

March 15, 2021

Email to: [asra@asranomani.com](mailto:asra@asranomani.com)

Ms. Nomani:

I write in response to your Freedom of Information Request dated March 1, 2021. The District informed you on March 8, 2021 that it required an extension of time to respond to your request and would respond on March 15, 2021. Please accept this communication as the District's response to your March 1, 2021 request.

In your request, you asked the District to produce the following documents:

1. Could you please send me all records, documentation, contracts, video recordings, audio recordings and other information regarding a presentation by Dina Simmons on or about February 26, 2021, on the subject of systemic racism. I understand that she spoke about education being "based on a foundation of whiteness" and how schools are "spiritually murdering" students.
2. The documents requested include a statement on how much Ms. Simmons was paid.
3. Can you please provide a response to parents and teachers concerned with the divisiveness of Ms. Simmons' statements.
4. Please also provide any emails and communications regarding engaging Ms. Simmons and responses to Ms. Simmons' talk, including complaints and concerns.
5. Can you please provide documentation of whether there were competing bids provided in response to a request for proposals for this presentation?

In response to your inquiries, please see the District's responses below.

1. Could you please send me all records, documentation, contracts, video recordings, audio recordings and other information regarding a presentation by Dina Simmons on or about February 26, 2021, on the subject of systemic racism? I understand that she spoke about education being "based on a foundation of whiteness" and how schools are "spiritually murdering" students.

**Response:** I have attached a copy of the Speaking Engagement Agreement the District entered into with LiberatED LLC which relates to the presentation by Dena Nicole Simmons, Ed.D. Any responsive documentation or recordings related to Dr. Simmons' presentation delivered on February 26, 2021 are exempt from disclosure under the *Illinois Freedom of Information Act*, Section 7(1)(g) which provides that records are exempt from disclosure if they are "trade secrets and commercial or financial information obtained from a person or business where the trade secrets or commercial or financial information are furnished under a claim that they are proprietary, privileged or confidential, and that disclosure of the trade secrets or commercial or financial information would cause competitive harm to the person or business, and only insofar as the claim directly applies to the records requested." Dr. Simmons presentation was identified as intellectual property and was presented to Naperville 203 as proprietary or confidential information which, if disclosed, would cause a competitive harm to the Dr. Simmons or LiberatED LLC. More specifically, the "Speaking Engagement Agreement" with LiberatED LLC includes the following language:

**Intellectual Property:**

Anything presented or shared with Naperville School District 203 during the workshop is the intellectual property of LiberatED LLC and shall not be reproduced or presented without the permission of LiberatED LLC. **Additionally, LiberatED LLC does not permit recording of any sessions.**

2. The documents requested include a statement on how much Ms. Simmons was paid.

**Response:** Please see the "Speaking Engagement Agreement" produced in response to Request Number 1.

3. Can you please provide a response to parents and teachers concerned with the divisiveness of Ms. Simmons' statements.

**Response:** There are no public records responsive to this request.

4. Please also provide any emails and communications regarding engaging Ms. Simmons and responses to Ms. Simmons' talk, including complaints and concerns.

**Response:** I have enclosed copies of email communications regarding engaging Dr. Simmons which total 15 pages of documents. There are no public records responsive to your request for "responses to Dr. Simmons' talk, including complaints and concerns this request."

5. Can you please provide documentation of whether there were competing bids provided in response to a request for proposals for this presentation?

**Response:** There are no public records responsive to this request.

In conjunction with the District 203 Administration, I have made the decision to declare certain presentations exempt from disclosure. You may ask the Illinois Attorney General's Public Access Counselor (PAC) to review this decision concerning your request, by submitting a Request for Review to the PAC by electronic mail or U.S. mail within 30 days after this partial denial of your request. A Request for Review by the PAC should be directed to:

Public Access Bureau  
Office of the Illinois Attorney General  
500 S. 2nd Street Springfield, IL 62706  
[publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us)

The PAC's telephone number is (217) 558-0486. You also have the right to administrative review by a court of law, pursuant to FOIA Section 11.

Sincerely,

Susan Patton  
District 203 FOIA Officer

**SPEAKING ENGAGEMENT AGREEMENT  
BETWEEN  
LiberatED LLC  
AND  
Naperville School District 203**

This Speaking Engagement Agreement ("Agreement") serves to document an agreement between LiberatED LLC ("LiberatED LLC"), and Naperville School District 203 ("Naperville School District 203") under which LiberatED LLC will present one keynote for a Naperville School District 203 event ("Service").

