

STATE OF OHIO ex rel.	}	CASE NO.:
FRIENDS OF LAKEWOOD SCHOOLS	}	
17415 NORTHWOOD AVENUE, #201	}	JUDGE:
LAKEWOOD, OH 44107	}	
	}	
RELATOR,	}	
	}	
vs.	}	VERIFIED COMPLAINT FOR
	}	INJUNCTIVE RELIEF AND
LAKEWOOD CITY SCHOOL DISTRICT	}	DECLARATORY JUDGMENT
BOARD OF EDUCATION	}	
13701 LAKE AVENUE	}	
LAKEWOOD, OH 44107	}	
	}	
RESPONDENT.	}	

## INTRODUCTION

- ## **JURISDICTION AND VENUE**

- ## PARTIES

3. Relator Friends of Lakewood Schools is an Ohio nonprofit organization formed on May 12, 2025, to support and advocate for the long-term success of the Lakewood City School District.
4. Relator is “any person” as contemplated under R.C. § 121.22(I).
5. Respondent Lakewood City School District Board of Education (hereinafter known as “Lakewood Board of Education”) is a public body under R.C. § 121.22(B).
6. Nora Katzenberger is the current President and one of the five members of the Lakewood Board of Education.
7. Betsy Bergen Shaughnessy is the current Vice President and one of the five members of the Lakewood Board of Education.
8. Colleen Clark-Sutton is one of the five members of the Lakewood Board of Education.
9. Michael J. Callahan is one of the five members of the Lakewood Board of Education.
10. Lisa Dopman is one of the five members of the Lakewood Board of Education.
11. Maggie Niedzwiecki is the current Superintendent of Schools employed by the Lakewood Board of Education.
12. Kent Zeman is the current Treasurer and Secretary to Board of Education employed by the Lakewood Board of Education.

### **STATEMENT OF FACTS**

13. Relator reincorporates by reference the allegations set forth above as if fully rewritten herein.
14. The Lakewood Board of Education convened an Elementary Task Force in the summer of 2024 with the stated purpose of “providing strategic recommendations to the Lakewood City Schools Superintendent on optimizing the use of district facilities”.

15. The five Lakewood Board of Education members formed the Elementary Task Force along with Superintendent Niedzwiecki.
16. At a May 5, 2025, Lakewood Board of Education meeting, President Katzenberger stated that “the Superintendent and the Board formed the Task Force.”
17. The Elementary Task Force was a delegated body of the school board.
18. The Elementary Task Force consisted of approximately 50 individuals.
19. The five Lakewood Board of Education members served on the Elementary Task Force.
20. Upon information and belief, thirteen additional members of the Elementary Task Force were employees of the Lakewood City School District.
21. Upon information and belief, the five Lakewood Board of Education members and Superintendent Niedzwiecki personally invited a majority of the members to serve on the Elementary Task Force.
22. The Lakewood Board of Education provided a limited open invitation window over the summer July 4<sup>th</sup> holiday weekend to the general Lakewood public to join the Elementary Task Force that opened on Tuesday, July 2, 2024, heading into the summer holiday weekend and ended on Sunday, July 7, 2024.
23. The Lakewood Board of Education hired FutureThink, a planning firm based in Columbus, Ohio, prior to the first meeting of the Elementary Task Force to develop scenarios for the Elementary Task Force to consider repurposing school facilities.
24. On Monday, August 19, 2024, Tracy Healy of FutureThink e-mailed Treasurer Zeman an Elementary School Redistricting Study that contained five scenarios for Lakewood schools.

25. The five scenarios discussed in the Elementary School Redistricting Study prepared by FutureThink did not include a scenario that provided for repurposing only Lincoln Elementary School.
26. Ms. Healy sent an e-mail to Mr. Zeman at 2:31 p.m. on August 19, 2024: “I’ll put together a quick PowerPoint reflecting the executive summary for *tonight’s meeting*” [emphasis added].
27. At 3:05 p.m. on August 19, 2024, Ms. Healy e-mailed Treasurer Zeman and Superintendent Niedzwiecki: “Here’s the PowerPoint. Please let me know if you have any questions or concerns. Thanks!”

**From:** Tracy Healy <[tthealy@futurethinkinc.com](mailto:tthealy@futurethinkinc.com)>  
**Sent time:** 2024/08/19 09:05:18 PM  
**To:** Kent Zeman <[kent.zeman@lakewoodcityschools.org](mailto:kent.zeman@lakewoodcityschools.org)>  
**Cc:** Maggie Niefowicki <[maggie.niefowicki@lakewoodcityschools.org](mailto:maggie.niefowicki@lakewoodcityschools.org)>  
**Subject:** Re: exec summary  
**Attachments:** pres\_lakewood\_240819\_rvh.pptx

Here's the PowerPoint. Please let me know if you have any questions or concerns. Thanks!

 **FutureThink**  
Tracy V. Healy, President  
614-264-2638  
[www.futurethinkinc.com](http://www.futurethinkinc.com)  
She/Her

On Mon, Aug 19, 2024 at 2:32 PM Kent Zeman <[kent.zeman@lakewoodcityschools.org](mailto:kent.zeman@lakewoodcityschools.org)> wrote:  
Thanks Tracy!

Kent R. Zeman, CFO/Treasurer  
Lakewood City School District  
13701 Lake Avenue  
Lakewood, OH 44107  
Phone -- (216) 529-4096  
Email: [kent.zeman@lakewoodcityschools.org](mailto:kent.zeman@lakewoodcityschools.org)  
Website: [www.lakewoodcityschools.org](http://www.lakewoodcityschools.org)

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On Mon, Aug 19, 2024 at 2:31 PM Tracy Healy <[tthealy@futurethinkinc.com](mailto:tthealy@futurethinkinc.com)> wrote:  
Oh great! Thanks so much!

