

Ethics Complaint and FOIA Request Regarding Township High School District 214, EO Sullivan Consulting, and Referendum-Related Polling Activity

To:

Township High School District 214 Board of Education
District 214 Ethics Officer / General Counsel
Illinois State Board of Elections
Illinois Attorney General, Public Integrity Bureau
Cook County State's Attorney, Public Corruption and Financial Crimes Unit

From:

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Date: July 20, 2026

Re: Request for Investigation and Public Records Regarding Potential Use of Public Resources for Referendum Polling, Voter Surveying, and Campaign-Related Activity by Township High School District 214 and EO Sullivan Consulting

I. Introduction

We submit this ethics complaint and Freedom of Information Act request seeking an investigation into whether Township High School District 214, District officials, Board members, employees, agents, and/or district-paid consultants engaged in prohibited political activity, election interference, official misconduct, or misuse of public resources in connection with referendum-related polling and survey activity.

This complaint follows a prior cease-and-desist letter sent to District 214 on May 19, 2026, demanding that the District stop taxpayer-funded polling, surveys, consultant work, staff work, and communications related to measuring, testing, increasing, or optimizing public support for any potential referendum.

Despite that request, District 214 placed on its June 25, 2026, Board of Education agenda a "Phase 3 Community Engagement Report," described as a "Presentation from EO Sullivan on Phase 3 of Community Engagement Efforts." The agenda listed two attachments: "Board

Memo 06.25.26 Community Engagement Agreement with EO Sullivan” and “EO Sullivan Phase 3 Community Engagement Report for D214.” The item appeared as District Reports, Item 10.1.

The Board meeting video and presentation screenshots show that EO Sullivan presented the results of a second public phone survey conducted from May 6 through May 13, 2026. The presentation stated that the District received 605 completed phone survey responses, modeled to represent demographic groups in the District. The presentation further displayed support levels for referendum options, opposition levels, preferred potential options, and the percentage of respondents selecting “No Additional Funding.”

The presentation showed, among other things:

Option 1:

\$300 million

Annual tax increase: \$190

Based on a \$396,500 home

Option 2:

\$375 million

Annual tax increase: \$238

Based on a \$396,500 home

Option 3:

\$458 million

Annual tax increase: \$285

Based on a \$396,500 home

Preferred Potential Option:

Option 1: 25%

Option 2: 15%

Option 3: 22%

No Additional Funding: 32%

Unsure / No Opinion: 6%

This was not merely a neutral facilities-planning presentation. It was the public presentation of referendum-related polling data testing voter support, opposition, tax tolerance, funding levels, and the political viability of potential ballot options.

II. Applicable Law

A. Election Code: Election Interference, 10 ILCS 5/9-25.1

Illinois law provides that public funds may not be used to urge any elector to vote for or against any candidate or proposition or be appropriated for political or campaign purposes. The statute allows the use of public funds for dissemination of factual information about a ballot proposition, but not for advocacy.

B. State Officials and Employees Ethics Act: Prohibited Political Activities, 5 ILCS 430/5-15

The Ethics Act provides that State employees shall not intentionally perform prohibited political activity during compensated time and shall not intentionally misappropriate State property or resources by engaging in prohibited political activity. It also bars officials, directors, supervisors, and State employees from misappropriating employee services by requiring prohibited political activity.

Although Section 5-15 refers to State employees, the Act requires covered governmental entities to adopt ethics rules regulating the political activities of their own officers and employees in a manner no less restrictive than Section 5-15 and Article 10.

Accordingly, District 214 may not avoid the Ethics Act's political activity restrictions simply because it is a local school district rather than a State agency.

C. Secretary of State Ethics Act Summary

The Illinois Secretary of State's published State Officials and Employees Ethics Act Summary specifically identifies polling and voter surveying as prohibited political activities when performed on public time or with public resources. It states that public employees may not engage in political activities while "on State time," may not intentionally use State property or resources for the benefit of a campaign, and lists prohibited activities, including:

"Planning, conducting, or participating in a public opinion poll" for or against any referendum question.

It also prohibits "surveying or gathering information from potential voters to determine probable vote outcome" in connection with political activity.

D. Prior Notice and Cease-and-Desist Letter

On May 19, 2026, District 214 was placed on notice that referendum-related polling and survey activity could violate the Election Code, the State Officials and Employees Ethics Act, and local ethics rules required to be no less restrictive than the State Act.

The cease-and-desist letter specifically demanded that District 214 stop using public funds, District staff time, District communications systems, District property, or taxpayer-

funded consultants to conduct, promote, analyze, or act upon polling or survey activity designed to test, shape, or advance support for a potential tax-increase referendum.

