding that a FOIA request, requiring 56 hours of staff time to respond to, did not constitute an "unduly burdensome request."); *Hites,* 2018 IL App (2d) 170617, P30 (citing *Hall v. Central Intelligence Agency*, 881 F. Supp. 2d 38, 53 (D.D.C. 2012) (Illinois courts have "also looked to federal authority for guidance, including a case in which a search for 1711 names in a database did not constitute an undue burden."); *Greer v. Bd. of Educ.*, 2021 IL App (1st) 200429, P12 (determining that there was no "undue burden" when the FOIA request required manual review of eight file boxes and the agency claimed "redacting exempt information from the documents would take 86 days.").

18. The Illinois Attorney General's Office has also determined that a FOIA request for city emails resulting in 174 responsive documents, which would require review before production, did not constitute an "unduly burdensome" request. *See* AG opinion, 2016 Ill. Att'y Gen. Op. No. 16-008, at 7-8, *http://foia.ilattorneygeneral.net/pdf/opinions/2016/16-008.pdf* (Drumm opinion).

19. The Supreme Court of Illinois has observed "that the United States Supreme Court had defined the pertinent public interest as 'the extent to which disclosure would serve the core purpose of the FOIA, which is contribut[ing] significantly to the public understanding of the operations or activities of the government.'" *Mancini Law Grp., P.C. v. Schaumburg Police Dep't*, 2021 IL 126675, P43 (citations omitted).

20. The Supreme Court of Illinois has further stated, "[s]uch access is necessary to enable the people to fulfill their duties of discussing public issues fully and freely, making informed

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political judgments and monitoring government to ensure that it is being conducted in the public interest." *Better Gov't Ass'n v. Office of the Special Prosecutor (In re Appointment of Special Prosecutor)*, 2019 IL 122949, P24.

21. Under Section 11 of the IL FOIA, "[a]ny person denied access to inspect or copy any public record by a public body may file suit for injunctive or declaratory relief." 5 ILCS 140/11(a).

22. If a denied party prevails in a suit under Section 11 of the IL FOIA, the court must award reasonable attorney's fees and costs to the prevailing party, pursuant to 5 ILCS 140/11(i).

23. Furthermore, if the public body "willfully and intentionally failed to comply with this Act, and otherwise acted in bad faith," the public body is subject to civil penalties of at least $2,500 and no more than $5,000 for each instance of noncompliance. 5 ILCS 140/11(j).

JURISDICTION AND VENUE

24. This Court has jurisdiction over this matter pursuant to ILCS 140/11(a), as "[a]ny person denied access to inspect or copy any public record by a public body may file suit for injunctive or declaratory relief." 5 ILCS 140/11(a).

25. Venue is proper in Cook County pursuant to 5 ILCS 140/11(b) because Defendant's principal office is in Cook County.

FACTS

A. Antisemitism in Schools

26. On October 7, 2023, the terrorist organization Hamas launched a massacre across southern Israel, resulting in the death of 1,200 Israelis and 253 hostages taken.

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27. Following these attacks, antisemitism across school campuses in the United States has skyrocketed.[1] For example, Hillel International, a Jewish campus organization, has reported a 700% increase in antisemitic incidents since last year.[2]

28. One of these incidents—which garnered statewide and national attention—occurred on Defendant's campus.

B. Defendant Denies Holocaust Remembrance Commemoration, Resulting in Widespread Public Criticism

29. In January 2024, Defendant's Superintendent, Dr. Paul Sally, denied approval for a student commemoration of Holocaust Remembrance Day. Exh. 3.

30. Holocaust Remembrance Day is an internationally recognized day of commemoration to remember the 6 million Jewish victims of the Holocaust and other victims of Nazi persecution.

31. Defendant's denial of a student commemoration for Holocaust Remembrance Day garnered widespread media attention, including stories in the Chicago Tribune, The Patch, The Record North Shore, and the New Trier News. Exh. 3.

