Board Operations Committee Meeting of the Whole  
Thursday, December 14, 2006  
8:00 a.m.  
Board Conference Room  
Public Conference Call Access Number: 1-866-297-6391 (listen only)  
Confirmation # 1 6 4 7 3 2 5 9

AGENDA

1. Public Participation

2. Discussion Items
   a. Minutes of the October Board Operations Committee Meeting (pp. 2-3)
   b. Review New Nominations for Resolutions of Recognition (Jean Ladage) (p. 4)
   c. Bylaw Review: Proposed Revisions and Discussion of Officer Elections and Committee Appointments (Darren Reisberg) (pp. 5-31)
   d. Development of Agendas for Board and Committee Meetings (Chris Ward) (p. 32)
   e. 2007 Meeting Locations (Jean Ladage) (pp. 33-34)
      1) June 2007 location
      2) August 9, 2007, one-day meeting location
      3) 2007 Retreat location
      4) September 2007 location
      5) October 2007 location

4. Additional Items

5. Adjourn

NOTE: At the conclusion of any discussion item in which the committee is ready to make a decision, a discussion item may be immediately moved for a decision.

* Items listed with an asterisk (*) will be discussed in committee and Board action may be taken in the plenary session.
Dr. Chris Ward called the meeting to order at 10:30 a.m. and asked members and staff to introduce themselves for purposes of roll call. (See above.)

1. PUBLIC PARTICIPATION:
Ms. Bev Johns asked to speak to the committee. Ms. Johns distributed two pieces of information to the committee. A July 9, 2001 issue of ISNS which contains a question and answer section on the Corey H. case and special education in Illinois. The second piece of information distributed was a September 27, 2006 news clipping from the Detroit News. Ms. Johns asked the Board to review these two documents and to reconsider cutting state regulations on special education and substituting federal rules. Ms. Johns indicated that there are over 100 instances in which the Proposed Part 226 rules conflict with the new federal regulations.

Dr. Vinni Hall asked Ms. Johns to detail the 100+ conflicting points that she referred to. Ms. Johns indicated that it is an extremely complicated comparison and it would be subject to ISBE staff interpretation of the federal law. Ms. Johns cited the complete elimination of case load in the proposed Part 226. In addition, she commented that class size also changed significantly, in addition to limiting who can make a referral.

She asked that the Board withdraw Part 226 and restart the rulemaking process, as opposed to voting on adopting of the proposed rules in December.

Dr. Hall and Dr. David Fields commented that they are both concerned about class size, and asked General Counsel Darren Reisberg to comment on the numerous allegations made by Ms. Johns.

Mr. Reisberg indicated to Ms. Johns, as he had numerous times before, that it is his opinion that the new federal regulations released in August are not substantially different from the proposed federal regulations that had been out for public review for over a year and for the entire period that the Part 226 proposed rules have been out for public comment. Mr. Reisberg indicated that Agency staff will be taking a serious look at any and all instances of alleged conflict which have been brought to their attention through public comment, and will revise the Proposed Part 226 as necessary, prior to bringing those rules to the Board for final action in December.

Mr. Reisberg closed by noting that withdrawing the Proposed Part 226 rules now would be very counter productive when we want the field to have federal rules and state regulations that are final and everyone can move forward.

Dr. Ward thanked Ms. Johns for her comments.

2a. COMMITTEE MINUTES
Ms. Joyce Karon moved that the minutes of the Board Operations Committee for the September committee meeting be approved. Dr. Fields seconded the motion. The motion to approve the committee minutes passed with voice vote approval.
2.b. **REVIEW NEW NOMINATIONS FOR RESOLUTIONS OF RECOGNITION.**
Dr. Ward indicated there were no new nominations for recognition.

2.d. **MEETING DATES AND LOCATION**
Dr. Ward asked Jean Ladage to summarize the location options for June and September. Ms. Ladage indicated that the months of June and September in 2007 were proposed for Chicago or the Chicago area. There are no Chicago hotel rooms for the proposed dates.

Ms. Karon indicated that the Board of Higher Education recently held a meeting in Grayslake at the University Center. After discussion, it was suggested that Ms. Ladage check with IBHE staff to check on the availability for June 2007.

The August 9, 2007, one-day meeting will be held in Springfield, unless it was determined that the agenda would allow for a video-conference meeting from the Chicago and Springfield ISBE offices.

The location for the 2007 Board Retreat was discussed and it was suggested that a conference site in Decatur or Bloomington be used in order for staff to travel back and forth as was done this past August.