The June 25, 2026 presentation therefore raises an additional concern: after being placed on written notice, the District still presented, used, and relied upon the results of a taxpayer-funded phone survey that tested public support for referendum options, tax increases, and “No Additional Funding.”

III. Factual Basis for Complaint

The public record raises multiple red flags.

First, the Daily Herald reported in November 2025 that District 214 had already used public polling in connection with a potential referendum. The article reported that online and in-person questionnaires found support for a \$400 million option, that a separate phone survey of 547 people also ranked that option highest, and that EO Sullivan recommended reducing proposed funding levels as the District prepared another round of surveys. The article quoted EO Sullivan strategist Collin Corbett as saying the top tested funding level was “not going to work” and that the District would “have to lower those funding levels” in the next phase.

Second, the same article reported that the process formally launched with the hiring of the consultant in June 2025 and was expected to intensify as Board members decided whether to pursue District 214’s first referendum in more than five decades.

Third, District 214’s June 25, 2026, Board agenda included a “Phase 3 Community Engagement Report” and described it as a “Presentation from EO Sullivan on Phase 3 of Community Engagement Efforts.” The agenda attached both a Board memo concerning the EO Sullivan agreement and the EO Sullivan Phase 3 report.

Fourth, the June 25, 2026, presentation showed that EO Sullivan conducted a second public phone survey from May 6 through May 13, 2026, received 605 completed phone survey responses, and modeled the responses to represent District demographic groups.

Fifth, the presentation did not merely summarize neutral building conditions. It presented public opinion data on referendum options, including support, opposition, “preferred potential option,” “No Additional Funding,” and tax-impact information tied to a \$396,500 home.

Sixth, the presentation showed that “No Additional Funding” was the single largest option in the “Preferred Potential Option” result, with 32%, compared with 25% for Option 1, 15% for Option 2, and 22% for Option 3.

Seventh, the District was already on written notice that this type of polling and survey activity was alleged to be improper. The May 19 cease-and-desist letter specifically objected to taxpayer-funded polling, surveys, consultant work, and communications used to measure, test, increase, or optimize public support for a potential referendum, and cited concerns under the State Officials and Employees Ethics Act regarding prohibited political activity and misuse of public resources.

Taken together, these facts create a reasonable basis to investigate whether District 214's taxpayer-funded referendum activity crossed from neutral factual information into prohibited polling, voter surveying, campaign strategy, or taxpayer-funded referendum advocacy.

IV. Alleged Violations

Count I: Prohibited Political Activity Through Public Opinion Polling

Potential responsible parties:

District 214 officers, Board members, Superintendent Dr. Scott Rowe, administrators, employees, agents, EO Sullivan Consulting, Collin Corbett, other EO Sullivan representatives, polling vendors, survey vendors, communications consultants, and any other persons acting in concert with them.

Statutory violation language:

The Ethics Act and related summaries identify prohibited political activity to include planning, conducting, or participating in a public opinion poll in connection with a referendum question.

Evidence supporting this count:

EO Sullivan presented the results of a public phone survey conducted from May 6 through May 13, 2026. The survey tested voter support and opposition for potential referendum options, including specific dollar amounts and estimated annual tax increases.

The presentation identified support and opposition levels for Option 1, Option 2, and Option 3. It also reported the preferred potential option, including "No Additional Funding." That is public opinion polling in connection with a potential referendum question.

Count II: Surveying or Gathering Voter Information to Determine Probable Referendum Outcome

Potential responsible parties:

District 214 officers, Board members, Superintendent Dr. Scott Rowe, administrators, employees, agents, EO Sullivan Consulting, polling firms, data vendors, survey vendors, communications consultants, and any other persons acting in concert with them.

Statutory violation language:

The Ethics Act summary identifies as prohibited political activity surveying or gathering information from potential voters to determine probable vote outcome in connection with political activity.

Evidence supporting this count:

The June 25 presentation showed that the phone survey gathered information from potential voters on support and opposition to referendum options. It measured the likely viability of each funding level and identified “No Additional Funding” as a preference.

The Daily Herald previously reported that EO Sullivan recommended reducing funding levels after polling showed the top level tested was “not going to work.” That statement strongly suggests the polling was being used to determine probable vote outcome, tax tolerance, and referendum viability.

Count III: Use of Public Funds or Public Resources to Shape a Referendum Campaign**Potential responsible parties:**

District 214 officers, Board members, Superintendent Dr. Scott Rowe, administrators, employees, agents, EO Sullivan Consulting, communications consultants, polling vendors, and any other persons acting in concert with them.