32. Further highlighting the public interest in these events, the New Trier News reported that "[t]he public attention prompted [Superintendent] Sally to use [the February 20, 2024] board meeting to respond to the growing community concern." *Id.*

33. At the February 20, 2024, Board of Education meeting, Dr. Sally issued a public apology: "My efforts to help our Jewish students feel like they belong, to feel like they matter at New Trier, have fallen short, and of course that matters deeply to them, and deeply to me . . . We

[1] Mary Ellen Flannery, Taking on Antisemitism on College Campuses, neaToday (Jan. 24, 2024), https://www.nea.org/nea-today/all-news-articles/taking-antisemitism-college-campuses.
[2] *Id.*

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have met with them to apologize for how we communicated the decision, and to ensure their voices are heard in the future." *Id.*

34. According to the New Trier News, "In the future, Sally said a new culture, climate, and equity goal for New Trier's annual plan will focus on educating the school community on how to combat antisemitism." *Id.*

C. Parents Defending Education's Request for Records under the IL FOIA

35. On February 15, 2024, Ms. Neily, as President of Parents Defending Education, sent an IL FOIA request to Defendant, requesting email communications in the possession of Defendant's employees Niki Dizon; Denise Dubravec; Gail Gamrath; Christopher Johnson; Joanne Panopoulos; Dan Paustian; Paul Sally; Peter Tragos; Paul Waechtler; Timothy Hayes; Patricia Savage-Williams; Kiran Subhani; and Chimille Tillery, between the dates of January 1, 2024, and February 15, 2024, that contain the terms "Holocaust", "Palestine", or "Gaza." Exh. 1.

36. On March 1, 2024, Defendant denied PDE's request. Defendant asserted that the request was "unduly burdensome" and that "the burden on the School District outweighs the public interest in the information." Exh. 2.

37. Particularly, Defendant claimed, "It would take an unreasonable period of time for a staff member to review all of the records to determine if any records or information contained in the records are responsive or exempt from disclosure" and "would require the School District to go beyond what is reasonably expected of a public body contrary to the intent of the FOIA 5 ILCS 140/1." Exh. 2.

38. To date, Defendant has not produced a single document to Plaintiff.

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39. Defendant's justification is baseless. The request was highly circumscribed, seeking email records from *just thirteen* identified individuals, pertaining to *only three* search terms, and spanning just a *45-day period*.

40. Further, the records are all part of the same medium of communication: email. A simple directive to each of Defendant's employees to conduct a three-keyword-search of his or her email inbox could yield all the requested results in seconds.

41. Thus, the request is not "unduly burdensome," and Defendant has improperly denied her request.

42. Moreover, Defendant's unsupported conclusion that "the burden on the School District outweighs the public interest in the information" is incorrect.

43. Following the rise in antisemitism across U.S. school campuses and Defendant's denial of a Holocaust Remembrance Day commemoration, the public has a strong interest in the requested records. This is highlighted by the fact that four news outlets—including the Chicago Tribune, The Patch, The Record North Shore, and the New Trier News—reported on the Defendant's actions related to Holocaust Remembrance Day. Exh. 3.

44. Furthermore, the strong public interest and attention compelled Defendant's Superintendent to publicly address the events and apologize at a February Board of Education meeting. *Id.*

45. Here, the public has a strong interest in knowing how New Trier Township High School leaders and administrators discuss and view important issues impacting and implicating religious groups.

46. The public also has a strong interest in the actions and viewpoints of public agency employees related to race, ethnicity, religion, and sexual harassment. For example, Illinois courts

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have determined that "the public has a substantial interest in allegations of racial discrimination by public bodies and the Board's response to the allegations, even when the allegations pertain to a single employee." *Greer v. Bd. of Educ.*, 2021 IL App (1st) 200429, P13 (citing *Eberg v. United States Department of Defense*, 193 F. Supp. 3d 95, 117 (D. Conn. 2016)). The public also has a "significant interest in allegations that a named individual public employee engaged in sexual harassment." *Id.* Likewise, the public has a strong interest in how New Trier Township High School leaders and administrators discussed, and acted upon, their views of the Holocaust, Palestine, and Gaza.