It was also suggested that the September 2007 Board meeting be held in the Aurora or Naperville area, so as to remain in the Chicago area.

Ms. Karon brought a message from Dr. Andrea Brown inviting the Board to conduct the October 2007 meeting in southern Illinois. Ms. Ladage will follow up with Dr. Brown on a specific location in the Marion/Carbondale area.

3. **Decision Items**
Some items were moved from discussion to immediate decision per above notes.

4. **Additional Items**
Ms. Ladage asked for clarification of dates designated in February for initial interviews in the O’Hare area. It was determined that the dates would be discussed with Bill Attea during his update on the search during the plenary session to be held on October 19. Final dates are needed so that a venue can be reserved.

The committee members also asked Mr. Reisberg if any revisions are expected to be proposed for the new changes to the Open Meetings Act. Committee members again commented that the new Act will cause a strain on Board travel budgets for emergency 10-minute meetings to be held in Springfield and Chicago locations. They asked Mr. Reisberg to check with other Boards to see how they plan to handle the new Act, or if there have been any discussions of proposed amendments.

5. **Adjourn**
Dr. Hall moved to adjourn the committee meeting. Dr. Fields seconded the motion and the meeting adjourned at 11:05 a.m.
TO: Board Operations Committee  
Illinois State Board of Education  

FROM: Chris Ward, Chairman Board Operations Committee  
Jean Ladage, Board Services Coordinator  

Agenda Topic: Review Resolutions for Board Recognition  

Purpose of Agenda Item  
To review incoming nominations received since the last Board meeting. Nomination materials that are received will be sent to Board members prior to the meeting.  

Relationship to/Implications for the State Board’s Strategic Plan  
The State Board’s Recognition Program was developed to show the Board’s support for the outstanding work of educators and school boards that are serving all children in this state.  

Expected Outcome(s) of Agenda Item  
Recommendation of Board action.  

Background Information  
In May, 2005, the Board initiated a Board Recognition Program to become more proactive in its efforts to recognize the exemplary achievements of students, teachers, school administrators, and local board members in Illinois. These achievements are such that they truly stand out from the ordinary. Upon review and acceptance, the State Board of Education will pass a resolution describing the particulars of the achievement. The signed resolutions will be presented in one of the following three ways:  

- mailed to the recipient(s);  
- personally awarded to the individual(s) at their respective school(s); or  
- presented to recipient(s) during the State Board meeting at which their resolution is approved  

Superintendent’s Recommendation  
No recommendation from the Superintendent.  

Next Steps  
Board Operations Committee will review the nominations received and make a recommendation based on that review.
Proposed Revisions to the Bylaws

In September, I discussed with the Board Operations Committee the changes to the Open Meeting Act (“OMA”) resulting from Public Act 94-1058 (SB 585) and how these changes (which become effective on January 1, 2007) may impact the State Board’s operations. I also mentioned at that time that the State Board would need to amend its Bylaws to align with P.A. 94-1058. The attached markup attempts to accomplish this alignment. Specifically:

- Sections V.A., V.C., V.E., and V.F. have been revised to incorporate the “physical presence” requirements of P.A. 94-1058.
  - As you may recall, Section 2.01 of the OMA has been amended to require that a quorum of members of a public body be “physically present at the location of an open meeting.” The State Board can meet the “physically present” quorum requirement if (a) the meeting is held via interactive video conference between either the Chicago and Springfield offices or one of those offices and another location in a public building (i.e., any building or portion thereof owned or leased by any public body) elsewhere in the State and a quorum is present at a combination of the locations; and (b) the State Board provides public notice and access for each location.
  - Moreover, a new Section 7 has been added to the OMA, entitled “Attendance by a means other than physical presence.” Per Section 7, “[i]f a quorum of the members is physically present as required by Section 2.01, a majority of the public body may allow a member of that body to attend the meeting by other means (i.e., video or audio conference) if the member is prevented from physically attending because of: (i) personal illness or disability; (ii) employment purposes or the business of the public body; or (iii) a family or other emergency”. A member wishing to attend by “other means” must notify the recording secretary or clerk of the public body before the meeting unless advance notice is impractical. A majority of the public body may allow a member to attend a meeting by other means only in accordance with and to the extent allowed by operational rules adopted by the public body (i.e., by-laws). The rules must conform to Section 7, may further limit the extent to which attendance by other means is allowed, and may provide for the giving of additional notice to the public or further facilitate public access to meetings.
• Section V.G. (Minutes) has been revised due to change in Section 2.06 of the OMA (Minutes) which now requires that minutes explicitly include “whether the members were physically present or present by means of video or audio conference.”