I'll put together a quick PowerPoint reflecting the executive summary for tonight's meeting.

 **FutureThink**

**LKWD\_000153**

28. The Lakewood Board of Education met behind closed doors in executive session on August 19, 2024, at 5:30 p.m. for 90 minutes prior to the public portion of the Board meeting.

29. The notice for the August 19, 2024, executive session stated that the Board members went into executive session “for Consideration of the purchase of property for public purposes or the sale of property at competitive bidding”.
30. The Lakewood Board of Education followed the executive session with a regularly scheduled Board meeting on August 19, 2024 at 7:00 p.m.
31. The public portion of the August 19, 2024, Lakewood Board of Education meeting lasted approximately 19 minutes.
32. At the public portion of the August 19, 2024, Board meeting, the Lakewood Board of Education members did not discuss a PowerPoint prepared by FutureThink or Ms. Healy.
33. At the public portion of the August 19, 2024, Board meeting, the Lakewood Board of Education members did not discuss the Elementary Task Force.
34. At the public portion of the August 19, 2024, Board meeting, the Lakewood Board of Education members did not discuss repurposing an elementary school.
35. Upon information and belief, the events that occurred behind closed doors in the executive session on August 19, 2024, quickly resulted in a significant change to the school repurposing scenarios developed by FutureThink.
36. A scenario to repurpose Lincoln Elementary school appeared from Ms. Healy in an August 22, 2024, e-mail to Treasurer Zeman and Superintendent Niedzwiecki: “Hi Maggie and Kent, Attached is the map repurposing Lincoln as the Early Learning Center.”
37. On August 23, 2024, Superintendent Niedzwiecki sent a memo to all five members of the Lakewood Board of Education stating that a scenario to repurpose Lincoln Elementary School will be added to the scenarios to discuss at the Elementary Task Force: “5. *Future*

*Think Update. From Tracey Healy - “As suspected, the travel time and distance of Lincoln is within the parameters. I think the reasons why we didn't include it are that it makes the imbalance of enrollment between schools worse and it doesn't smooth out the boundaries along the major thoroughfares.”* With that said, Lincoln will be added as one of the scenarios.”

38. In a March 14, 2025, e-mail to a group of Lakewood residents, President Katzenberger confirmed that the Lakewood Board of Education members provided parameters to FutureThink early in the Task Force process. “When we asked FutureThink to develop draft scenarios as a starting point for the Task Force, we gave them parameters they needed to follow.”
39. The Elementary Task Force members met a total of nine times starting on August 28, 2024, and ending on April 30, 2025.
40. The Elementary Task Force members provided their valuable expertise, knowledge, and time to the Lakewood community by serving on the Elementary Task Force.
41. All of the Elementary Task Force meetings were closed to the general public.
42. Superintendent Niedzwiecki confirmed the Lakewood Board of Education members attended the first seven closed-door Elementary Task Force meetings held on August 28, 2024, September 11, 2024, September 25, 2024, October 9, 2024, February 19, 2025, March 12, 2025, and April 2, 2025.  
  
“All five Board members were in the same room together. Our five Board members did attend the seven meetings. They did not attend the last two.” [Lakewood schools debate over elementary repurposing continues with no decision | wkyc.com](#) video at 1:17.”

43. Upon information and belief, at multiple Elementary Task Force meetings, a majority of the five Lakewood Board of Education members weighed and examined reasons for and against taking action to repurpose an elementary school.
44. According to the *Elementary Facilities Task Force Report* prepared by the Elementary Task Force, “The third meeting of the Elementary Facilities Task Force on September 25, 2024, marked a shift from information gathering to active analysis. This session focused on facilitating in-depth, small-group discussions of the seven initial reconfiguration scenarios that had been presented in August. This meeting was designed to encourage Task Force members to critically examine the implications of each option.”
45. President Katzenberger, Vice-President Shaughnessy, and Board Member Dopman attended the September 25, 2024, Elementary Task Force meeting.
46. Midway through the Elementary Task Force process, in response to a question from Board member Colleen Clark-Sutton inquiring if the Elementary Task Force meetings were open to the public, Superintendent Niedzwiecki sent a group text message on January 17, 2025, to the five Lakewood Board of Education members stating: “You could say. This is a Superintendent’s committee. Superintendent meetings are not open meetings.”



10:45



79



6 People >



Fri, Jan 17 at 3:07 PM

Colleen Clark-Sutton

Hello.

Question - are Facility Task Force meetings open to the public?

CC

Maggie Niedzwiecki

No, they haven't been and I do not recommend it. We will not get any work done.

MN

Colleen Clark-Sutton

I'm not recommending it either. Two people have asked me.

I didn't want to answer until I know the correct answer. Thanks.

CC

Good to clarify. Thank you.

Maggie Niedzwiecki

You could say. This is a Superintendent's committee. Superintendent meetings are not open meetings.