47. In sum, the public's interest in the requested information clearly outweighs the burden on Defendant to produce records from *just thirteen* identified individuals, pertaining to *only three* search terms, and spanning just a *45-day period*.

CLAIM FOR RELIEF

(Unlawful Withholding of Agency Records in Violation of the IL FOIA)

48. Plaintiff realleges, and herein incorporates by reference, the allegations contained in the paragraphs above.

49. Section 1.2 of the IL FOIA provides that "[a]ll records in the custody or possession 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.

50. Defendant denied Parents Defending Education's request by merely stating that the request was "unduly burdensome"—without any further explanation. This baseless justification is insufficient to overcome the burden established by the IL FOIA.

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51. Thus, Defendant has violated the IL FOIA by unlawfully withholding the requested records.

PRAYER FOR RELIEF

WHEREFORE, Parents Defending Education respectfully requests that the Court:

A. Declare that Defendant unlawfully withheld the requested records in violation of IL FOIA, 5 ILCS 140/1 *et seq*.;

B. Enjoin Defendant from withholding the requested records and order Defendant to release the requested records immediately in accordance with 5 ILCS 140/11(d) and 5 ILCS 140/3(d);

C. Determine that Defendant willfully and intentionally failed to comply with the IL FOIA and impose appropriate penalties in accordance with 5 ILCS 140/11(j); and

D. Award PDE reasonable attorney's fees and costs in accordance with 5 ILCS 140/11(i).

Dated: April 10, 2024

Respectfully submitted,

/s/ John Fogarty, Jr.
John Fogarty Jr.
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(773) 680-4962 (phone)

fogartyjr@gmail.com

/s/ Jason Torchinsky
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Counsel for Plaintiff

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Exhibit 1

public records request

1 message

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Nicole Neily [redacted] Thu, Feb 15, 2024 at 11:33 AM
To: johnsonc@newtrier.k12.il.us

Dear Mr. Johnson,

I am submitting a public records request pursuant to the Illinois Freedom of Information Act (5 ILCS 140) for emails in the possession of the following New Trier Township High School District employees:

1. Niki Dizon
2. Denise Dubravec
3. Gail Gamrath
4. Christopher Johnson
5. Joanne Panopoulos
6. Dan Paustian
7. Paul Sally
8. Peter Tragos
9. Paul Waechtler
10. Timothy Hayes
11. Patricia Savage-Williams
12. Kiran Subhani
13. Chimille Tillery

Between the dates of January 1, 2024 and February 15, 2024 that contain the terms:

- “Holocaust”
- “Palestine”
- "Gaza"

We respectfully request a waiver or reduction of fees associated with this request. Parents Defending Education is a nonprofit organization and it does not intend to use the requested records for private commercial interests. The primary purpose of this request is to inform the public’s understanding of the district’s deliberations regarding a Holocaust remembrance tribute.

Parents Defending Education has a proven track record of disseminating news about K-12 education and it expects to publicize the results of this request on its website. See https://defendinged.org/. To minimize the burden of production, I can accept records electronically and double-sided copies. That being said, if there are any fees for searching or copying these records, please inform me if the cost will exceed $20.

The Illinois Freedom of Information Act requires a response to this request be made within 5 working days. If you expect a significant delay in responding to this request, please contact me with information about when I might expect copies or the ability to inspect the requested records.

If you deny any or all of this request, please state in writing the basis for the denial, cite each specific exemption you feel justifies the refusal to release the information, and notify me of the appeal procedures available to me under the law.

Thank you for considering my request, and please let me know if you have any questions.

