



## BRIAN R. BARE



### PROFESSIONAL EXPERIENCE:

Brian R. Bare is a Partner at Whitt Law, LLC, concentrating his practice in the representation of school districts and other units of local government, including board governance, business operations, collective bargaining, contract negotiation and review, public bidding, requests for proposals, construction, real estate, personnel and employment issues, and student discipline and special education matters. He assists with the purchase and sale of land and the bidding, preparation, and administration of construction contracts on projects ranging from the construction of a \$90 million public high school to annual maintenance and renovation work. Mr. Bare advises public bodies on Freedom of Information Act requests, Open Meetings Act issues, and requests for review by the Attorney General's Public Access Bureau. He is responsible for purchasing agreements, employment contracts, and intergovernmental cooperation agreements, and he prepared the formation and governance documents for the state's first renewable energy agency formed by school districts in pursuit of wind power. Mr. Bare frequently assists with the administration and negotiation of collective bargaining agreements and the resolution of grievances and unfair labor practice charges.

In 2017, Mr. Bare was first appointed to serve on the Education Law Section Council of the Illinois State Bar Association, and he presently serves as Vice-Chair. In 2017, Mr. Bare was first appointed to serve on the Education Law Section Council of the Illinois State Bar Association, and he served as Chair for the 2021-22 year. He is a frequent presenter of continuing legal education programs for the ISBA and other organizations. From 2017 through 2019, Mr. Bare was named to the list of "Emerging Lawyers" by Law Bulletin Media. Since 2020, Mr. Bare has been named a "Leading Lawyer" in Illinois in the areas of School Law; Governmental, Municipal, Lobbying & Administrative Law; Land Use, Zoning & Condemnation Law; and Real Estate Law: Tax. Fewer than 5% of all Illinois lawyers have received the distinction of Leading Lawyer. Attorneys selected for this honor are recognized as being leaders in the legal profession.

Mr. Bare has appeared before courts and administrative bodies throughout Illinois, representing public bodies in jury, bench, and administrative trials, as well as appeals. He has successfully represented a school district in bench trials defending against property tax objections to \$1.6 million in expenditures under the Tort Immunity Act and successfully defended those cases on appeal. He has represented government bodies and landowners in eminent domain cases, including jury trials on whole parcel takings and partial acquisitions with damage to the remainder claims, as well as post-abandonment attorney fee petitions and roadway widenings. He has conducted administrative hearings before regional boards of school trustees considering boundary detachment and annexation petitions and successfully



### AREAS OF PRACTICE:

Education Law  
Property Taxation  
Litigation  
Eminent Domain

### BAR ADMISSIONS:

Illinois, 2006

U.S. District Court Northern  
District of Illinois, 2006

### EDUCATION:

Loyola University Chicago  
School of Law  
Chicago, Illinois, J. D., cum laude  
Certificate in Tax Law

Northern Illinois University, B.A.,  
recipient of Honors Program's  
University Scholar full  
academic scholarship

### PROFESSIONAL ASSOCIATIONS:

American Bar Association

Illinois State Bar Association –  
Member, Education Law  
Section Council

Kane County Bar Association

National Council of  
School Attorneys

Illinois Council of School Attorneys

### E-MAIL:

bbare@whittlaw.com

PROFESSIONAL EXPERIENCE, Continued:

defended those decision on appeal. Mr. Bare has conducted multiple trials before independent hearing officers from the Illinois State Board of Education concerning the dismissal of tenured teachers for misconduct, including the first dismissal upheld in a published opinion by an Appellate Court in the state after the School Code was modified by PERA and Senate Bill 7 – Longanecker v. East Moline School Dist. No. 37, 2020 IL App (3d) 150890.

He has handled appeals in the Illinois Supreme Court and the First, Second, Third, and Fourth Districts of the Illinois Appellate Court. Mr. Bare was part of the team that successfully defended on appeal in the Fourth District a trial court's findings of several violations of the Freedom of Information Act and the Open Meetings Act by the Illinois Environmental Protection Agency and the Illinois Pollution Control Board, respectively, and, separately, challenged in the Illinois Supreme Court the Pollution Control Board's refusal to allow taxing bodies to intervene before it, all part of the process of certifying improvements as pollution control facilities entitled to preferential property tax treatment.

In the property tax arena, Mr. Bare represents public bodies before county boards of review, the Property Tax Appeal Board, the Department of Revenue, and the Pollution Control Board regarding commercial and industrial properties.

Mr. Bare serves on the board of directors of Fox Valley Habitat for Humanity, part of the global nonprofit housing organization dedicated to eliminating substandard housing locally and worldwide through constructing, rehabilitating, and preserving homes. He personally enjoys photography and travelling with his wife and their son. Follow Mr. Bare on Twitter at <https://twitter.com/BrianRBare> or subscribe to his topical lists on education, nuclear energy, and other topics at <https://twitter.com/BrianRBare/lists>.