• P.A. 94-1058 also amended Section 1.02 of the OMA to clarify the definition of “meeting”. The term “meeting” is defined as (with the underlined words being those added by the legislation): “any gathering whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communication of a majority of a quorum of the members of a public body held for the purpose of discussing public business.” This clarification did not require any corresponding clarification in the Bylaws.

The Board Operations Committee may also wish to consider the following questions, answers to which can be incorporated in the revisions that come before the State Board in January 2007. For purposes of your review, I have made recommendations that I have included in the proposed revisions:

• Should there be any time restrictions for the advance notice required of a member wishing to attend an open meeting by “other means”? Should there be a requirement that the notice be in writing and, if so, is by electronic means satisfactory? I have recommended a 24 hour written notice, that notification by electronic means would be sufficient, and that the notice include the specific exception under which the request falls.

• What should be the procedure for allowing a member to attend a meeting by “other means”? Should the Board or the relevant committee require a vote immediately following roll call? If so, should it be a voice vote or a roll call vote? Should the requesting member have the right to vote? I have recommended a procedure whereby the issue of attendance by other means would be addressed right after the meeting’s initial roll call. At that time, the Board or Committee shall take a roll call vote and the member seeking to attend by “other means” shall have a right to vote.

• Should the Board impose any further restrictive rules in terms of whether and how its members may attend a meeting by “other means”? For example: Does the Board wish to limit the number of times per calendar year that a member can attend by other means? Does the Board wish to place a restriction on the number of members that can attend a particular meeting by “other means” (remember, there still would be the requirement that a quorum be physically present)? Does the Board wish to require any presiding officer to be physically present? I have recommended keeping the rules regarding attendance by “other means” as least restrictive as possible, but have recommended requiring that any member attending by “other means” always identify himself or herself prior to speaking.

Recommendation for Next Steps: The Board Operations Committee will consider the materials in this memorandum and recommend action for the Board to take in January.
Discussion of Officer Election and Committee Appointments

- Per Section IV.A of the Bylaws, *election of the Vice-Chairperson and Secretary* shall take place biennially in February of odd-numbered years. Thus, there will need to be an election for these two offices in February 2007.

- Procedurally, the Chairperson must appoint a nominating committee, which shall recommend a slate of elective officers to the Board for its consideration (see Section IV.A.4 (“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.”)).

- One possible means of handling this election would be as follows:
  - The Chairperson would appoint the nominating committee at some point in advance of the January Board meeting, and announce the members of that committee as part of the Chairperson’s announcements at the January meeting;
  - Should the nominating committee consist of more than two Board members, any meeting of the committee must comply with the Open Meetings Act.
  - The nominating committee would send a memorandum to Board members in advance of the February meeting recommending a slate of elective officers to the Board for its consideration.
  - The Board would then take a roll call vote as an action item during the Plenary Session of the February Board meeting, with Board members having the right to add nominations from the floor.
  - As with any action of the Board, election will require a majority of Board members (i.e., five).

- Additionally, the Chairperson, by March 1, 2007, must *appoint/reappoint all members (and designate the Chairperson of) standing Board Committees*. One possible means of addressing this requirement would be for the Chairperson to send a memorandum to Board members at some point in early February and then publicly make an announcement during the February meeting.
Public Act 094-1058

AN ACT concerning government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Open Meetings Act is amended by changing Sections 1.02, 2.01, 2.05, and 2.06 and by adding Section 7 as follows:

(5 ILCS 120/1.02) (from Ch. 102, par. 41.02)
Sec. 1.02. For the purposes of this Act:
"Meeting" means any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business.

"Public body" includes all legislative, executive, administrative or advisory bodies of the State, counties, townships, cities, villages, incorporated towns, school districts and all other municipal corporations, boards, bureaus, committees or commissions of this State, and any subsidiary bodies of any of the foregoing including but not limited to committees and subcommittees which are supported in whole or in part by tax revenue, or which expend tax revenue, except the General Assembly and committees or commissions thereof. "Public body" includes tourism boards and convention or civic center boards located in counties that are contiguous to the Mississippi River with populations of more than 250,000 but less than 300,000. "Public body" includes the Health Facilities Planning Board. "Public body" does not include a child death review team or the Illinois Child Death Review Teams Executive Council established under the Child Death Review Team Act or an ethics commission acting under the State
Officials and Employees Ethics Act.
(Source: P.A. 92-468, eff. 8-22-01; 93-617, eff. 12-9-03.)