Best,

Nicole Neily
President
Parents Defending Education

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Exhibit 2

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NEW TRIER TOWNSHIP HIGH SCHOOL DISTRICT 203

Chris Johnson, Ed. D.
Associate Superintendent

March 1, 2024

Ms. Nicole Neily
Parents Defending Education
[redacted]

On February 15, 2024, New Trier Township High School District 203 received a Freedom of Information Act (FOIA) request from you, pursuant to the Illinois Freedom of Information Act (the Act) 5 ILCS 140/1 et seq., for the following records:

Request #1: Emails in the possession of the following New Trier Township High School District employees: Niki Dizon; Denise Dubravec; Gail Gamrath; Christopher Johnson; Joanne Panopoulos; Dan Paustian; Paul Sally; Peter Tragos; Paul Waechtler; Timothy Hayes; Patricia Savage-Williams; Kiran Subhani; Chimille Tillery, between the dates of January 1, 2024, and February 15, 2024, that contain the terms: “Holocaust”, “Palestine”, or "Gaza".

Response: This request is unduly burdensome. It would take an unreasonable period of time for a staff member to review all of the records to determine if any records or information contained in the records are responsive or exempt from disclosure. In addition, the School District would likely need to utilize the services of its outside legal counsel to review the records at a significant cost to taxpayers, would disrupt the duly undertaken work of the School District, and would require the School District to go beyond what is reasonably expected of a public body contrary to the intent of the FOIA 5 ILCS 140/1. In this case, the request is unduly burdensome and the burden on the School District outweighs the public interest in the information.

You are invited to contact me to clarify and narrow the scope of the search in an attempt to reduce your requests to manageable proportions. If you do not contact me in a reasonable period of time, you should consider this as a final response and denial of your request based on the unduly burdensome exemption provided in Section 3(g) of the FOIA 5 ILCS540/3(g).

7 Happ Road • Northfield, IL 60093 • johnsonc@nths.net • phone 847.784.3408

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To the extent you consider this response as a denial of your request, you have the right to have the denials contained in this letter 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:

Office of the Attorney General
Public Access Counselor
500 S. 2nd Street
Springfield, Illinois 62706
Phone: 1-877-299-3642
E-mail: public.access@ilag.gov

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days after the date of this 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.

Sincerely,

Chris Johnson, FOIA Officer
Associate Superintendent

CTJ/pls

cc: Dr. Paul Sally, Superintendent
Board of Education members

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Exhibit 3

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Superintendent addresses alleged cancellation of Holocaust Remembrance Day activity

Amidst community concern for how New Trier handled #WeRemember sticker campaign, Sally takes responsibility for decision

William Karr, Managing Editor

On Feb. 20, Superintendent Dr. Paul Sally addressed the New Trier High School community at the monthly Board of Education meeting about why he decided to not approve a proposed activity to honor International Holocaust Remembrance Day.

For the past three years, the German Club and German classes have spearheaded activities, such as announcements and bulletin boards, to honor the day annually celebrated on Jan. 27. This year, those groups, with the Jewish Affinity Group, created a campaign that involved distributing stickers to each adviser room with the #WeRemember hashtag to adviseries on the Northfield and Winnetka campuses.

Screenshot of Board meeting video

Superintendent Dr. Paul Sally speaks at New Trier Board of Education meeting on Feb. 20

When that plan was not approved, advisers then just had the choice to pick up stickers in the mailroom, and decide how they wanted to use them based on their plans. Sally not approving that activity sparked the attention of parents and other community members in early February after the circulation of two letters that made accusations of antisemitism in connection with the activity's alleged cancellation.

The public attention prompted Sally to use Tuesday's board meeting to respond to the growing community concern. He said that the administration first learned about the activity the Monday before it would take place. Due to the short time given to communicate and prepare advisers for the activity, he decided to not approve the event.

"It was not the important commemoration of the victims and honoring of the survivors of the Holocaust at issue, but current events that are adjacent in many of our students' minds," Sally, reading from a prepared statement, said. "We know that teens will often tell us what is on their mind, and we would have wanted advisers to think about how to handle non-Holocaust Remembrance Day related discussions that could have arisen."