Statutory violation language:

The Election Code prohibits the use of public funds to urge voters for or against a proposition and bars public funds from being appropriated for political or campaign purposes. It permits factual information, but not taxpayer-funded campaign activity.

Evidence supporting this count:

District 214’s consultant did not merely present facts about buildings. EO Sullivan tested different funding levels and tax impacts, then presented results showing which options had the most support and opposition. The Daily Herald previously reported that EO Sullivan recommended reducing the proposed funding levels because the highest tested level was not politically viable.

That activity resembles campaign strategy, not neutral government information. It appears designed to help the District identify the most politically viable referendum ask.

Count IV: Presenting and Acting Upon Polling Results After Cease-and-Desist Notice**Potential responsible parties:**

District 214 Board of Education, Superintendent Dr. Scott Rowe, District administrators, EO Sullivan Consulting, and any individuals who authorized, placed, presented, received, or acted upon the June 25, 2026, presentation.

Evidence supporting this count:

District 214 received a cease-and-desist letter on May 19, 2026, demanding that it stop taxpayer-funded referendum polling, survey analysis, consultant work, and communications used to test or optimize public support for a potential referendum.

Despite that notice, the June 25, 2026, agenda included a Phase 3 Community Engagement Report by EO Sullivan, and the Board meeting presentation publicly displayed the results of the second phone survey.

The issue is not merely that the survey occurred before the cease-and-desist letter. The District allegedly presented, transmitted, received, and used those results after the cease-and-desist request.

Why this matters:

Once placed on notice, the District had an obligation to avoid further use of public resources for alleged prohibited political activity. Presenting and relying upon the polling results after notice may demonstrate knowing continuation of the challenged conduct.

Count V: Misappropriation of Public Property, Resources, or Employee Services**Potential responsible parties:**

District 214 officers, Board members, Superintendent Dr. Scott Rowe, administrators, employees, supervisors, agents, EO Sullivan Consulting, and any district-paid consultants or vendors.

Statutory violation language:

The Ethics Act prohibits intentional misappropriation of public property or resources for prohibited political activity and bars supervisors or officials from requiring employees to perform prohibited political activity during compensated time.

Evidence supporting this count:

The June 25 agenda and presentation indicate that District resources were used to receive, place on the agenda, present, and discuss EO Sullivan's Phase 3 report. The report concerned polling on potential referendum options, funding levels, tax impacts, and voter preferences.

If District staff time, District equipment, District meeting infrastructure, public funds, consultant contracts, Board packets, agenda systems, legal review, or communications resources were used to conduct, present, analyze, or act upon this polling, investigators should determine whether public resources were misappropriated for prohibited political activity.

Count VI: Preparing, Reviewing, or Distributing Campaign-Related Material

Potential responsible parties:

District 214 officers, Board members, administrators, communications staff, EO Sullivan Consulting, presentation preparers, survey vendors, and any other persons involved in preparing the June 25 materials.

Statutory violation language:

The Ethics Act summary identifies prohibited political activities to include distributing, preparing for distribution, or mailing campaign material, campaigning for or against a referendum question, and managing or working on a campaign for or against a referendum question.

Evidence supporting this count:

The June 25 presentation included funding options, tax impacts, support and opposition levels, and a “Preferred Potential Option” table. That type of material can be used to shape campaign decisions, decide ballot language, identify a politically viable tax ask, and determine which projects to include or omit.

Investigators should determine whether the report was prepared, reviewed, or distributed as part of a pre-referendum campaign strategy rather than a neutral public information exercise.

Count VII: Multiple Potential Counts and Repeated Violations**Potential responsible parties:**

District 214 officers, Board members, administrators, employees, EO Sullivan Consulting, polling vendors, communications vendors, and any other persons acting in concert with them.

Evidence supporting this count:

The public record suggests repeated activity, not a single isolated communication. Reported activity includes prior online and in-person questionnaires, a previous phone survey of 547 people, consultant recommendations to reduce the referendum ask, a second phone survey of 605 completed responses, and a June 25 Board presentation of the polling results.

Each poll, survey, script, consultant meeting, presentation, memo, invoice, Board packet, staff assignment, or communication may constitute a separate act for purposes of ethics, Election Code, or official misconduct review.

Count VIII: Official Misconduct Review**Potential responsible parties:**

Any District 214 public officer, Board member, employee, supervisor, or agent who

knowingly authorized, approved, directed, participated in, concealed, or permitted unlawful use of public resources for referendum campaign activity.