**Background:**

Dena Nicole Simmons, Ed.D. of LiberatED LLC will present a 60-minute keynote on February 26, 2021 at 9:30am EST for Naperville School District 203 event. LiberatED LLC will provide the Services via Zoom and agrees that no Service substitutions will be allowed without prior written consent from Naperville School District 203.

**Term:**

This AGREEMENT will remain in effect until May 31, 2021.

**NAPERVILLE SCHOOL DISTRICT 203 Responsibilities:**

- Naperville School District 203 will confirm session time/length and location in a timely manner.
- Naperville School District 203 will comply with all reasonable technology requests.
- Naperville School District 203 will compensate LiberatED LLC upon acceptance of Service and after submission of an invoice for such Service.

**Intellectual Property:**

Anything presented or shared with Naperville School District 203 during the workshop is the intellectual property of LiberatED LLC and shall not be reproduced or presented without the permission of LiberatED LLC. ***Additionally, LiberatED LLC does not permit recording of any sessions.***

**Independent Contractor Status:**

LiberatED LLC is acting as an independent contractor. Naperville School District 203 will determine the manner, scope, and method of delivery of the Services and LiberatED LLC will undertake and accomplish the Services in accordance with standards acceptable to Naperville School District 203. Naperville School District 203 confirms that the Services are outside of Naperville School District 203' ordinary course of education and is seeking LiberatED LLC' experience and expertise.

**Compensation:**

The compensation paid to LiberatED LLC will not be subject to withholding taxes or other employment taxes. As an independent contractor, LiberatED LLC will be responsible for payment of all taxes and fees arising out of Services provided, including, by way of illustration but not limitation, federal and state income taxes, social security taxes, unemployment insurance taxes, and any other taxes or business license fees as required. As an independent contractor, LiberatED LLC is not eligible for any employment benefits that may be afforded Naperville School District 203 employees including, but not limited to, overtime pay, retirement compensation, workers compensation insurance coverage, injury leave, or any other leave benefits.

Neither party will represent that it is an officer, employee, agent or affiliate of the other.

**Fee:**

Date	Details	Agreement
2/26/2021 at 9:30am EST	<ul style="list-style-type: none"><li>• Deliver a 60-minute virtual keynote ("Surviving to Thriving") to Naperville School District 203 via Zoom</li></ul>	\$10,500
<b>Total</b>		<b>\$10,500</b>

LiberatED LLC will submit an invoice to Naperville School District 203 for payment.

Upon timely receipt of an invoice and acceptance by Naperville School District 203, payment for each session will be remitted to LiberatED LLC within thirty (30) days after the Service has been delivered.

**Termination:**

If Naperville School District 203 cancels any of the services for any reason other than an event of Force Majeure, it agrees to pay LiberatED LLC 25% of the total fee. If possible, Naperville School District 203 will reschedule any of the Services at another date, and receive the 25% of the total fee already paid as a credit associated with providing the Services at a new date, leaving a balance owed of the remaining 75% of the total fee. Should an event of Force Majeure cause cancelation of the Services, Naperville School



District 203 will endeavor to reschedule the event and pay for travel costs associated with rescheduling, if any, but will not be responsible for payment of any portion of the fee until the Services are provided. If LiberatED LLC cancels the Services, it must do so no less than seven days prior to the date that Services are scheduled to be delivered and support finding a replacement speaker acceptable to Naperville School District 203. Naperville School District 203 is under no obligation to accept a replacement speaker or pay LiberatED LLC, should it cancel the Services. If an acceptable replacement speaker is identified, Naperville School District 203 will engage the replacement speaker under a separate AGREEMENT.

**Limitation of Liability:**

Neither Party shall be liable for any indirect, special, incidental, punitive, or consequential damages (including, without limitation, damages for lost of profits or business) suffered by the other Party or any others resulting from the use of Services, even if advised of the possibility of such damages. In no event shall LiberatED LLC's total liability to Naperville School District 203 for all damages, losses, and causes of actions (whether in contract, tort including negligence or otherwise) exceed the Agreement paid by Naperville School District 203 hereunder.

**Indemnification:**

Each party agrees to indemnify, defend and hold the other party, its officers, affiliates, owners, directors, partners, agents and employees harmless from claims, liabilities, and causes of action asserted against the Indemnified Party by reason of the acts, omissions, or neglect of the Indemnifying Party or its employees or agents, EXCEPT TO THE EXTENT SUCH CLAIMS, LIABILITIES, AND CAUSES OF ACTION ARE PARTLY OR WHOLLY THE RESULT OF THE INDEMNIFIED PARTY'S GROSS NEGLIGENCE OR WILLFUL MISCONDUCT OF THE INDEMNIFIED PARTY.