(5 ILCS 120/2.01) (from Ch. 102, par. 42.01)
Sec. 2.01. All meetings required by this Act to be public
shall be held at specified times and places which are
convenient and open to the public. No meeting required by this
Act to be public shall be held on a legal holiday unless the
regular meeting day falls on that holiday.

A quorum of members of a public body must be physically
present at the location of an open meeting. If, however, an
open meeting of a public body (except one with jurisdiction
limited to a specific geographic area that is less than
statewide) is held simultaneously at one of its offices and one
or more other locations in a public building, which may include
other of its offices, through an interactive video conference
and the public body provides public notice and public access as
required under this Act for all locations, then members
physically present in those locations all count towards
determining a quorum. "Public building", as used in this
Section, means any building or portion thereof owned or leased
by any public body. The requirement that a quorum be physically
present at the location of an open meeting shall not apply,
however, to State advisory boards or bodies that do not have
authority to make binding recommendations or determinations or
to take any other substantive action.

A quorum of members of a public body that is not a public
body with statewide jurisdiction must be physically present at
the location of a closed meeting. Other members who are not
physically present at a closed meeting of such a public body
may participate in the meeting by means of a video or audio
conference.
(Source: P.A. 88-621, eff. 1-1-95.)

(5 ILCS 120/2.05) (from Ch. 102, par. 42.05)
Sec. 2.05. Recording meetings. Subject to the provisions of

Section 8-701 of the Code of Civil Procedure "An Act in
relation to the rights of witnesses at proceedings conducted by
a court, commission, administrative agency or other tribunal in
this State which are televisied or broadcast or at which motion
pictures are taken", approved July 14, 1953, as amended, any person may record the proceedings at meetings required to be open by this Act by tape, film or other means. The authority holding the meeting shall prescribe reasonable rules to govern the right to make such recordings.

If a witness at any meeting required to be open by this Act which is conducted by a commission, administrative agency or other tribunal, refuses to testify on the grounds that he may not be compelled to testify if any portion of his testimony is to be broadcast or televised or if motion pictures are to be taken of him while he is testifying, the authority holding the meeting shall prohibit such recording during the testimony of the witness. Nothing in this Section shall be construed to extend the right to refuse to testify at any meeting not subject to the provisions of Section 8-701 of the Code of Civil Procedure "An Act in relation to the rights of witnesses at proceedings conducted by a court, commission, administrative agency or other tribunal in this State which are televised or broadcast or at which motion pictures are taken", approved July 14, 1953, as amended.

(Source: P.A. 82-378.)

(5 ILCS 120/2.06) (from Ch. 102, par. 42.06)
Sec. 2.06. Minutes.
(a) All public bodies shall keep written minutes of all their meetings, whether open or closed, and a verbatim record of all their closed meetings in the form of an audio or video recording. Minutes shall include, but need not be limited to:

(1) the date, time and place of the meeting;
(2) the members of the public body recorded as either present or absent and whether the members were physically present or present by means of video or audio conference;

and

(3) a summary of discussion on all matters proposed, deliberated, or decided, and a record of any votes taken.

(b) The minutes of meetings open to the public shall be available for public inspection within 7 days of the approval of such minutes by the public body. Beginning July 1, 2006, at the time it complies with the other requirements of this subsection, a public body that has a website that the full-time
staff of the public body maintains shall post the minutes of a regular meeting of its governing body open to the public on the public body's website within 7 days of the approval of the minutes by the public body. Beginning July 1, 2006, any minutes of meetings open to the public posted on the public body's website shall remain posted on the website for at least 60 days after their initial posting.

(c) The verbatim record may be destroyed without notification to or the approval of a records commission or the State Archivist under the Local Records Act or the State Records Act no less than 18 months after the completion of the meeting recorded but only after:

1. the public body approves the destruction of a particular recording; and
2. the public body approves minutes of the closed meeting that meet the written minutes requirements of subsection (a) of this Section.

(d) Each public body shall periodically, but no less than semi-annually, meet to review minutes of all closed meetings. At such meetings a determination shall be made, and reported in an open session that (1) the need for confidentiality still exists as to all or part of those minutes or (2) that the minutes or portions thereof no longer require confidential treatment and are available for public inspection. The failure of a public body to strictly comply with the semi-annual review of closed session written minutes, whether before or after the effective date of this amendatory Act of the 94th General Assembly, shall not cause the written minutes or related verbatim record to become public or available for inspection in any judicial proceeding, other than a proceeding involving an alleged violation of this Act, if the public body, within 60 days of discovering its failure to strictly comply with the technical requirements of this subsection, reviews the closed session minutes and determines and thereafter reports in open session that either (1) the need for confidentiality still exists as to all or part of the minutes or verbatim record, or (2) that the minutes or recordings or portions thereof no longer require confidential treatment and are available for public inspection.