MN



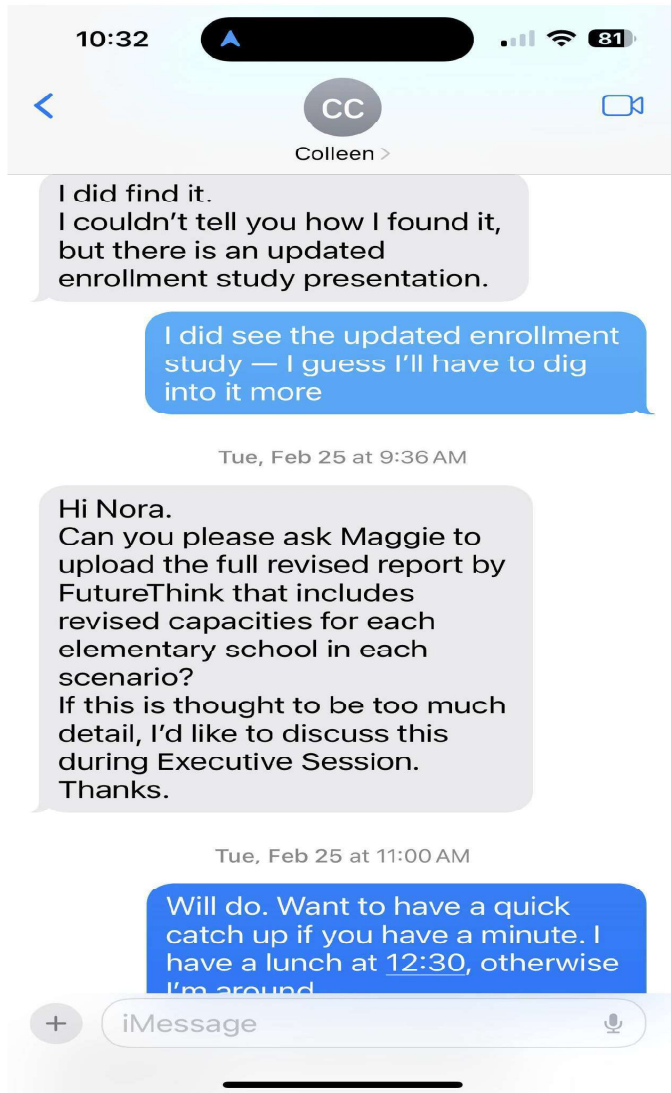
iMessage



47. The Lakewood Board of Education held a rescheduled Board meeting on Tuesday, February 25, 2025.

48. Board member Colleen Clark-Sutton sent a text message to President Katzenberger at 9:36 a.m. on February 25, 2025 asking: “Hi Nora. Can you please ask Maggie to upload the full revised report by FutureThink that includes revised capacities for each elementary school in each scenario? If this is thought to be too much detail, I’d like to discuss this during Executive Session. Thanks.”

49. President Katzenberger responded at 11:00 a.m. on February 25, 2025 stating: “Will do.”



50. The stated purpose of the February 25, 2025, executive session was “For Consideration of the appointment, employment, dismissal, discipline, promotion, demotion or compensation of an employee or official, or the investigation of charges or complaints against an employee, official, licensee or student, unless the employee, official, licensee or student requests a public hearing and for consideration of the purchase of property for public purposes or the sale of property at competitive bidding.”
51. The Lakewood Board of Education members did not discuss a FutureThink report or elementary school capacities at the public portion of the February 25, 2025, Board meeting.
52. On Friday, February 28, 2025 at 2:35 p.m., Board member Colleen Clark-Sutton e-mailed Superintendent Niedzwiecki and confirmed that the Lakewood Board of Education discussed the FutureThink data at a meeting on February 25, 2025: “Dear Maggie, Can you please share the capacities and walking maps with student dots for the other six scenarios? **At Tuesday’s meeting**, you thought you might have these. If not, can you ask FutureThink to send these to you /us?” [emphasis added].
53. Upon information and belief, a majority of the Lakewood Board of Education members discussed the FutureThink data at the executive session on February 25, 2025.

----- Forwarded message -----

From: Colleen Clark-Sutton <[colleen.clark-sutton@lakewoodcityschools.org](mailto:colleen.clark-sutton@lakewoodcityschools.org)>

Date: Fri, Feb 28, 2025 at 2:35 PM

Subject: Re: Invitation: Executive Session @ Mon Mar 3, 2025 5:45pm - 7pm (EST) (Colleen Clark-Sutton)

To: Maggie Niedzwiecki <[maggie.niedzwiecki@lakewoodcityschools.org](mailto:maggie.niedzwiecki@lakewoodcityschools.org)>

Dear Maggie,

Can you please share the capacities and walking maps with student dots for the other six scenarios? At Tuesday's meeting, you thought you might have these. If not, can you ask FutureThink to send these to you /us?