**Compliance with Laws and Regulations:**

This AGREEMENT is entered into by both parties and subject to all applicable local, state and federal laws, rules, and regulations.

**Force Majeure:**

The parties to this AGREEMENT may be excused from performance hereunder during the time and to the extent that they are prevented from performance due to an act of God, fire, strike, or lockout, when satisfactory evidence thereof is presented to the other party and provided that such non-performance is not due to the fault of the non-performing party.

**Governing Law:**

This Agreement shall be governed by and construed in accordance with the laws and court decisions of the State of Connecticut. Proper venue for a dispute arising out of this Agreement will be in New Haven County, Connecticut. In the event of a dispute, the parties agree that the exclusive dispute resolution procedure will be, first, mediation, then binding arbitration, if mediation does not result in a settlement. Both mediation and arbitration will take place exclusively in New Haven County, Connecticut or a court jurisdiction agreed upon by both parties.

**Legal Construction:**

In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be considered as if such invalid, illegal, or unenforceable provision had never been contained in this Agreement.

**Entire Agreement:**

This AGREEMENT represents the entire and exclusive agreement between the parties thereto and replaces in their entirety any previous agreements, written or oral. No modifications or amendments will be made to this AGREEMENT unless done so in writing and agreed upon by both parties. Neither LiberatED LLC nor the Naperville School District 203 may assign or transfer any interest in this Agreement without the prior written consent of the other party.

This AGREEMENT shall be effective upon the signature of LiberatED LLC and Naperville School District 203.



\_\_\_\_\_  
LiberatED LLC

\_\_\_\_\_  
Naperville School District 203

**November 30, 2020**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

## Susan Patton

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**From:** InfoDenaSimmons <infodenasimmons@gmail.com>  
**Sent:** Tuesday, February 16, 2021 1:06 PM  
**To:** Colleen Cannonruffo;Dena Simmons  
**Cc:** Jayne Willard;Rakeda Leaks;Erin Anderson  
**Subject:** Re: Naperville SD203 Equity Institute Presentation Information

**CAUTION:** This e-mail originated outside of Naperville 203. **DO NOT** click links or open attachments unless you confirm the incoming address of the sender and know the content is safe.

Thank you, Colleen.

I have added Dr. Simmons to this exchange.

Best,  
Denise

[www.denasimmons.com](http://www.denasimmons.com)

Sign up for Dr. Simmons' [newsletter](#)!

Follow Dr. Simmons on [Twitter](#) and [Instagram](#).

Watch Dr. Simmons' TED [talk](#).

On Tue, Feb 16, 2021 at 2:00 PM Colleen Cannonruffo <[ccannonruffo@naperville203.org](mailto:ccannonruffo@naperville203.org)> wrote:

Dear Ms. Simmons,

Here is the password for your Naperville Zoom account.

<b>Session Title:</b>	Surviving to Thriving
<b>Presenter Zoom Password</b>	#203Unites

Take care,

Colleen

*Colleen Cannon-Ruffo, Ph.D.*

Project Manager for Learning Services

Naperville SD203

630-420-6284

@ccannonruffo

Confidentiality Notice: This message and any attachments may contain confidential and privileged information that is protected by law. The information contained herein is transmitted for the sole use of the intended recipient(s). If you are not the intended recipient or designated agent of the recipient of such information, you are hereby notified that any use, dissemination, copying or retention of this email or the information contained herein is strictly prohibited and may subject you to penalties under federal and/or state law. If you received this email in error, please notify the sender immediately and permanently delete this email. We may monitor email to and from our network.



## Susan Patton

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**From:** Colleen Cannonruffo  
**Sent:** Tuesday, February 16, 2021 1:16 PM  
**To:** InfoDenaSimmons  
**Cc:** Jayne Willard; Rakeda Leaks; Erin Anderson  
**Subject:** RE: Naperville SD203 Equity Institute Presentation Information

Absolutely. Thank you for the email address.