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Sally said that with the rise in antisemitism over the past few years and since the start of Israel-Hamas war on Oct. 7, Jewish families and students want the school to reflect how New Trier is educating people on antisemitism as part of its equity work. In addition, Sally said that he now understands that, without an explanation for his decision, people were hurt in the process.

"My efforts to help our Jewish students feel like they belong, to feel like they matter at New Trier, have fallen short, and of course that matters deeply to them, and deeply to me," Sally said. "We have met with them to apologize for how we communicated the decision, and to ensure their voices are heard in the future."

Sally shared that he was unaware of the "enthusiasm" that Jewish students and teachers had for the sticker distribution activity. Looking back, he now sees the importance of the activity for them.

"For them, it was a very positive way to be seen more fully at New Trier, and represented a way they could put their imprint on the day," Sally said.

In the future, Sally said a new culture, climate, and equity goal for New Trier's annual plan will focus on educating the school community on how to combat antisemitism. The administration will hear input from the Jewish United Fund and local Jewish leaders to understand how to best reach that goal.

Community members at the board meeting spoke during public comment about their view on how New Trier handled the situation. Some of the speakers were parents, students, and a representative from the League of Women Voters of Wilmette, who shared a statement from the League's co-presidents, Kirsten Stadheim and Laurie Stadheim.

Senior Beau McBride, a member of the Jewish Affinity Group, shared his appreciation for how New Trier has treated Jewish students through measures to limit hate speech about the Israel-Hamas war. However, he said what happened in connection to Holocaust Remembrance Day was an exception.

McBride felt that New Trier not approving the sticker campaign violated its principle of embracing diverse communities.

"When we tried to celebrate a holiday that is essential to the heritage of the Jewish people, the school hesitated," McBride said. "I think that is why most of us took offense, because we didn't think of Holocaust Remembrance Day as political, in any sense."

New Trier parent Tracy Wolfe shared how, since Oct. 7, Jewish students are fearful as they hear antisemitic comments every day. In a time when students need support, she said, occurrences such as limiting the recognition of Holocaust Remembrance Day make them feel abandoned. In addition, she said that the decision to stop the activity was antisemitic.

"In the event that a student asked an adviser a question likening the Holocaust to the current war, a response should have clearly been that the Holocaust and the current war are two completely different and unrelated topics," Wolfe said.

When public comment ended, Board President Keith Dronen thanked and let the people who spoke to the board that evening know that the board hears them and takes their comments about culture, climate, and equity work at New Trier seriously.

"The board will continue to encourage the administration to reach out to the community for their perspective," Dronen said. "The board will…continue its work to make ensure that all students, families, and staff feel welcome at New Trier."

Jen Marzouk, whose children are third-generation New Trier students, is also a member of the Class of 2026 New Trier Parents' Association. When she heard about what happened surrounding Holocaust Remembrance Day, she was concerned as she and her family see New Trier as a special place but are happy about what New Trier has done since.

"I really appreciate the willingness of the board to engage with the community and help us understand what went on," Marzouk said to the board.

Sally said that as students today hear extreme, divisive voices that are hurtful, it is more important than ever to combat hate to achieve a culture where every student feels a sense of belonging at New Trier.

“Now, more than ever, the biggest mistake we could make would be not to try to do our best to recognize the identity and humanity of all our students,” Sally said.

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LOCAL NEWS

New Trier limits Holocaust Remembrance Day events

Eric P. Davis / Pioneer Press

New Trier High School is under fire after canceling a new initiative planned for International Holocaust Remembrance Day.

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By DANIEL I. DORFMAN | Pioneer Press

PUBLISHED: March 5, 2024 at 5:49 p.m. | UPDATED: March 5, 2024 at 5:59 p.m.

A decision not permitting the distribution of stickers around International Holocaust Remembrance Day at New Trier High School has drawn some criticism and the school administration now focusing on ways to battle anti-Semitism.

