# Bylaws

**Illinois State Board of Education**

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(April 1999)
BYLAWS
ILLINOIS STATE BOARD OF EDUCATION

ARTICLE I
NAME

The name of this organization shall be the Illinois State Board of Education.

ARTICLE II
OBJECT

The constitution of Illinois states that a fundamental goal of the People of the State is the educational development of all persons to the limits of their capacities. In addition, the Constitution states that the State shall provide for an efficient system of high quality public educational institutions and services. The State Board of Education shall endeavor to implement these goals. (Article X of the Constitution of Illinois)

ARTICLE III
POWERS AND DUTIES

A. The State Board of Education shall determine the qualifications of and appoint a chief education officer to be known as the State Superintendent of Education. The State Superintendent shall serve at the pleasure of the Board, except that no contract shall be issued for a term longer than three years. The Board shall set the compensation of such officer and establish his duties, powers and responsibilities. (1A-4B)*

B. The duties of the Board shall encompass all duties previously delegated to the Office of the Superintendent of Public Instruction and such other duties as the General Assembly shall designate. (1A-4C)

C. The Board shall be responsible for the educational policies and guidelines for public schools, preschool through grade 12, and vocational education in the State of Illinois. (1A-4C)

* Unless otherwise stated in the text, all references are to the School Code of Illinois.
D. The State Board may delegate to the State Superintendent of Education the authority to act on the Board's behalf, provided such delegation is made pursuant to adopted Board policy or the powers delegated are ministerial in nature. The State Board may not delegate authority to the Superintendent to (1) nonrecognize school districts, (2) withhold State payments as a penalty, or (3) make final decisions under the contested case provisions of the Illinois Administrative Procedure Act. (5/1A-4B)

E. The Board shall analyze the present and future aims, needs and requirements of education in the State of Illinois and recommend to the General Assembly the powers which should be exercised by the Board. (1A-4C)

F. The Board shall recommend the passage of the legislation necessary to determine the appropriate relationship between the Board and local boards of education, and with the various State agencies, and shall recommend desirable modifications in the laws which affect schools. (1A-4C)

G. The Board shall prepare and submit to the General Assembly and the Governor, within one year of the date of assuming full duties and annually thereafter, a report or reports of its findings and of its recommendations. Such annual report shall contain a separate section which provides a critique and analysis of the status of education in Illinois and which identifies specific problems and recommended solutions. (1A-4E)

H. The Board shall prepare and submit to the General Assembly and the Governor such other reports as are required by law, and shall implement a regular system of communication with other directly related State agencies. (1A-4E)

ARTICLE IV
MEMBERSHIP

A. Members and Terms

1. The members of the State Board of Education shall be appointed by the Governor with the advice and consent of the Senate. (1A-1)

2. The Board shall consist of nine (9) members appointed as follows: 2 appointees from Cook County, one of whom shall be a resident of the City of Chicago and one of whom shall be a resident of that part of Cook County outside the city limits of Chicago; 2 appointees from the five counties contiguous to Cook County; 2 appointees from among the remaining counties in the rest of the state; and 3 appointees selected as members-at-large. (1A-1.b)

3. At no time may more than five (5) members of the Board be from one political party. Party membership is defined as having voted in the primary of the party in the last primary before appointment. (1A-1.b)
4. Vacancies in terms shall be filled by appointment by the Governor with the advice and consent of the Senate for the extent of the unexpired term. If a vacancy in membership occurs at a time when the Senate is not in session, the Governor shall make a temporary appointment until the next meeting of the Senate, when the Governor shall appoint a person to fill that membership for the remainder of the term. If the Senate is not in session when appointments for a full-term are made, the appointments shall be made as in the case of vacancies. (1A-1.b)

5. All terms shall be for six years, except that the initial terms of the nine members appointed to the Board pursuant to the Amendatory Act of 1996 shall be determined by lots, with three (3) members serving a 2-year term; three (3) members serving a 4-year term; and three (3) members serving a 6-year term. (1A-1.b)