Colleen

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**From:** InfoDenaSimmons <infodenasimmons@gmail.com>  
**Sent:** Tuesday, February 16, 2021 1:08 PM  
**To:** Colleen Cannonruffo <ccannonruffo@naperville203.org>  
**Cc:** Jayne Willard <jwillard@naperville203.org>; Rakeda Leaks <RLeaks@Naperville203.org>; Erin Anderson <eanderson@naperville203.org>  
**Subject:** Re: Naperville SD203 Equity Institute Presentation Information

**CAUTION:** This e-mail originated outside of Naperville 203. **DO NOT** click links or open attachments unless you confirm the incoming address of the sender and know the content is safe.

Thank you, Colleen.

May I ask that you please send the invitation to Dr. Simmons at [Dena.Simmons@gmail.com](mailto:Dena.Simmons@gmail.com)

Best,  
Denise

[www.denasimmons.com](http://www.denasimmons.com)  
Sign up for Dr. Simmons' [newsletter](#)!  
Follow Dr. Simmons on [Twitter](#) and [Instagram](#).  
Watch Dr. Simmons' TED [talk](#).

On Tue, Feb 16, 2021 at 10:05 AM Colleen Cannonruffo <[ccannonruffo@naperville203.org](mailto:ccannonruffo@naperville203.org)> wrote:

Dear Ms. Simmons,  
Thank you so much for agreeing to present the keynote at our **2021 Equity Institute** next week on **Friday, February 26th**. We are very excited to have you and look forward to seeing your presentation.

In order to ensure that all will go smoothly on this day, we have created district Zoom accounts for you to use for this conference. Your session information, including links and usernames/passwords can be found below. We ask that you arrive 15-30 minutes prior to your session time so that we can make sure all of the technology is working and discuss any last minute needs you might have.

<b>Session Title:</b>	Surviving to Thriving
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<b>Session Description</b>	For community members to thrive, they must feel safe to be who they are; they must love themselves. As a result, our leadership, instruction, and assessment must foster psychological and emotional safety through emotional intelligence, culturally responsiveness, and anti-racist practices. During this interactive session, participants will explore impostor syndrome, emotional intelligence, and culturally relevant pedagogy, and anti-racist practices. Through narrative, Dr. Simmons will discuss how the intersection of emotionally intelligent and culturally relevant practices can create equitable and welcoming communities, where everyone can learn in the comfort of their skin.
<b>Session Objectives:</b>	<ul style="list-style-type: none"> <li>• Explore impostor syndrome</li> <li>• Discuss the skills of emotional intelligence as well as culturally relevant and anti-racist practices</li> <li>• Explore the intersections between culturally relevant practices and emotional intelligence</li> <li>• Describe ways to incorporate culturally relevant and emotionally intelligent practices into participants' lives and work</li> </ul>
<b>Session Time:</b>	Keynote: 8:00-9:00 AM CST
<b>District Host:</b>	Jayne Willard
<b>Zoom Link:</b>	<a href="https://naperville203.zoom.us/j/96911552028">https://naperville203.zoom.us/j/96911552028</a>
<b>Presenter Zoom Account for Login</b>	<a href="mailto:dsimmons@naperville203.org">dsimmons@naperville203.org</a>
<b>Presenter Zoom Password</b>	Your password will be sent in a separate email.

We would like to set up a brief 15-30 minute meeting with you prior to the event to go over the logistics of the presentation and test the technology with you. We are asking that you take a few minutes to fill out [this Google Form](#) with information that will help us support you better during your presentation. In the form, we ask that you upload the presentation you will be using that day. We will upload the presentation to our internal Conference Google Site, but will not release the presentation until after your session begins.

In addition, we will be offering to purchase for all of our staff a book from one of the presenters. We will offer one title for each of the presenters. The Google Form asks you to identify which of your book titles you would prefer that we offer.

If there is anything else you need from us to support you during your presentation, please feel free to ask. We are really excited to have you with us and would like to ensure that your experience is as positive for you as we know it will be for us.

Thank you for your attention to this matter.

Take care,

Colleen

*Colleen Cannon-Ruffo, Ph.D.*

Project Manager for Learning Services

Naperville SD203

630-420-6284

@ccannonruffo

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## Susan Patton

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**From:** Colleen Cannonruffo  
**Sent:** Tuesday, February 16, 2021 1:17 PM  
**To:** Dena.Simmons@gmail.com  
**Cc:** InfoDenaSimmons;Jayne Willard;Rakeda Leaks;Erin Anderson  
**Subject:** FW: Naperville SD203 Equity Institute Presentation Information

Dear Ms. Simmons,

Thank you so much for agreeing to present the keynote at our **2021 Equity Institute** next week on **Friday, February 26th**. We are very excited to have you and look forward to seeing your presentation.