The debate was an outgrowth on the school's commemoration of International Holocaust Remembrance Day on Jan. 27. For the last few years and including this year, New Trier ha ...

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Schools

Holocaust Sticker Snafu Leads New Trier Admin To Address Antisemitism

The superintendent took responsibility for blocking the distribution of "#WeRemember" stickers on International Holocaust Remembrance Day.

Jonah Meadows, Patch Staff

Posted Wed, Feb 28, 2024 at 5:14 pm CTUpdated Thu, Feb 29, 2024 at 12:23 pm CT

ADVERTISEMENT

Students from New Trier High School's German classes, clubs and Jewish affinity groups planned to distribute stickers to advisor rooms on Jan. 26 to commemorate International Holocaust Remembrance Day, but administrators stopped them. (New Trier Township High School District 203, File)

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WINNETKA, IL — The superintendent of New Trier High School District 203 pledged to focus on fighting antisemitism as part of the district's annual strategic plan following backlash to his decision to block students from distributing stickers for International Holocaust Remembrance Day.

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Superintendent Paul Sally said he determined that was not enough time to properly prepare for students to hand out "#WeRemember" stickers to about 160 advisor rooms, having only learned of the plan on Jan. 22, four days before it was to take place.

"I want to make it clear that no one else, not the equity liaisons, not campus leaders, made this decision," Sally said at last week's school board meeting. "It was mine alone and was based on the short time to communicate and to prepare advisors."

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At issue, the superintendent said, was not the honoring of victims and survivors of the Holocaust, but rather "current events that are adjacent in many of our students minds." Sally said he would have wanted advisors to think about how to handle discussions that were not related to the Holocaust.

"My goal was to ensure that we honored this important day for Jewish students — and all students — while not creating a situation where it could cause them harm," Sally said. "What I did not understand the level of enthusiasm that our Jewish students and staff had for this new sticker distribution activity."

ADVERTISEMENT

Paul Sally, superintendent of New Trier High School District 203, addressed his handling of a planned International Holocaust Remembrance Day event during an 8 minute prepared statement at the Feb. 20 meeting of the District 203 school board.

Sally said students were deeply disappointed in his decision and he understands why they were so hurt.

"Our efforts, my efforts to help our Jewish students feel like they belong, to feel like they matter at New Trier have fallen short, and of course that matters deeply to them, and deeply to me," he said. "We have met with them to apologize for how we communicated the decision and to ensure that their voices are heard in the future."

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New Trier senior Beau McBride said he is a member of one of the Jewish affinity groups, which were formed on each campus last year and had the stickers made.

McBride said he appreciated administrators' actions with regard to its Jewish students in recent months, citing efforts to limit hate speech and monitor dialog about the Israel-Hamas War. But their handling of the Holocaust Remembrance Day incident was an exception, he said.

"Holocaust Remembrance Day has been celebrated for decades, Oct. 7 and the subsequent war didn't change its meaning, and it's not only about Jews, millions of Roma, Poles, Soviet prisoners of war and people with disabilities died alongside 6 million Jews," McBride said. "Jan. 27 is about remembering all of that, making it a distinctly Jewish holiday takes away from all the other people who were murdered."

International Holocaust Remembrance Day was established by the United Nations in 2005 as Jan. 27, marking the day on which Soviet soldiers liberated the Auschwitz concentration camp during World War II.

Holocaust Remembrance Day, Yom Hashoah in Hebrew, which this year takes place on May 6, has been observed on the 27th day of the Hebrew month of Nisan since 1951. It marks the anniversary of the Warsaw Ghetto Uprising.

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"We didn't think of Holocaust Remembrance Day as political in any sense," McBride said. "We thought that it was strictly part of our heritage, and I think that's why a lot of us had an immediate visceral reaction about it just because the Holocaust is so personal to Jews."