6. The State Superintendently of Education shall not serve as a member of the State Board of Education. (1A-2)

B. Qualifications

1. The members of the State Board of Education shall be citizens of the United States and residents of the State of Illinois and shall be selected as far as may be practicable on the basis of their knowledge of, or interest and experience in, problems of education. (1A-2)

2. No members of the Board shall be gainfully employed or administratively connected with any school system or institution of higher learning, public or private, within Illinois nor shall they be members of a school board or board of school trustees of a public or nonpublic school, college, university or technical institution within Illinois. (1A-2)

3. No member shall be appointed to more than two six-year terms, or a total of twelve years. (1A-2)

4. All members of the State Board of Education shall abide by the Board's adopted Code of Conduct.

C. Reimbursement of Expenses

1. Members shall be reimbursed for all ordinary and necessary expenses incurred in performing their duties as members of the Board. (1A-2) All such reimbursement for expenses shall be consistent with the laws, policies and requirements of the State of Illinois and the State Board of Education.

2. Any member may claim $50 per day over and above expenses for attending a meeting of the Board or one of its committees, or a hearing sponsored by the Board or one of its committees. Board members shall be required to claim the $50 on an executed expense claim form in order to receive the payment. (1A-2)
ARTICLE V
OFFICERS

A. Elective Officers

1. The officers of the State Board of Education shall be a Chairperson, Vice-Chairperson, and Secretary.

2. The Chairperson shall be selected by the Governor, with the advice and consent of the Senate, from among the membership of the Board. (1A-4A)

3. The Chairperson shall serve for a term of two (2) years, beginning in January of odd-numbered years. (1A-4A) In the event that the Chairperson resigns from this position, the Governor shall appoint a new Chair to fill the remainder of the term.

4. The Chairperson may serve in that capacity for as many two-year terms as he or she is appointed thereto by the Governor and confirmed by the Senate. Appointment to this office shall not change the length of time the Chair is eligible to be a member of the Board.

5. The Vice-Chairperson and Secretary shall be elected from among, and by the membership of the State Board of Education. This election shall take place biennially in February of odd-numbered years.

6. A nominating committee appointed by the Board Chairperson shall recommend a slate of elective officers to the Board for its consideration. Nominations may also be made from the floor. The elective officers shall be elected by roll call ballot.

7. The terms of the Vice-Chairperson and the Secretary shall be for two years, beginning immediately following their election. The Vice-Chairperson and the Secretary shall serve for no more than two consecutive terms in the same office.

8. Vacancies occurring in the elected offices of the Board shall be filled by the Board at the next regular or special meeting thereof for the unexpired term of such officer.

B. Duties

1. The Chairperson shall preside over all meetings of the Board, call meetings as herein provided, appoint the members and chairs of all Standing and Temporary committees and all Strategic Agenda Teams, represent the Board in ceremonial and other appropriate situations, appoint Board members to act on behalf of the Board in specified circumstances, and perform such other special duties as may be vested in him or her by the Board.

2. The Vice-Chairperson shall preside over all meetings in the absence of the Chairperson and perform such other special duties as may be vested in him or her by the Board.
3. The elected Secretary shall review the record of proceedings at all regular, special and emergency meetings of the Board, take the record of the proceedings at closed meetings of the Board, and perform such other duties pertaining to the office as the Board may from time to time direct. In the event that the Secretary is absent from any regular or special meeting of the Board, the Chairperson shall appoint a Board member in attendance at that meeting to serve as Secretary Pro Tem.

ARTICLE VI
MEETINGS

A. Regular Meetings
1. The Board shall meet at least once a month unless otherwise provided by the Board. Meetings may take place in the traditional face-to-face manner, by teleconference or video conference.

2. At the beginning of each calendar or fiscal year, the Board shall have prepared and made public a schedule of all regular meetings, including the dates, time and location of said meetings. (5 ILCS 120/2.02(a))

3. At least three days before the date of a regular meeting, the members shall be given written notice* containing the time, place, and agenda, and other related and necessary material. The notice will be sent to each member of the Board at the address provided by the member.

B. Special and Emergency Meetings
1. Upon the call of the Board Chairperson or the request of at least one-third of the appointed and confirmed members of the Board, special meetings may be held to conduct the business of the Board.