Evidence supporting this count:

The Election Code expressly prohibits public funds from being used to urge electors to vote for or against a proposition. The Ethics Act prohibits compensated-time political activity and misuse of public resources for prohibited political activity. Local governments are required to adopt rules no less restrictive than the State Act.

The evidence supporting referral includes the Daily Herald report describing prior polling and consultant recommendations to reduce politically nonviable funding levels, the June 25 Board agenda item for EO Sullivan's Phase 3 Community Engagement Report, and the June 25 presentation showing a second public phone survey testing referendum options, tax impacts, support, opposition, and "No Additional Funding."

This evidence does not by itself prove criminal intent. It does, however, establish a credible basis to investigate whether District 214 officials knowingly continued, presented, or acted upon taxpayer-funded referendum polling after receiving written notice that the activity was alleged to violate Illinois ethics and election laws.

V. FOIA Request and Document Preservation Demand

Pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq., I request that Township High School District 214 produce all public records from June 1, 2025, through the date of production relating to District 214's potential referendum, EO Sullivan Consulting, community engagement, polling, public opinion surveys, voter surveys, tax-impact testing, referendum options, bond proposals, facilities referendum planning, and any related consultant or vendor work.

This request includes records created, sent, received, modified, reviewed, approved, or maintained by District 214, its Board members, Superintendent, administrators, employees, agents, attorneys, consultants, vendors, and contractors.

This request includes records maintained on personal devices, private email accounts, text messages, cloud storage, or third-party platforms if used to conduct public business.

Requested Records

1. All contracts, scopes of work, proposals, amendments, invoices, purchase orders, payment records, Board approvals, and procurement records involving EO Sullivan Consulting or any referendum-related consultant, pollster, communications vendor, public affairs firm, mail vendor, data vendor, legal counsel, or contractor.

2. All communications between District 214 officials, Board members, administrators, employees, attorneys, agents, vendors, or consultants, and EO Sullivan Consulting, Collin Corbett, or any EO Sullivan representative.
3. All records relating to the May 6-13, 2026, phone survey, including the full survey instrument, call scripts, methodology, sample size, voter universe, demographics, crosstabs, topline, raw results, anonymized response data, weighting model, presentations, reports, and drafts.
4. All records relating to any prior phone survey, online survey, in-person questionnaire, community engagement session, or public opinion research conducted in connection with a potential referendum.
5. All records showing whether actual or potential voters were asked what funding levels, project descriptions, tax impacts, ballot language, messages, arguments, or facility priorities would cause them to support or oppose a referendum.
6. All records relating to likely voters, turnout modeling, voter targeting, voter segmentation, voter files, demographic targeting, supporter identification, opposition identification, undecided voters, and analysis of probable vote outcome.
7. All records using or relating to the terms “referendum,” “bond,” “poll,” “polling,” “survey,” “phone survey,” “public opinion,” “support,” “oppose,” “strongly support,” “somewhat support,” “strongly oppose,” “somewhat oppose,” “no additional funding,” “tax increase,” “tax impact,” “annual tax increase,” “preferred potential option,” “Option 1,” “Option 2,” “Option 3,” “message testing,” “tax tolerance,” “voter,” “likely voter,” “ballot,” “pass,” “passage,” “campaign,” “community engagement,” “EO Sullivan,” “Collin Corbett,” “Phase 3,” or “cease and desist.”
8. All Board packets, agendas, presentations, memoranda, superintendent reports, administrative team notes, Board communications, and meeting materials relating to EO Sullivan, polling, surveys, referendum options, or the June 25, 2026, Phase 3 Community Engagement Report.
9. All drafts and final versions of public-facing materials concerning the potential referendum, including mailers, postcards, newsletters, letters, brochures, FAQs, videos, scripts, robocalls, website pages, social media posts, email blasts, press releases, speeches, talking points, and presentations.
10. All records showing staff assignments, staff time, compensated time, overtime, meeting participation, use of District equipment, District email, District facilities,

District software, District telephones, District mailing systems, District printers, District vehicles, or other public resources for referendum-related polling, survey, communications, or consultant work.

11. All communications and records involving any parent group, community group, political committee, union, foundation, advocacy organization, campaign committee, or other outside organization supporting, opposing, discussing, or coordinating around a potential District 214 referendum.
12. All non-privileged legal opinions, compliance reviews, ethics reviews, Board policy analyses, memoranda, or guidance concerning permissible referendum activity, prohibited political activity, Election Code compliance, State Officials and Employees Ethics Act compliance, FOIA compliance, polling, surveys, public communications, and campaign activity.
13. All records relating to the May 19, 2026, cease-and-desist letter, including internal communications, legal review, Board communications, administrative responses, consultant communications, decisions to continue or suspend activity, and records showing whether the District altered any conduct in response.
14. All records relating to the June 25, 2026, Board presentation, including drafts, notes, edits, comments, approval chains, metadata, Board memos, slide decks, attachments, video files, transcripts, and communications with EO Sullivan.
15. All records showing the District's document retention instructions, litigation holds, preservation notices, search terms used, custodians searched, systems searched, and methods used to locate responsive records.