In recent years at New Trier, administrators said, the German club and German classes have led International Holocaust Remembrance Day commemorations. This year, there were public address announcements on both campuses about the importance of honoring Holocaust victims and survivors, bulletin board displays, and posters, stickers and tables outside during lunch periods, administrators said.

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New Trier parent Tracy Wolfe said she was told administrators contacted the German club sponsors not to contact advisors about the sticker plan on the day before it was planned due to the Israel Hamas War and the sensitivities of Palestinians students.

"How does recognition of Holocaust Remembrance Day have any consequence or bearing on the feelings of our fellow Palestinian students in the current war in the Middle East?" Wolfe asked.

Wolfe said Jewish New Trier students are surrounded by constant antisemitism.

"Imagine how, post Oct. 7, after experiencing, reading and hearing daily antisemitic tropes of the most repugnant nature, their own school seems to be following suit, or at the very least stifling recognition of an important day in Jewish history — not just any history, but Jewish history," she said. "How else can they explain this cancellation except as another form of antisemitism, another example of being abandoned when they need support the most, or another form of political placation and the name of the oppressed."

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As of Feb. 28, there have been more than 30,000 people killed since Hamas' Oct. 7 cross-border attacks and hostage taking and the Israeli military's four months and three weeks of retaliatory attacks, including more than 1,200 Israelis, more than 29,000 Palestinians and 94 journalists, among them two Israelis, three Lebanese and 89 Palestinians, according to the Committee to Project Journalists.

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Nicki Perchik, a New Trier parent and alum, said she has been seeing disturbing content while "doom scrolling" on social media.

"This is a time like nothing we've ever experienced before. Throughout history, there has been a Holocaust every century. And how that happens is people don't speak up. Good people say nothing," Perchik said.

"And we are watching that happen," she said. "We are seeing images online of, 'No Jews allowed,' 'We won't serve Jews.' We're seeing Jewish events be cancelled, because people don't want Jews. We're seeing hate at a level that is unimaginable and if you're not Jewish, you're probably not seeing it."

Parent Joy Schwartz said social media is feeding into the re-writing of history and record levels of antisemitism nationwide lead to more fear around local events.

"It is clear to me, however, that the school's administration understands that and is responding they are taking this opportunity to take a step back to listen and learn, willing to hear critical feedback and are deeply engaged, which I appreciate tremendously," Schwartz said.

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"Thoughtfully and carefully, I believe they will make actionable change

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she said. "Some of the steps like planning for Jewish American Heritage Month and Yom Hashoah are indicators of that which I massively appreciate."

In the superintendent's remarks prior to public comment, Sally combatting antisemitism would be at the center of the coming year's "culture, climate and equity" strategic plan goals, and administrators would work with staff members, students, parents and representatives of local Jewish organizations to better understand how to develop staff training and equity work.

"All of our students must have the opportunity to thrive at our school. I cannot think of a more urgent time than now to make sure that we are living up to our commitment to combat hate and create a culture of dignity and belonging and New Trier," Sally said. "Our teens are caught in a culture where the loudest and sometimes most extreme and divisive voices are amplified in hurtful ways."

Jean Hahn, the vice president of the board, thanked members of the public for coming to the meeting to share their views. She emphasized the importance of trust in preparing children for the future and the need for community members to trust one other.

"Because when our students leave New Trier, they need to trust themselves," Hahn said, "and their ability to seek and find, for themselves, what brings them joy, who to love, how to recognize injustice, and right it and how to bear witness to and alleviate human suffering."

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Dr. Paul Sally addresses the New Trier High School Board on Tuesday, Feb. 20. I SCREEN CAPTURE

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Winnetka, News

NTHS superintendent issues apology for not allowing new Holocaust Remembrance Day activity

By Peter Kaspari | 3:28 p.m. February 22, 2024

New Trier High School Superintendent Dr. Paul Sally acknowledged on Tuesday evening the “hurt” that was caused when he decided to not allow a student commemoration of Holocaust Remembrance Day, and told the School Board and the community that he and the school will do better when it comes to combating antisemitism.