2. At least three days in advance of the special meeting, the members of the Board shall be provided with written notice containing the time, place, and purpose of the special meeting, the names of the Board members who called the meeting, and other related and necessary materials.

3. The Board shall consider only those matters included in the call for the special meeting of the Board, except that upon written consent of all members obtained before the special meeting is held, the Board may consider other business.

* All references to written notice shall be interpreted as including electronic mail.
4. Emergency meetings of the Board may be called in the event of a *bona fide* emergency. Notice to Board members for emergency meetings shall be issued in writing as soon as is practical in advance of the emergency meeting. The written notice shall include the time, place and purpose of the emergency meeting. (5 ILCS 120/202)

5. During emergency meetings, the Board shall consider only those matters directly related to the call for the emergency meeting.

C. **Meetings Open to the Public--Open Meetings Act**

1. All regular, special and emergency meetings of the Board and its committees shall be open to the public and the press, unless the Board or one of its committees takes special action to go into closed session.

2. Closed sessions of the Board and its committees may be convened only for the purposes authorized in 5 ILCS 120/2(c) of the state statutes.

3. The Board shall ensure that public notice is given regarding all regular, special and emergency sessions of the Board. Such public notice shall be made in the manner established in law within 48 hours of regular or special meetings and as soon as practical for emergency meetings.

4. Any person or organization may request regular notification of the time, location and purpose of State Board meetings. In addition to such notice, copies of the meeting agendas and materials shall be provided consistent with individual requests.

D. **Location of Meetings**

1. The meetings of the Board shall be held throughout the State, at locations determined in advance by the Board.

2. In the event that the Board or one of its committees meets via teleconference or video conference, a location shall be identified at which the public may have an opportunity to watch and/or listen to the proceedings.

E. **Agenda**

1. The State Superintendent of Education, under the direction of the Chairperson, shall have prepared, in writing, the agenda for regular, special and emergency meetings.

2. The agenda for regular meetings of the Board shall include, but not be limited to, the following items: Call to Order and Roll Call, Approval of Minutes, Reports of the Chairman and the Superintendent, Unfinished or Deferred Items, Items for Board Action, Recommendations for Future Action, Public Participation, Committee and Board Member Reports, and Information Items. The order of business shall be determined during the preparation of the agenda for each meeting.
3. The Public Participation agenda item for regular meetings of the Board shall include an opportunity for members of the public to present to the Board their comments and recommendations on educationally-relevant issues. Public participation in the Board meeting shall be in compliance with policies and procedures adopted by the Board.

4. The Board shall provide an opportunity for public participation during special and emergency meetings, provided that such public commentary is directly relevant to the issues on the agenda. Public participation in such special and emergency meetings of the Board shall be in compliance with policies and procedures adopted by the Board.

5. The agenda and order of business shall be included in the notice for each regular, special and emergency meeting. A majority of the members appointed, confirmed and sitting on the Board shall be required to suspend the order of business or to transact any business other than that on the published agenda.

F. Quorum/Voting Procedures

1. Five (5) members of the Board shall constitute a quorum. (1A-4E)

2. A majority vote of the members appointed, confirmed, and serving on the Board at the time of the vote is required to approve any action. (1A-4E)

3. A Board member may vote by telephone or video conference providing that he or she fully participates in the discussion leading to the specific vote and casts his or her own vote. Votes may not be cast by proxy nor in any other form except by personal participation.

4. Every motion or resolution adopted by the Board shall be taken by determining the ayes and nays. A roll call vote shall be taken on any motion or resolution involving the expenditure of money, the creation of a liability, the convening of a closed session of the Board, the election of officers or the delegation of the Board's statutory authority to the State Superintendent. Other votes may be taken by voice vote, unless it is requested by one or more members that other motions be voted upon by call of the roll.

5. The voting order of members shall be determined in relation to the maker of the motion, with that Board member casting the first vote and subsequent votes taken by calling upon the next person in alphabetical order from the person first to vote.