(e) Unless the public body has made a determination that
the verbatim recording no longer requires confidential treatment or otherwise consents to disclosure, the verbatim record of a meeting closed to the public shall not be open for public inspection or subject to discovery in any administrative or judicial proceeding other than one brought to enforce this Act. In the case of a civil action brought to enforce this Act, the court, if the judge believes such an examination is necessary, must conduct such in camera examination of the verbatim record as it finds appropriate in order to determine whether there has been a violation of this Act. In the case of a criminal proceeding, the court may conduct an examination in order to determine what portions, if any, must be made available to the parties for use as evidence in the prosecution. Any such initial inspection must be held in camera. If the court determines that a complaint or suit brought for noncompliance under this Act is valid it may, for the purposes of discovery, redact from the minutes of the meeting closed to the public any information deemed to qualify under the attorney-client privilege. The provisions of this subsection do not supersede the privacy or confidentiality provisions of State or federal law.

(f) Minutes of meetings closed to the public shall be available only after the public body determines that it is no longer necessary to protect the public interest or the privacy of an individual by keeping them confidential.

(Source: P.A. 93-523, eff. 1-1-04; 93-974, eff. 1-1-05; 94-28, eff. 1-1-06; 94-542, eff. 8-10-05; revised 8-19-05.)

(5 ILCS 120/7 new)
Sec. 7. Attendance by a means other than physical presence.
(a) If a quorum of the members of the public body is physically present as required by Section 2.01, a majority of the public body may allow a member of that body to attend the meeting by other means if the member is prevented from physically attending because of: (i) personal illness or disability; (ii) employment purposes or the business of the public body; or (iii) a family or other emergency. "Other means" is by video or audio conference.

(b) If a member wishes to attend a meeting by other means, the member must notify the recording secretary or clerk of the
public body before the meeting unless advance notice is impractical.

(c) A majority of the public body may allow a member to attend a meeting by other means only in accordance with and to the extent allowed by rules adopted by the public body. The rules must conform to the requirements and restrictions of this Section, may further limit the extent to which attendance by other means is allowed, and may provide for the giving of additional notice to the public or further facilitate public access to meetings.

(d) The limitations of this Section shall not apply to (i) closed meetings of public bodies with statewide jurisdiction or (ii) open or closed meetings of State advisory boards or bodies that do not have authority to make binding recommendations or determinations or to take any other substantive action. State advisory boards or bodies and public bodies with statewide jurisdiction, however, may permit members to attend meetings by other means only in accordance with and to the extent allowed by specific procedural rules adopted by the body.

Effective Date: 1/1/2007

Floor Actions

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BYLAWS OF THE

ILLINOIS STATE BOARD OF EDUCATION

AMENDED: MAY 2005 JANUARY 2007
# Bylaws of the Illinois State Board of Education

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BYLAWS OF THE
ILLINOIS STATE BOARD OF EDUCATION

ARTICLE I
OBJECT

The Constitution of the State 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 the State of Illinois)

ARTICLE II
POWERS AND DUTIES

The State Board of Education shall have such powers and duties as may be specified from time to time in the School Code (105 ILCS 5/1 et seq.) or other applicable laws of the State of Illinois or the United States of America. Such powers and duties shall include, but not be limited to, those powers and duties set forth in Section 1A-4 of the School Code attached hereto as Appendix A.

A. In accordance with Section 1A-4(B) of the School Code, 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 may be proposed by the Governor and shall serve at the pleasure of the Board and pursuant to a performance-based contract linked to statewide student performance and academic improvement within Illinois schools. A performance-based contract issued for the employment of the State Superintendent of Education shall contain terms and provisions consistent with Section 1A-4(B) of the School Code including, but not limited to, an expiration date no later than the February 1 following each gubernatorial election. The Board shall set the compensation of the State Superintendent of Education and establish his or her duties, powers and responsibilities. (1A-4B)*

* Unless otherwise stated in the text, all references are to the School Code of Illinois (105 ILCS 5/1-1 et seq.).