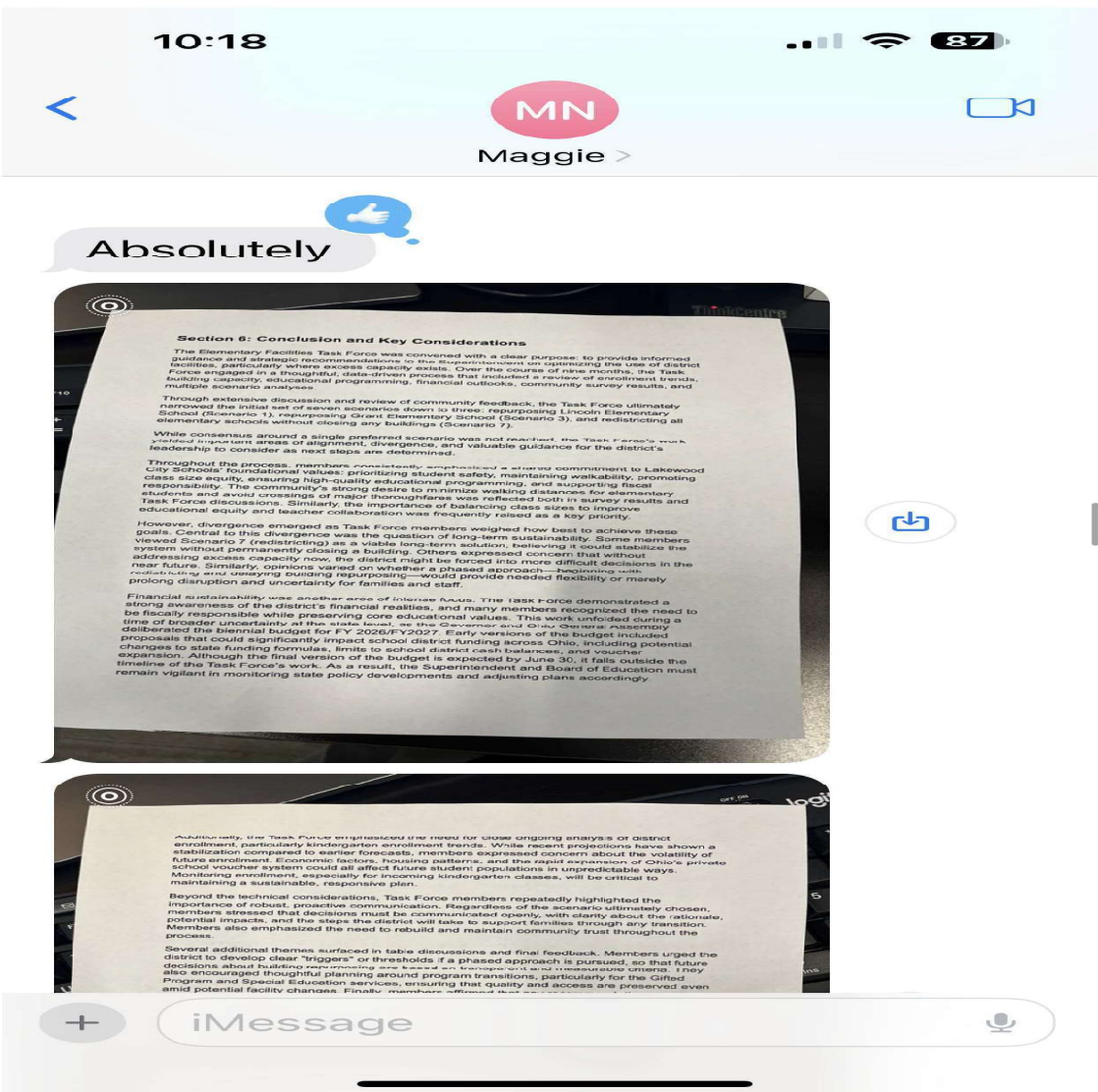
I hope you have a good weekend. Take care,

Colleen

LKWD\_005252

54. The Lakewood Board of Education members did not attend the final two Elementary Task Force meetings held on April 16, 2025 and April 30, 2025 so that the Elementary Task Force could draft a report and present a recommendation to Superintendent Niedzwiecki.
55. Board member Colleen Clark-Sutton stated at a public Board meeting on May 5, 2025: “We did not go the last two meetings because they were working on the report. We are ***not helping write the report***, we are receiving the report.” [emphasis added].
56. Upon information and belief, after receiving a draft report from the Elementary Task Force in May 2025 but prior to the Elementary Task Force’s public release of the report to the Board, Superintendent Niedzwiecki sent a text message to President Katzenberger with pictures of three pages of the draft task force report titled “Section 6: Conclusion and Key Considerations.”

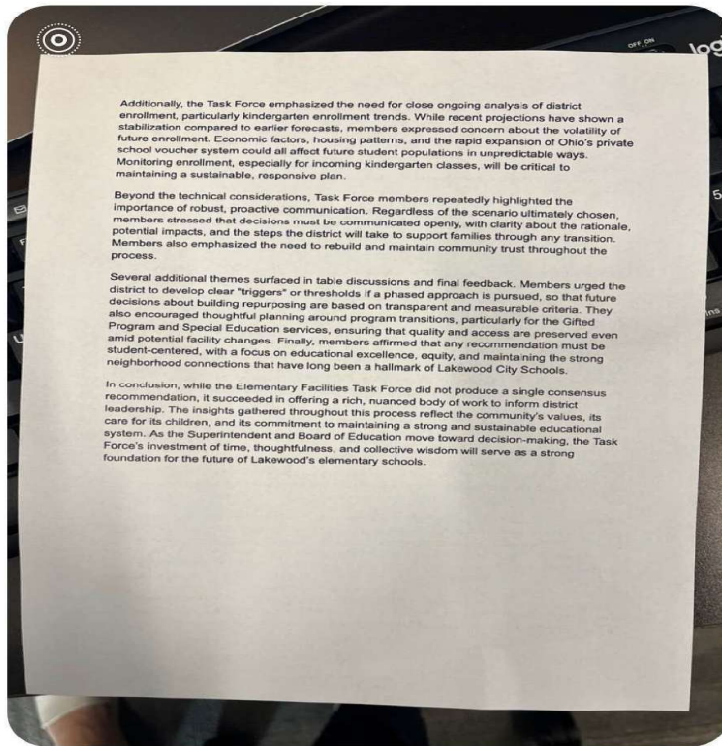
57. Upon information and belief, Superintendent Niedzwiecki's text message to President Katzenberger in May 2025 accompanying the three pages of the draft task report stated:
- “First draft. I haven't read it yet, but want to know if you would like it heavier or lighter in any area.”
58. President Katzenberger replied via text message to Superintendent Niedzwiecki: “Okay – will read now and report.”





