

Former Johnson School family files law suit

By Gail A. Pirics

Correspondent

On Monday, one day prior to the opening of the school year in Wheaton-Warrenville Community Unit School District 200, a surprise class-action lawsuit was filed against the district by the Andrejevic family, whose two children formerly attended Johnson Elementary School in Warrenville. Asking \$86.3 million in damages on behalf of the families of the nearly 700 students enrolled last year, the Andrejevics are naming Johnson a "sick building" responsible for numerous documented health issues.

The school's safety, at the height of public concern last fall, was brought to the media's attention by members of the Indoor Air Quality team and Johnson staff and parents. Episodes of asthma, bronchitis, eczema, fatigue and headaches were documented and presented to the school board at a September 1997 meeting.

Shortly after the confrontation with the district, the Andrejevic's then second-grader, Helen, was admitted to Hinsdale Hospital for respiratory arrest. She was placed on oxygen for some 27 hours. Her mother, Janna Cosby Andrejevic, said Helen was allergic to mold and could no longer attend the school. The Andrejevics have since relocated to the San Diego, Calif., area.

Alarmed by the considerable complaints and severity of the nature of the illnesses, the school board acted to remedy the situation, including hiring environmental consultants Boelter and Yates to oversee the clean up. Over the next several months, corrective steps were taken to return Johnson to an environmentally sound facility. As recently as last week, board members noted the clean up task is nearly complete, with a few exterior projects currently in the works.

"It came as a surprise to us," said Denie Young, the district's director of communications, of the suit. "We didn't get a courtesy copy of the lawsuit; we found out from the press." Young said the Andrejevic's attorney, Thomas Zimmerman, has contacted other Johnson families regarding the suit, but no one has joined in the legal action thus far.

Young said the suit did not seek a preliminary injunction to close the school. "They have not filed any motion for a preliminary injunction, so the school won't close," she said. "The timing of this is a concern to us, though, in that it really impacts the children and parents on their first day of school."

Zimmerman was out of state and could not be reached for comment.

Young said the administration was also surprised at the timing of the suit since action has been taken for the past year to address the health concerns.

"The board took an aggressive stand once concerns were brought to [its] attention last fall and has spent over \$600,000 on recommendations by parents, Indoor Air Quality (IAQ) members and the school's staff [to make corrections]," she said. "We've done so many improvements, and there is no indication of any problems. They are finishing up site work and everything seems to be in good order."

Similarly, the same people who insisted last year that the school district's administration take accountability for the school's conditions are surprised by the suit's timing.

“I was shocked,” Karey Ross, a member of the school’s PTA and IAQ team, said of the news. “I’m actually annoyed. The administration and board have gone above and beyond making sure the building is healthy for everybody, and this is so unnecessary. If [the administration] weren’t taking any action, I could see [the suit]. But they have really and truly corrected everything identified by the indoor air quality experts.”

Linda Cherrington, a core member of the Illinois Indoor Environmental Coalition and founding member of the Environmental Concerns Committee (formerly the IAQ) agreed with Ross. “This lawsuit comes as a big surprise considering all that has been done to correct the school’s problems,” she said. “Not only did we have a district-wide IAQ team, we formed a Johnson IAQ team and all requests made [for correction] came from our committee. It is my understanding that when you are solving an IAQ problem, you have to correct the source of the problem. It’s been my understanding that all the sources of the moisture have been taken care of within the building envelope, the site and the HVAC. I’m very happy with the efforts the administration and the board have made to remedy the situation.”