G. Minutes

1. A record shall be taken of all proceedings at regular, special and emergency meetings. This record shall be maintained in the form of minutes which include a description of topics discussed or issues raised and the official actions taken by the Board.
2. The Board shall biennially designate a staff Secretary to the Board who shall, on behalf of the elected secretary, take and record the roll of members present at all regular, special and emergency meetings of the Board, record the minutes of these meetings, record the votes for all motions for which a roll call vote is to be taken, and perform such other duties as are assigned. The elected Secretary shall record the minutes of all closed sessions held by the Board.

3. All minutes of regular, special and emergency meetings of the Board shall be approved by action of the Board and signed by the Chairperson and the elected Board Secretary. These minutes shall be prepared and submitted in draft form to the members in advance of the date at which the minutes shall be considered for corrections, changes, additions, and final approval.

4. After the Board has approved the minutes of regular, special and emergency Board meetings, the minutes shall be available to the public.

5. A record of closed meetings of the Board shall be made by the elected Board secretary. This record shall indicate the persons who were present and describe the issues discussed during the closed session. These minutes shall be closed to the public for up to six (6) months, subject to subsequent review and Board decision about the need for continued closure as required by the Open Meetings Act. (5 ILCS 120/2.06(c))

6. The Board shall biennially designate the staff responsible for maintenance of its official records.

**ARTICLE VII**

**COMMITTEES AND TEAMS**

A. **Standing Committees**

1. The Board shall maintain and charge as indicated, the following standing committees which shall present recommendations to the Board:

   **Legislative Committee**

   Shall develop legislative principles; review legislative proposals on issues which are not under the purview of an existing Board Committee or Strategic Agenda Team; monitor the legislative session, the progress of the Board's legislative proposals and the progress of other education-related legislation in the General Assembly; monitor education-related legislation in Congress; recommend Board positions and/or action in relation to all of the above; and perform such other responsibilities as are designated by the Board or the Board Chairperson.

   This Committee shall be authorized to establish, on an ad hoc basis and with the concurrence of the Board Chairperson, such subcommittees as it determines are necessary for appropriately fulfilling its responsibilities.
Finance Committee

Shall develop the State Board of Education's annual budget and monitor its progress in the General Assembly; develop school finance principles and propose policies on broad school finance issues; develop long-range financial planning strategies; work to improve the financing of local school districts and other institutions within the purview of the State Board of Education; and perform such other responsibilities as are designated by the Board or the Board Chairperson.

This Committee shall be authorized to establish, on an ad hoc basis and with the concurrence of the Board Chairperson, such subcommittees as it determines are necessary for appropriately fulfilling its responsibilities.

Board Operations Committee

The Board Operations Committee shall plan and coordinate the operational polices and activities of the Board, including but not limited to the following activities: develop processes for the selection and evaluation of the State Superintendent; develop guidelines, procedures and agendas for Board meetings; develop calendar of Board meetings and determine meeting locations; plan special Board activities such as recognition and celebration; review Board Bylaws; develop procedures for self-evaluation of the Board’s operation and impact; provide oversight for the Internal Audit function; review all external audits of the State Board of Education and the agency response; review the State Superintendent's expenses and time allocations; at least annually, review Board member travel policy and related matters; review the development of agency administrative and operational policies and procedures; review and oversee the implementation of the agency policies and procedures relating to contracts; and perform such other responsibilities as determined to be appropriate by the Committee or as assigned by the Board or the Board Chairperson.

This Committee shall be authorized to establish, on an ad hoc basis and with the concurrence of the Board Chairperson, such subcommittees as it determines are necessary to fulfill its functions.

Strategic Planning Committee

The Strategic Planning Committee shall be responsible for developing recommendations for strategic actions by the State Board of Education on issues of short- and long-term relevance to the Board and to Illinois education. This Committee’s emphasis will be on strategic planning in relation to Board and agency leadership, the development of policy positions, communication, partnerships, and other strategic actions.

The Committee shall also provide a forum for Board discussion about the future and its implications for the Board’s policies and operations. The committee will be responsible for scanning the environment to identify issues of future interest to the Board; studying the implications for education and the State Board of Education; and recommending a Board “learning agenda”, including seminars, work study sessions, the Board’s work conference(s) and other similar learning experiences. The unique responsibility of this Committee is to ensure that the Board deals with long-range issues and needs as well as current concerns.
This Committee shall be authorized to establish, on an ad hoc basis and with the concurrence of the Board Chairperson, such subcommittees as it determines are necessary to fulfill its functions.