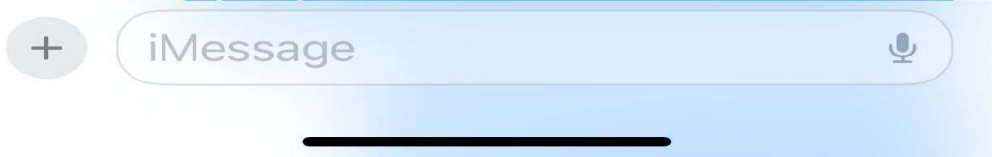


time of broader uncertainty at the state level, as the Governor and Ohio General Assembly deliberated the biennial budget for FY 2026/FY2027. Early versions of the budget included proposals that could significantly impact school district funding across Ohio, including potential changes to state funding formulas, limits to school district cash balances, and voucher expansion. Although the final version of the budget is expected by June 30, it falls outside the timeline of the Task Force's work. As a result, the Superintendent and Board of Education must remain vigilant in monitoring state policy developments and adjusting plans accordingly.



First draft. I haven't read it yet, but want to know if you would like it heavier or lighter in any area

Okay — will read now and report



59. The draft task force report prepared and edited by the Elementary Task Force, Superintendent Niedzwiecki, and President Katzenberger in May 2025 narrowed the seven initial scenarios down to three final scenarios: (a) Scenario 1: Repurpose Lincoln Elementary (b) Scenario 3: Repurpose Grant Elementary and (c) Scenario 7: Keep all elementary buildings open and redistrict to better balance enrollment.
60. In addition to deliberating behind closed doors, the Lakewood Board of Education members also discussed repurposing a school building over group text messages and e-mail threads that consisted of a majority of the five Lakewood Board of Education members.
61. In a December 13, 2024, e-mail thread with all five Lakewood Board of Education members, Superintendent Niedzwiecki, and Treasurer Zeman, Board member Lisa Dopman wrote: *“People are getting really hung up on why we need a building devoted to rec, but maybe there's something we aren't thinking of? I'm also wondering if there is a way to incorporate what they like about Lakewood Schools? I think people aren't making the correlation that keeping the schools open as they are could impact programs at other grade levels.”*

On Fri, Dec 13, 2024 at 5:15 PM Lisa Dopman <[lisa.dopman@lakewoodcityschools.org](mailto:lisa.dopman@lakewoodcityschools.org)> wrote:  
I think Nora makes really good points. Would it be possible to make an open ended question about anything else they would like to see in the schools? People are getting really hung up on why we need a building devoted to rec, but maybe there's something we aren't thinking of?  
I'm also wondering if there is a way to incorporate what they like about Lakewood Schools? I think people aren't making the correlation that keeping the schools open as they are could impact programs at other grade levels.  
  
I hope I make sense, it's been a busy week 😊  
Have a great weekend!  
Lisa

62. Board member Clark-Sutton replied to Ms. Dopman's email: *“Hi All, I concur with everything Nora and Lisa have offered as feedback so far. Here are some additional*

*thoughts: I believe the statistic is something like only 15-16% of all Lakewood households have school-aged children in our public schools. Our levy (and other topics) messaging needs to reach beyond the engaged elementary parents who attended the Community Conversations. (I realize other people listened too.) **Their ability to express their love for their individual elementary school communities can not be a major factor in making our decision.***" [emphasis added].

**From:** Maggie Niedzwiecki <maggie.niedzwiecki@lakewoodcityschools.org>  
**Sent:** Tuesday, December 17, 2024 3:13 PM  
**To:** Colleen Clark-Sutton  
**Cc:** Lisa Dopman; Nora Katzenberger; Betsy Shaughnessy; Michael Callahan; Kent Zeman  
**Subject:** Re: [For Review] Community Survey & Postcard Draft

**Thank you everyone. I have sent your comments and thoughts to IMPACT. Kent and I will be meeting with them on Thursday.**

**Maggie**

On Mon, Dec 16, 2024 at 4:42 PM Colleen Clark-Sutton <[colleen.clark-sutton@lakewoodcityschools.org](mailto:colleen.clark-sutton@lakewoodcityschools.org)> wrote:

Hi All,

I concur with everything Nora and Lisa have offered as feedback so far.

Here are some additional thoughts:

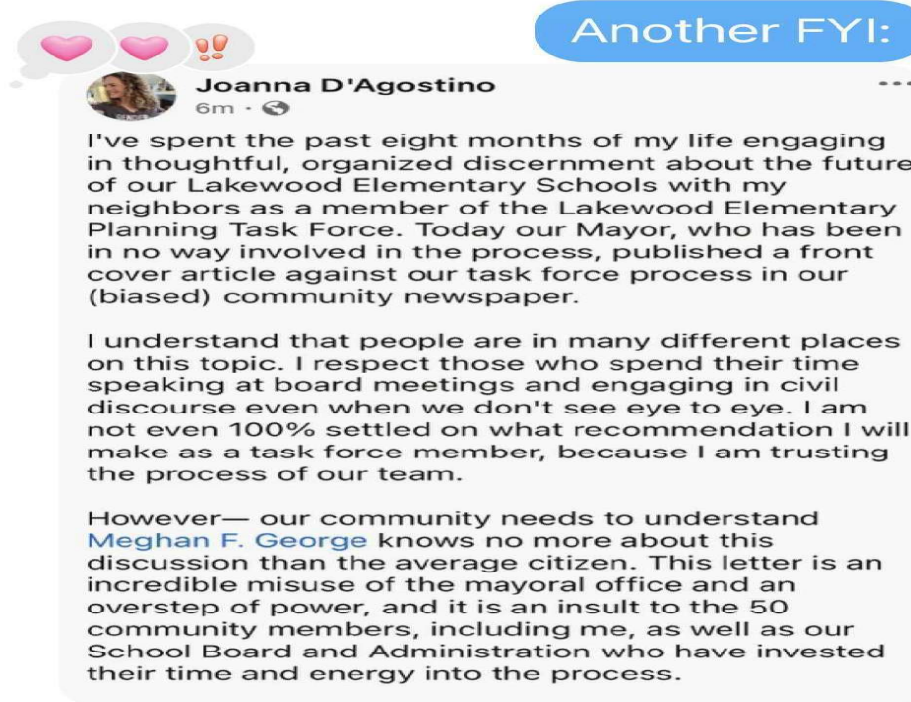
I believe the statistic is something like only 15-16% of all Lakewood households have school-aged children in our public schools. Our levy (and other topics) messaging needs to reach beyond the engaged elementary parents who attended the Community Conversations. (I realize other people listened too.) Their ability to express their love for their individual elementary school communities can not be a major factor in making our decision.

