

Lawsuit latest fallout at Proviso

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HIGH SCHOOLS

It wouldn't be right to start the school year without some controversy, whether it's someone getting suspended or a lawsuit in the works.

In this case, let's go the lawsuit route, which is casting another pall over Proviso School District 209.

The Chicago law firm of Loevy and Loevy filed a federal lawsuit Thursday on behalf of former Proviso West boys basketball assistant coach Michael Johnson in United States District court, alleging a violation of his First Amendment rights.

Named in the suit are the Proviso School District 209 Board of Education, superintendent Gregory Jackson, Proviso West principal Richard Clish, former Proviso East and West athletic director Frank Montgomery and assistant superintendent Kevin Gilchrist.

Johnson's lawsuit is adding another chapter to the saga I've dubbed, "As the Stomach Churns." And as a Proviso West alum, my stomach is churning.

Johnson, 49, is the older brother of former Westinghouse, Illinois and NBA star Eddie Johnson and has been an assistant basketball coach at Proviso West since 1998. Johnson was an all-area player for Austin and once toured with the Harlem Globetrotters. He also owns a real estate business.

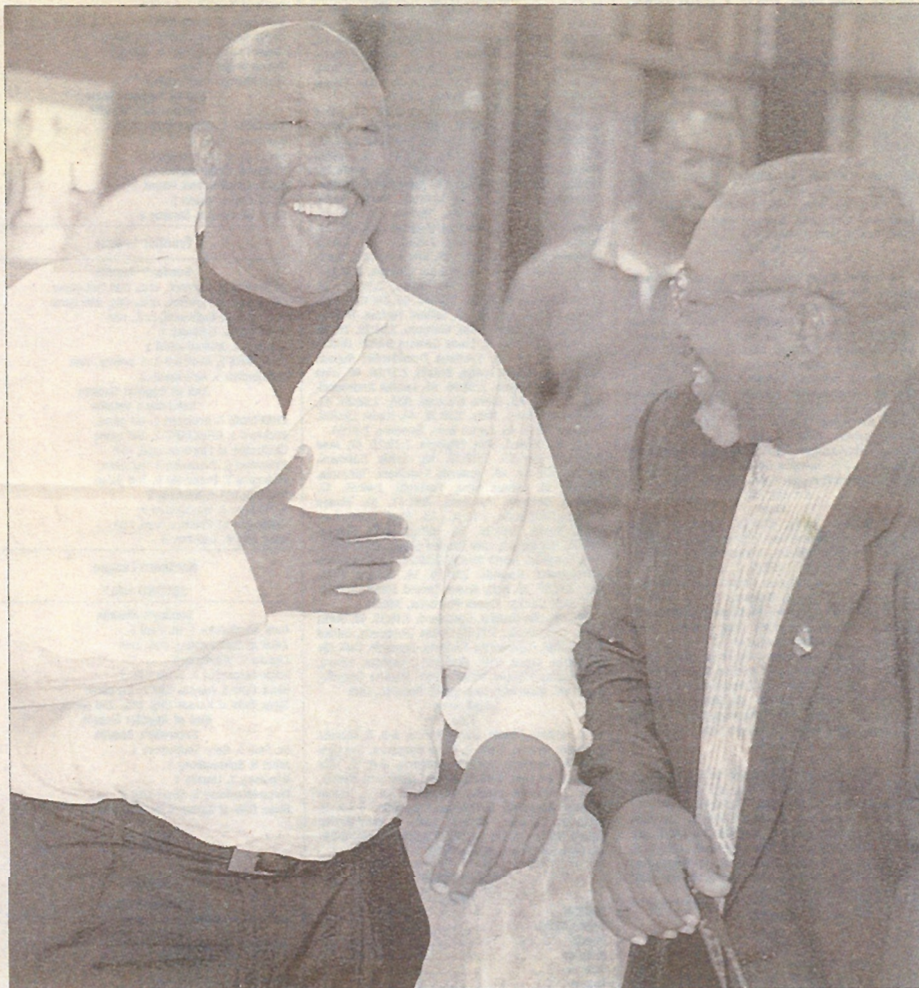
Johnson says he witnessed incidents of physical and verbal abuse upon the players by former West basketball coach Chris Head and verbal abuse directed at some of their family members. A misdemeanor battery charge was filed against Head by former player Jarrett Northern last spring.

Johnson talked to Head and then to Montgomery about the abuse allegations in November.

"Instead of investigating the issue, Montgomery suggested that [Johnson] simply resign his position. [Johnson] refused," the complaint reads.

The complaint reads that Johnson went to then-school board president Theresa Kelly and Jackson and told them of the incidents. And on Dec. 23, 2002, Johnson got a Dear John letter from the district informing him he was fired because of "different coaching styles and incompatibility of the philosophy of the basketball program."

Johnson's lawyers won't let him speak to the media. But a few months ago, when he had a different attorney, Johnson spoke to the Sun-Times about the incident. He said he filed a grievance with the district in November 2002 and then got the letter. He was officially terminated by the board in



Newly appointed basketball coaches David Chapman of Proviso East (left) and Tommie Miller of Proviso West were all smiles at a District 209 school board meeting on July 24. —JERRY DAILEGE/PIONEER PRESS

January and did not receive any more substitute teaching assignments at West.

"After I filed the grievance, they fired me," Johnson told the Sun-Times last spring. "They want to cover it all up."

Johnson wanted more information about his firing, but the administration refused.

"All of us in this country have a First Amendment right to speak out about wrongdoing without the fear of retaliation and that's what Mr. Johnson did," Johnson's lawyer Jon Loevy said.

What makes the lawsuit so discouraging is that District 209 is coming off a summer that had many people thinking the dark days were gone.

The district hired a new athletic director at West (Kyle Hastings), three new basketball coaches (girls coach Beverly Robertson and boys coach Tommie Miller at West, and boys coach David Chapman at East), and the Illinois High School Association reduced the sanctions against West for violating open-gym bylaws.

The new hires were approved

What makes the suit so discouraging is that events this summer had people thinking the dark days were gone.

July 24 in the shortest school board meeting I've ever attended—lasting less than an hour. There was nothing but smiles from board members, the administration, parents and players. And to make things more festive, they also served punch and cookies.

But now this lawsuit is rekindling bad memories: Head getting suspended by the IHSA until Jan. 24, 2004; the IHSA sanctioning West for the open-gym infractions; Head getting fired in a special school board meeting; and Head's misdemeanor battery charges (a trial date will be set Sept. 23).

As a side note, Head is reported to have been offered the basketball coaching job and a security position at Englewood, but calls to ath-

letic director Albert Cruse were not returned.

Jackson was also unavailable for comment. But I talked to Montgomery, who is now an assistant principal at East and the acting athletic director until a replacement is found. He was approved in his new position at the Aug. 18 board meeting.

"Nothing has come across my desk. I don't have any information or knowledge [about the lawsuit]," Montgomery said. "I don't know anything about what [Johnson's] talking about."

School board president Chris Welch said he didn't know about the lawsuit, either.

"I've not seen a complaint and I've not seen a service of summons," Welch said. "We'll wait until we receive it, we'll give it to our lawyers and we'll defend it."

Loevy said they are seeking a jury trial and damages.

"They created the problem and they're paying the price now for a long standing pattern of sweeping things under the rug," Loevy said.

I guess it's time to break out the Tums again.