In order to ensure that all will go smoothly on this day, we have created district Zoom accounts for you to use for this conference. Your session information, including links and usernames/passwords can be found below. We ask that you arrive 15-30 minutes prior to your session time so that we can make sure all of the technology is working and discuss any last minute needs you might have.

<b>Session Title:</b>	Surviving to Thriving
<b>Session Description</b>	For community members to thrive, they must feel safe to be who they are; they must love themselves. As a result, our leadership, instruction, and assessment must foster psychological and emotional safety through emotional intelligence, culturally responsiveness, and anti-racist practices. During this interactive session, participants will explore impostor syndrome, emotional intelligence, and culturally relevant pedagogy, and anti-racist practices. Through narrative, Dr. Simmons will discuss how the intersection of emotionally intelligent and culturally relevant practices can create equitable and welcoming communities, where everyone can learn in the comfort of their skin.
<b>Session Objectives:</b>	<ul style="list-style-type: none"><li>• Explore impostor syndrome</li><li>• Discuss the skills of emotional intelligence as well as culturally relevant and anti-racist practices</li><li>• Explore the intersections between culturally relevant practices and emotional intelligence</li><li>• Describe ways to incorporate culturally relevant and emotionally intelligent practices into participants' lives and work</li></ul>
<b>Session Time:</b>	Keynote: 8:00-9:00 AM CST
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<b>Zoom Link:</b>	<a href="https://naperville203.zoom.us/j/96911552028">https://naperville203.zoom.us/j/96911552028</a>
<b>Presenter Zoom Account for Login</b>	<a href="mailto:dsimmons@naperville203.org">dsimmons@naperville203.org</a>
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Thank you for your attention to this matter.

Take care,

Colleen

*Colleen Cannon-Ruffo, Ph.D.*

Project Manager for Learning Services

Naperville SD203

630-420-6284

@ccannonruffo



## Susan Patton

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**From:** InfoDenaSimmons <infodenasimmons@gmail.com>  
**Sent:** Tuesday, February 16, 2021 1:24 PM  
**To:** Colleen Cannonruffo  
**Cc:** Jayne Willard; Rakeda Leaks; Erin Anderson  
**Subject:** Re: Naperville SD203 Equity Institute Presentation Information

Some people who received this message don't often get email from infodenasimmons@gmail.com. [Learn why this is important](#)

[Feedback](#)

**CAUTION:** This e-mail originated outside of Naperville 203. **DO NOT** click links or open attachments unless you confirm the incoming address of the sender and know the content is safe.

Thank you!

Best,  
Denise

[www.denasimmons.com](http://www.denasimmons.com)

Sign up for Dr. Simmons' [newsletter](#)!

Follow Dr. Simmons on [Twitter](#) and [Instagram](#).

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On Tue, Feb 16, 2021 at 2:15 PM Colleen Cannonruffo <[ccannonruffo@naperville203.org](mailto:ccannonruffo@naperville203.org)> wrote:

Absolutely. Thank you for the email address.

Colleen

---

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**Sent:** Tuesday, February 16, 2021 1:08 PM  
**To:** Colleen Cannonruffo <[ccannonruffo@naperville203.org](mailto:ccannonruffo@naperville203.org)>  
**Cc:** Jayne Willard <[jwillard@naperville203.org](mailto:jwillard@naperville203.org)>; Rakeda Leaks <[RLeaks@Naperville203.org](mailto:RLeaks@Naperville203.org)>; Erin Anderson <[eanderson@naperville203.org](mailto:eanderson@naperville203.org)>  
**Subject:** Re: Naperville SD203 Equity Institute Presentation Information

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Best,

Denise

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<b>Session Objectives:</b>	<ul style="list-style-type: none"><li>• Explore impostor syndrome</li></ul>

	<ul style="list-style-type: none"> <li>• Discuss the skills of emotional intelligence as well as culturally relevant and anti-racist practices</li> <li>• Explore the intersections between culturally relevant practices and emotional intelligence</li> <li>• Describe ways to incorporate culturally relevant and emotionally intelligent practices into participants' lives and work</li> </ul>
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<b>Zoom Link:</b>	<a href="https://naperville203.zoom.us/j/96911552028">https://naperville203.zoom.us/j/96911552028</a>
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Thank you for your attention to this matter.

Take care,

Colleen

*Colleen Cannon-Ruffo, Ph.D.*

Project Manager for Learning Services

Naperville SD203

630-420-6284

@ccannonruffo

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