63. On April 16, 2025, Lakewood mayor Meghan George published an article in the Lakewood Observer that stated: "Closing neighborhood schools should be taken off the table unless or until there are no other options."
64. In a group text thread with all five Lakewood Board of Education members, Board Member Betsy Shaughnessy commented on a social media post from a task force member that criticized Mayor George's article: "If I didn't know we were on the side of right I'd stay in Toronto. 😂"

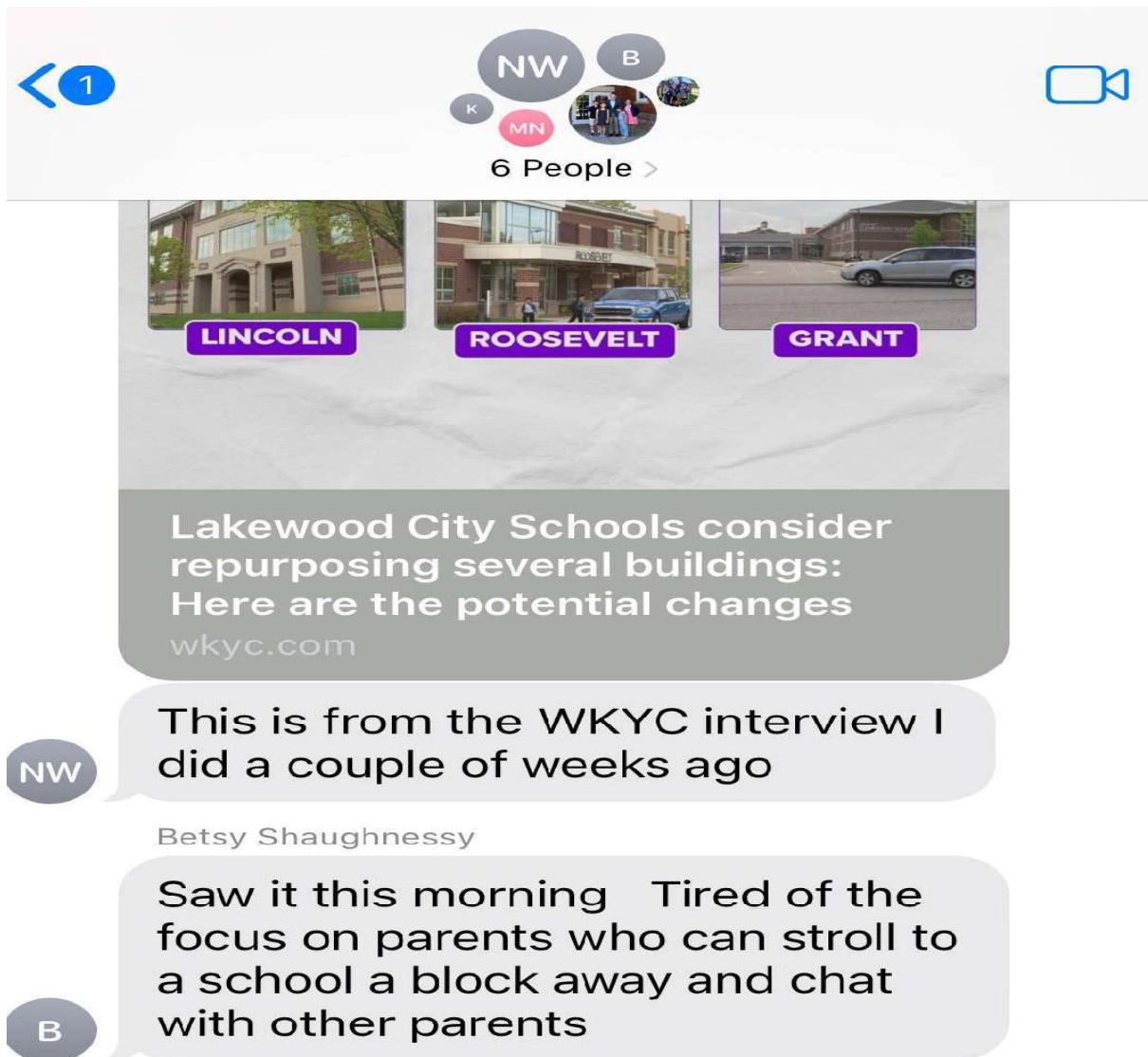




Wed, Apr 16 at 11:26 AM



65. In a group text thread composed of all five Lakewood Board of Education members, Board Member Betsy Shaughnessy responded to a text from President Katzenberger sharing a May 5, 2025, WKYC.com news segment by stating: “Saw it this morning. Tired of the focus on parents who can stroll to a school a block away and chat with other parents.”



66. After an initial review of documents obtained via public records requests, Relator sent a demand letter to President Katzenberger and Superintendent Niedzwiecki on May 14, 2025, outlining a litany of obvious Open Meetings Act violations committed by the Lakewood Board of Education.