Request for Waiver of Fees

I request a waiver of all copying, search, and production fees because disclosure of these records is in the public interest and is likely to contribute significantly to public understanding of government operations, referendum spending, use of public resources, and compliance with Illinois election and ethics laws. The request is not primarily commercial.

Request for Rolling Production

If some records are available before others, please provide records on a rolling basis rather than waiting until the entire request is complete.

Preservation Demand

Because this complaint concerns potential violations of the Election Code, State Officials and Employees Ethics Act, local ethics rules, and official misconduct law, District 214 is requested to immediately preserve all potentially relevant records from June 1, 2025, through the present, including emails, texts, drafts, metadata, cloud files, deleted items, backup files, device records, meeting recordings, vendor records, and consultant files.

This preservation demand applies to District officials, employees, Board members, agents, consultants, vendors, contractors, and attorneys.

VI. Requested Relief

I respectfully request that the appropriate authorities:

1. Open a formal ethics investigation into District 214's referendum-related polling, survey, consultant, and public communications activities.
2. Determine whether District funds, staff time, property, websites, meeting systems, Board agenda systems, communications systems, or vendors were used to conduct, analyze, present, or act upon polling related to a potential referendum.
3. Determine whether EO Sullivan performed services that constituted public opinion polling, probable-vote-outcome analysis, tax-tolerance testing, message testing, voter targeting, campaign strategy, or referendum campaign planning.
4. Determine whether the May 6-13, 2026, phone survey and June 25, 2026, Board presentation violated the May 19, 2026, cease-and-desist request.
5. Determine whether each poll, survey, script, presentation, consultant meeting, invoice, memo, staff assignment, or public communication constitutes a separate violation or count.
6. Refer any potential Election Code violations to the Illinois State Board of Elections, Illinois Attorney General, and/or Cook County State's Attorney as appropriate.
7. Refer any evidence of knowing misuse of public resources by a public officer or employee for review under the Illinois official misconduct law.
8. Require District 214 to publicly disclose the full EO Sullivan contract, invoices, survey instruments, call scripts, crosstabs, toplines, presentations, memoranda, and legal opinions related to referendum polling.
9. Require corrective action to prevent future taxpayer-funded referendum campaign activity, including written policies, staff training, vendor contract restrictions, and

Board-level approval before any future referendum-related polling or public communications.

10. Produce all public records requested in Section V pursuant to the Illinois Freedom of Information Act.

VII. Supporting Resources

Supporting resources

- [District 214 June 25, 2026 meeting agendas and records](#)
- [District 214 Phase 3 Community Surveys page](#)
- [District announcement regarding the Phase 3 phone survey](#)
- [June 25, 2026 Board meeting video](#)
- [Daily Herald report regarding District 214 referendum polling](#)
- [Illinois Election Code, 10 ILCS 5/9-25.1](#)
- [State Officials and Employees Ethics Act, including 5 ILCS 430/5-15](#)

VIII. Conclusion

District 214 and its officials have the right to provide voters with neutral, factual information about facilities, building conditions, repair needs, and lawful Board deliberations. They do not have the right to use taxpayer funds, public employee time, public resources, or district-paid consultants to conduct referendum polling, test tax-increase options, measure voter support and opposition, identify the most politically viable ballot proposal, or shape a campaign to pass a referendum.

The June 25, 2026, Board presentation creates serious and credible grounds for investigation. EO Sullivan presented polling results from a second public phone survey conducted May 6-13, 2026. The presentation tested support and opposition for referendum options, specific dollar amounts, annual tax increases, and “No Additional Funding.” The District presented those results after receiving a cease-and-desist letter warning that such activity could violate Illinois’ ethics and election laws.

This matter may involve violations of the Election Code, the State Officials and Employees Ethics Act, local ethics rules required to be no less restrictive than the State Act, and official misconduct law.

For these reasons, we request immediate preservation of all relevant records, a formal investigation, public disclosure of all referendum-related contracts and work product, full

production of the FOIA records requested above, and referral for enforcement where supported by the evidence.

Respectfully submitted,

Brian Costin

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