2. All Standing Committees shall regularly report to the full Board regarding their work and their recommendations for Board action.

B. Strategic Agenda Teams

1. The State Board of Education shall periodically establish ad hoc Strategic Agenda Teams, each of which will have responsibility for the development of policy and relevant implementation strategies in support of specific aspects of the Board's mission and strategic agenda. The particular responsibilities of each team shall be defined at the time that team is created, and teams shall dissolve upon completion of the assigned responsibility, or as otherwise determined by the Board.

2. Board members appointed to a Strategic Agenda Team will be expected to become knowledgeable about the issues related to the team's topic or focus; serve as the primary Board spokespersons on the topic; assist other Board members by providing information about this topic; serve as the Board's liaisons on the topic to relevant external groups; and serve such other functions as the Board or the team may designate.

3. All Strategic Agenda Teams shall regularly report to the full Board regarding their work and their recommendations for Board action.

C. Membership of Standing Committees and Strategic Agenda Teams

1. Biennially, the Board Chairperson shall appoint or reappoint all members and designate the chairperson of the standing Board Committees. The appointments shall be made no later than March 1 of odd-numbered years and take effect on March 1 of that same year.

Any vacancies in the membership of these committees which may occur prior to the annual appointment or reappointment of committee membership shall be filled by appointment of the Board Chairperson.

Members of standing committees shall serve for two-year terms.

2. The Board Chairperson shall appoint the members and designate the chairperson of all Strategic Agenda Teams. Strategic Agenda Teams may involve such other non-voting individuals as a given Team may believe are necessary to the successful completion of the Team's work.

Board Members on Strategic Agenda Teams shall be appointed at the time a Team is created and shall serve until the Team has completed its work.

D. Temporary Committees

1. The Board Chairperson shall establish all temporary committees.
2. The Chairperson shall specify the charges to all temporary committees, shall regularly request reports to the Board concerning their activities and shall dissolve them when their specific charges have been completed. The Chairperson shall, by appointment, fill any vacancies in committee membership which may occur.

E. Committee and Team Meetings and Procedures

1. Committee and Team meetings will be held in conjunction with regular meetings of the full Board or at the call of either the committee or team chairperson or one-third of the committee/team members.

2. At least three days before each committee/team meeting, the members shall be given notice of the time, place, and agenda of the meeting.

3. Except as allowed by law, all committee and team meetings shall be open meetings and all notices required herein shall be published.

4. Committees and teams may conduct their business in meetings of one or more members. A quorum comprising a simple majority shall be present when a committee determines its formal recommendations to the State Board of Education.

5. A record shall be taken of all regular and special committee and team meetings; this record shall include the members present, the topics considered, the decisions made and the action to be taken.

6. All committees and teams may conduct public hearings relevant to their responsibilities.

F. Joint Education Committee

1. Two members of the State Board of Education shall serve as members of the Joint Education Committee, along with two members of the Board of Higher Education, the Community College Board, and the Human Resources Investment council. This Committee shall execute the statutory responsibilities set forth in Section 1A-4(D) of the School Code.

2. The State Board Chairperson shall appoint the Board designees to the Joint Education Committee. These members shall serve a two-year term and shall be eligible for reappointment at the pleasure of the Chair.

3. The Board designees to the Joint Education Committee shall be responsible for sharing that Committee's agenda with the Board and for seeking the direction of the Board in relation to its proposed actions.
ARTICLE VIII
PARLIAMENTARY AUTHORITY

A. Board meetings shall be conducted according to procedures established by the Board, with parliamentary questions to be resolved by reference to the current edition of Robert's Rules of Order.

ARTICLE IX
AMENDMENTS

A. Except for those sections prescribed by statutes or constitution, the Bylaws may be amended at a regular or special meeting of the Board by a three-fifths majority vote of the Board providing such amendments have been filed with the State Board staff secretary, in writing, fourteen (14) days prior to such meeting. The staff secretary shall mail a copy thereof to each member of the Board.