67. After receiving the May 14, 2025 demand letter, Superintendent Niedzwiecki made the decision to shut down the Elementary Task Force.

68. After receiving the May 14, 2025 demand letter, Superintendent Niedzwiecki made the decision that the Lakewood Board of Education would not release the final Task Force Report.
69. At the September 2, 2025, Board meeting, Superintendent Niedzwiecki announced an accelerated timeline for the Lakewood Board of Education to vote on repurposing an elementary school.
70. Upon information and belief, the accelerated timeline announced by Superintendent Niedzwiecki at the September 2, 2025, Board meeting was an attempt to divorce the Lakewood Board of Education's decision to repurpose an elementary school from the numerous Open Meetings Act violations committed by the Lakewood Board of Education in the prior fifteen months.
71. The Superintendent's accelerated timeline provided for (a) a September 15, 2025 Board meeting where the Superintendent would discuss the information used by the Superintendent to make a recommendation to the Lakewood Board of Education on repurposing a school (b) a "Community Tabletop Conversation" on September 29, 2025 (c) the Superintendent's recommendation at the October 6, 2025 Board meeting and (d) the Lakewood Board of Education voting on the Superintendent's recommendation at the October 20, 2025 Board meeting.
72. The September 29, 2025, "Community Tabletop Conversation" featured twenty-two tables composed of approximately one hundred and seventy-five Lakewood residents who gathered at Lakewood High School.

73. The Community Tabletop format designed by Superintendent Niedzwiecki allowed every individual group gathered at a table to make a recommendation to the Lakewood City School District employee seated at their table.
74. Every single one of the twenty-two tables at the Community Tabletop meeting recommended that the Lakewood Board of Education adopt a strategy to redistrict the school boundary lines before pursuing the drastic option of repurposing an elementary school.
75. At the October 6, 2025 Board meeting, Superintendent Niedzwiecki recommended that the Lakewood Board of Education repurpose Lincoln Elementary school to a preschool.
76. After the Superintendent's October 6, 2025 recommendation, the Lakewood City Schools posted a website titled "Superintendent Elementary Recommendation" that reads "Does the Lincoln recommendation result in the fewest student transfers? Yes, when compared to the Grant scenario, fewer students would be reassigned."
- <https://www.lakewoodcityschools.org/find-it-fast-links/elementary-plan>
77. The only two elementary schools considered for repurposing by Superintendent Niedzwiecki for her October 6, 2025, recommendation were the same two elementary schools recommended for repurposing in the Elementary Task Force draft report: Lincoln Elementary and Grant Elementary.
78. At the October 20, 2025, Board meeting, Superintendent Niedzwiecki explained how she reached her recommendation to repurpose Lincoln Elementary: "It's hard to double back and remind people all the information that has been sent out. All the presentations. **All the data that was put out and then organically allowing our community task force**

**that was brought together to again ask for multiple different variables.** So, I tried to add all of those different components.” [emphasis added]

79. At the October 20, 2025, Board meeting, Superintendent Niedzwiecki stated: “There was a preschool presentation at the task force. There was plenty of time spoken about what we, what the preschool had, because we wanted to give the people that were in the room that were all throughout this community, all different members of this community, that information. So that is why the preschool conversation happened today but it has happened throughout this past eight or fourteen months.”

80. At the October 20, 2025, Board meeting, Board member Colleen Clark-Sutton stated: “Yes, there was a preschool presentation to the task force and I was there to listen whether I should be there or not.”

81. At the October 20, 2025, Board meeting, Lakewood Board of Education members President Nora Katzenberger, Vice President Betsy Shaughnessy, Board member Michael Callahan, and Board member Lisa Dopman voted to adopt the Superintendent’s recommendation to repurpose Lincoln Elementary.

#### **COUNT I – IMPROPER NOTICE OF EXECUTIVE SESSIONS**

82. Relator reincorporates by reference the allegations set forth above as if fully rewritten herein.

83. The public notice provided by the Lakewood Board of Education for the August 19, 2024, Board meeting stated the subject of the Executive Session was “For Consideration of the purchase of property for public purposes or the sale of property at competitive bidding”.

84. Upon information and belief, the Lakewood Board of Education discussed elementary school repurposing scenarios at the August 19, 2024 executive session.
85. The public notice provided by the Lakewood Board of Education for the February 25, 2025, Board meeting stated the subject of the Executive Session was “For Consideration of the appointment, employment, dismissal, discipline, promotion, demotion or compensation of an employee or official, or the investigation of charges or complaints against an employee, official, licensee or student, unless the employee, official, licensee or student requests a public hearing and for consideration of the purchase of property for public purposes or the sale of property at competitive bidding.”
86. Upon information and belief, the Lakewood Board of Education discussed school capacity and walking maps prepared by FutureThink at the February 25, 2025, executive session.
87. The Lakewood Board of Education violated R.C. 121.22(F) by failing to adhere to the noticed purpose of the executive sessions held on August 19, 2024, and February 25, 2025.

## **COUNT II – IMPROPER EXECUTIVE SESSIONS**

88. Relator reincorporates by reference the allegations set forth above as if fully rewritten herein.
89. The Lakewood Board of Education held an executive session on August 19, 2024.
90. Upon information and belief, the Lakewood Board of Education discussed topics other than those specifically identified in R.C. 122.21(G).
91. Upon information and belief, the Lakewood Board of Education discussed elementary school repurposing scenarios at the August 19, 2024 executive session.

