

## When Sunshine Isn't Enough: The Rock Island School Board and Nepotism

Written by Jeff Ignatius

Wednesday, 12 August 2009 14:26

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The Rock Island/Milan School District board obviously needs a simple, easy-to-follow rule for dealing with nepotism.

So here's a handy guide for it and any other public body: If the chief administrator's spouse is recommended for a no-bid contract, the governing board should reject it. Don't ask questions; don't let anybody try to convince you that it's a good idea. Just vote it down.

Over the past few weeks, the media and the school district have gotten tied up in discussions about the Illinois Open Meetings Act, and who made a recommendation, and qualifications, and the distinction between an employee and a contractor, and blah blah blah. All of that misses the core issue.

It doesn't matter if Carol Loy is "the most qualified person to fill the position," as one board member said during [a July 28 executive session](#) obviously designed to spin the contract for the public and the media. It doesn't matter if Superintendent Rick Loy did not initiate a \$30,000, 100-day contract with his wife after her retirement from the district.

Under nearly all circumstances, avoid like the plague the mere *appearance* of impropriety. In this case, though, "mere appearance of impropriety" is mild; this looks like naked, gyrating,

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crotch-in-your-face nepotism. The proper response would have been to *run like hell*.

The *only* exception is a situation in which the individual is *uniquely* qualified -- that is, literally nobody else could do the job for similar money. "Most qualified" doesn't come close to good enough.

But let's deal with the secondary issues, too.

During the closed session, Rick Loy stressed that he had no involvement in the contract: "The recommendation was made from Ruth Ann [Tobey-Brown] to Jim [Andrews], and Jim to myself. I understand the nepotism involved with that. And I was not involved at all. You can ask Jim ... . What'd I say, over and over, Jim?"

"You guys work it out, and then bring it to me," Andrews replied.

"When it's finally done, you bring anything to me," Loy said. "Because I can't be involved in that process."

Except that Loy *was* involved, because the recommendation went *through* him to get to the school board. And Loy could have specifically instructed Andrews to *not* consider his wife for the contract, or blocked the recommendation of his wife. It never should have gotten to the board.

But once it did, a smart or conscientious or even politically savvy board would have rejected it immediately and publicly, because a school district should always spend taxpayer dollars wisely, especially in these lean economic times.

The negative consequences of this apparent nepotism could be serious: School districts often

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go to voters for tax increases -- such as this spring's failed sales-tax referendum for Rock Island County schools -- and voters won't be kind to a board that has lined the pockets of the superintendent's family. And on a purely selfish level, school-board members who want to be re-elected (or run for another office) should have voted "no."

They didn't, and then they compounded their mistake. The 5-0 vote for Carol Loy's contract was bad enough, but board members also had the gall to discuss it in closed session, in spite of a clear law forbidding it, and then three board members voted last week to not release the recording of that session when [it was evident the board violated both the letter and spirit of that law](#)

The print media did its job here, but it's disheartening that the only victories for the public came after the fact. Despite media pressure, the contract was not prevented or delayed, and the closed session wasn't thwarted. Sunshine disinfected nothing.

The board was hell-bent on giving this contract to the superintendent's wife, and if the public doesn't like it, its remedy is similarly *ex post facto*: In the *Quad-City Times*, board member Dave Rockwell [was quoted](#) as saying that he received "e-mails suggesting we were taking action inappropriately and we were hiding behind the executive-meeting guise. If you really believe that then when the election rolls around, vote us out. You have to have confidence in your elected officials when we are behind closed doors that we are taking on very important issues that we must get to the bottom of."

What "very important issues" were gotten to the bottom of during this closed session? Well, the board made sure that everybody said the right things in terms of Carol Loy's contract, and one board member and one staff member were designated as spokespeople/fall guys.

[Illinois' open-meetings act](#) says that "exceptions to the public's right to attend exist only in those limited circumstances where the General Assembly has specifically determined that the public interest would be clearly endangered or the personal privacy or guaranteed rights of individuals would be clearly in danger of unwarranted invasion."

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Keep that standard in mind when listening to the eight-minute closed-session recording. The only things board members were trying to protect were their own asses.

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I wish there had been a way to block Carol Loy's contract. Barring that, I'm happy to take Rockwell up on his kind offer.