Sally read a lengthy prepared statement during the board of education’s regular

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meeting on Tuesday, Feb. 20, when he talked about the situation and highlighted the district's efforts to ensure every student feels like they belong.

International Holocaust Remembrance Day is recognized every Jan. 27. Sally said New Trier has historically commemorated the date by displaying bulletin boards around both campuses and making an announcement over the school's public address system, both of which also happened this year.

This year, a group of students and staff members proposed

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a new activity: distributing stickers in adviser rooms.

Sally said the administration first learned of the idea on the Monday before Holocaust Remembrance Day, a Saturday.

"After discussion amongst the administration, and based on the short timeline to communicate and prepare advisers for this activity, I made the decision that we would not run the new activity at this time," he said. "I want to make it clear that no one else, not the equity liaisons, not campus leaders, made this decision. It was mine alone, and was based on the short timeline to

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communicate and prepare advisers."

Sally said his reason for saying no was because he did not want to create a situation where Jewish students would feel uncomfortable.

"With 160 different advisers and adviser rooms, it was not the important commemoration of the victims and honoring of the survivors of the Holocaust that was the issue, but current events that are adjacent in many of our students' minds," he said. "We know that teens will often tell us what is on their mind, and we would have wanted advisers to think

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about how to handle non-Holocaust Remembrance Day discussion that could have arisen.

"My goal was to assure that we honored this important day for Jewish students — and all students — while not creating a situation where it could cause them harm."

But when Sally declined the request to hold the sticker distribution, he said those involved in planning it felt "deep disappointment in New Trier."

"What I did not understand was the level of enthusiasm that our Jewish students and staff had for this new sticker

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distribution activity," he said. "For them, it was a very positive way to be seen more fully at New Trier and represent a way they could put their impact on the day."

He said he understands why so many were hurt and by denying the activity, "our efforts, my efforts, to help our Jewish students feel like they belong, to feel like they matter at New Trier, have fallen short," he said.

He added that the administration has met with the students and staff who planned the activity to apologize "for how we communicated the decision and to ensure that their

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voices are heard in the future."

One of the district's goals for New Trier 2030, its strategic plan, is creating a culture of belonging and making sure that all students feel like they belong at the school. Sally said that, going forward, the district will include a goal in that plan that is specifically focused on educating students on antisemitism and how to combat it.

"Along with conversations with our departments, staff members, students and parents, we're meeting with representatives from the Jewish United Fund and local Jewish leaders as we look to

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build a better understanding of how we should think about our curriculum, staff training and equity work," Sally said.

The School Board heard from 12 people during public comment on Feb. 20, with many of them thanking the district for its commitment to equity, and others sharing why Sally's decision to not hold the sticker distribution activity was hurtful.

Joy Schwartz spoke about how the rise in antisemitism has impacted Jewish communities and said "when something happens in our own community where we feel most at home, we are extraordinarily frightened."

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"It is clear to me, however, that the school's administration understands that and is responding," she said. "They are taking this opportunity to take a step back, to listen and learn. They're willing to hear critical feedback and are deeply engaged, which I appreciate tremendously."

Sally concluded his statement by saying New Trier's commitment to being a safe and welcoming school matters the most when a community is hurting, and he said the district's equity work is a major part of that commitment.

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"We must continue to think about how the perspectives we share represent all identities in a way that leads to reflection and understanding through a culture of dignity," he said. "Now, more than ever, the biggest mistake we could make is to not try to do our best to recognize the identity and humanity of all our students."

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Peter Kaspari

Peter Kaspari is a blogger and a freelance reporter. A 10-year veteran of journalism, he has written for newspapers in both Iowa and Illinois, including spending multiple years covering crime and courts. Most recently, he served as the editor for The Lake Forest Leader. Peter is also a longtime resident of Wilmette and New Trier High School alumnus.

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