92. The Lakewood Board of Education held an executive session on February 25, 2025.
93. Upon information and belief, the Lakewood Board of Education discussed topics other than those specifically identified in R.C. 122.21(G).
94. Upon information and belief, the Lakewood Board of Education discussed school capacity and walking maps prepared by FutureThink at the February 25, 2025 executive session.
95. The Lakewood Board of Education violated the Open Meetings Act by discussing and deliberating topics in executive session that are not one of the proper topics allowed under R.C. 121.21(G).
96. The Lakewood Board of Education's conduct in executive session is contrary to the state of Ohio's express policy requiring public bodies to conduct all deliberations of official business in open meetings that the public may attend and observe.

### **COUNT III – IMPROPER DELIBERATIONS AT TASK FORCE MEETINGS**

97. Relator reincorporates by reference the allegations set forth above as if fully rewritten herein.
98. A majority of Lakewood Board of Education members attended seven of the closed-door Elementary Task Force meetings.
99. Upon information and belief, the Lakewood Board of Education members deliberated and discussed official business at the closed-door Elementary Task Force meetings.
100. Upon information and belief, information and belief the Lakewood Board of Education violated the Open Meetings Act by discussing and deliberating official business at the Elementary Task Force meetings.

101. The Lakewood Board of Education's conduct at the Elementary Task Force meetings is contrary to the state of Ohio's express policy requiring public bodies to conduct all deliberations of official business in open meetings that the public may attend and observe.

**COUNT IV – IMPROPER DISCUSSION OF PUBLIC BUSINESS OVER  
ELECTRONIC METHODS**

102. Relator reincorporates by reference the allegations set forth above as if fully rewritten herein.
103. The Supreme Court of Ohio held that "R.C. 121.22 prohibits any private prearranged discussion of public business by a majority of the members of a public body regardless of whether the discussion occurs face to face, telephonically, by video conference, or electronically by e-mail, text, tweet, or other form of communication." *White v. King*, 147 Ohio St.3d 74, 2016-Ohio-2770.
104. The Lakewood Board of Education improperly discussed public business over text message when Board member Shaughnessy texted the other four Board members on April 16, 2025: *"If I didn't know we were on the side of right I'd stay in Toronto."* 😂
105. The Lakewood Board of Education violated the Open Meetings Act by stating over private text message that the Board members who wanted to repurpose an elementary school were "on the side of right" six months before the official vote on closing an elementary school occurred.
106. The Lakewood Board of Education improperly discussed public business over text message when Board member Shaughnessy texted the other four Board members: "Saw it this morning. Tired of the focus on parents who can stroll to a school a block away and chat with other parents."



107. The Lakewood Board of Education improperly discussed public business over e-mail on December 13, 2024 when Board member Dopman wrote: *“People are getting really hung up on why we need a building devoted to rec, but maybe there's something we aren't thinking of? ... I think people aren't making the correlation that keeping the schools open as they are could impact programs at other grade levels.”*
108. The Lakewood Board of Education improperly discussed public business over e-mail on December 17, 2024 when Board member Clark-Sutton wrote: *“Our levy (and other topics) messaging needs to reach beyond the engaged elementary parents who attended the Community Conversations. (I realize other people listened too.) Their ability to express their love for their individual elementary school communities can not be a major factor in making our decision.”*
109. The Lakewood Board of Education violated the Open Meetings Act by discussing over private e-mail whether the Board members should factor in the feelings of “engaged elementary parents” when deciding how to vote on the repurposing of an elementary school.
110. The Lakewood Board of Education’s discussion of official business over text and e-mail is contrary to the state of Ohio’s express policy requiring public bodies to conduct all deliberations of official business in open meetings that the public may attend and observe.

WHEREFORE, Relator respectfully asks that the Court:

- (1) Issue a declaratory judgment finding that the Respondent has violated the provisions of R.C. § 121.22;

- (2) Issue a declaratory judgment that the Respondent's actions taken while it was in violation of the Open Meetings Act are invalid;
- (3) Enjoin the Respondent from further violations of the Open Meetings Act;
- (4) Issue a statutory injunction enjoining the Respondent from closing or repurposing Lincoln Elementary School under R.C. § 121.22(H) as the deliberations to close or repurpose an elementary school by Respondent were invalid;
- (5) Award to Relator all its court costs and reasonable attorney's fees under R.C. § 121.22(I)(2)(a);
- (6) award such other relief as this Court deems just and equitable.

Respectfully Submitted,

/s/ Ryan R. McNeil  
Ryan R. McNeil, Esq. (#0085607)  
Attorney for Relator  
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Akron, OH 44308  
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ryanmcneil@mcneilfirm.com


**AFFIDAVIT OF VERIFICATION**

STATE OF OHIO            )  
                                      )  
COUNTY OF CUYAHOGA )

Now comes Jeffrey J. McCourt, who, having first been duly cautioned and sworn deposes and says as follows:

1. I am a Board Member of Friends of Lakewood Schools, an Ohio nonprofit organization.
2. I have read the foregoing Complaint and swear that I have personal knowledge of the facts stated therein and that the above information is true and accurate to the best of my knowledge, information, and belief.


Further, Affiant sayeth naught.

  
\_\_\_\_\_  
Jeffrey J. McCourt  
Board Member, Friends of Lakewood Schools

Before me, a Notary public in and for the state of Ohio, personally appeared Jeffrey J. McCourt who swore to the truth of the foregoing Verification and signed in my presence on this 24th day of October, 2025 in Cuyahoga County, Ohio.



Attorney Ryan Robert McNeil  
Resident Summit County  
Notary Public, State of Ohio  
My Commission Has No Expiration Date  
Sec 147.03 RC

  
\_\_\_\_\_  
Ryan R. McNeil, Notary Public