B. 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 unless otherwise provided by law. (5/1A-4B)
ARTICLE III
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 eight (8) members and a chairperson 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 (one of which shall be the chairperson). (1A-1.b)

3. 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) Of the members whose terms expire on the second Wednesday of January, 2007 and every four years thereafter, at no time may more than two of those members be from one political party. Of the members whose terms expire on the second Wednesday of January, 2009 and every four years thereafter, at no time may more than two of those members 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.c)

4. All terms shall be for four years, except that the initial terms of the eight members appointed to the Board pursuant to Public Act 93-1036 shall be as set forth in Section 1A-1.b.

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

B. Qualifications and Ethics Requirements

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 member of the State Board of Education shall be gainfully employed or administratively connected with any school system, nor have any interest in or benefit from funds provided by the State Board of Education to an 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.

3. All members of the State Board of Education shall abide by the Board's adopted Code of Conduct attached hereto as Exhibit B, the Conflicts of Interest Policy attached hereto.
as Exhibit C, and all requirements set forth in the State Officials and Employees Ethics Act of 2003. (5 ILCS 430/1 et seq.)

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 IV
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 in accordance with Section 1A-1.b.

3. 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.

4. 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.

5. 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.

6. 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 advisory bodies, 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 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 duties as may be vested in him or her by the Chairperson or 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 Temp.

ARTICLE V
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 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)) If a change is made in regular meeting dates, at least 
ten (10) days’ notice of such change shall be given in accordance with Section 2.03 of 
the Open Meetings Act.

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 for the meeting, and other related 
and necessary material. The notice will be sent to each member of the Board at the 
address provided by the member. Attendance at a meeting shall constitute waiver of 
notice thereof, except where a member attends a meeting for the express purpose of 
objecting to the holding of the meeting because the meeting is not lawfully called or 
convened.

* All references to written notice shall be interpreted as including electronic mail.

B. Special and Emergency Meetings

1. Upon the call of the Board Chairperson or the request of at least one-third of the 
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 and set forth on the 
agenda for the special meeting of the Board.

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 120/2.02)
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 (a) shall be open to the public and the press, unless the Board or one of its committees takes action to go into closed session in accordance with the Open Meetings Act; and (b) may take place in the traditional face to face manner, by teleconference or video conference, subject to the physical presence requirements set forth in Sections 2.01 and 7 of the Open Meetings Act (5 ILCS 120/2.01 & 7).

2. Subject to Sections 2.01 and 7 of the Open Meetings Act (5 ILCS 120/2.01 & 7), a quorum of members of the Board or one of its committees must be physically present at the location of an open meeting. If, however, an open meeting is held simultaneously at one of the state educational agency’s offices and one or more other locations in a public building, which may include other of its offices, through an interactive video conference and the Board or committee provides public notice and public access as required under the Open Meetings Act for all locations, then members physically present in those locations all count towards determining a quorum. “Public building” means any building or portion thereof owned or leased by any public body.

3. To the extent the physical presence requirements of Section 2.01 and 7 of the Open Meetings Act are applicable, if a quorum of the members of the Board or one of its committees is physically present as required by Section 2.01 of the Open Meetings Act, a majority of the Board or the relevant committee may allow a member of that body to attend the meeting by other means (i.e., video or audio conference) if the member is prevented from physically attending because of: (a) personal illness or disability; (b) employment purposes or the business of the public body; or (c) a family or other emergency. If a member wishes to attend a meeting by other means, the member must notify the staff Secretary (designated in Section V.G of these Bylaws) within 24 hours before the meeting unless advance notice is impractical. Such notice may be made by electronic means and must include the reason for the request and the specific exception under which it falls. The Board or committee must then take a roll call vote at the outset of such meeting to determine whether to permit such member to attend by other means (the requesting member may vote and such vote shall be counted towards the majority required for permission). Any member attending a meeting by other means must identify himself or herself any time he or she speaks during such meeting.

4. Closed sessions of the Board and its committees may be convened only for the purposes authorized in Section 2(c) of the Open Meetings Act, 5 ILCS 120/2(c). No final action may be taken during closed session. Final action on any matter discussed during closed session shall be preceded by a recital in open session on the matter being considered and other information that will inform the public of the business being conducted. (5 ILCS 120/2(d))

5. 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 by law no less than 48 hours prior to regular or special meetings and as soon as practical for emergency meetings (but in any event, prior to the holding of such meeting).

6. 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.
7. Three or more board members may not gather for the purpose of discussing Board business without adhering to the requirements of the Open Meetings Act.

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, Pledge of Allegiance, Consideration of and Possible Actions on Any Requests for Participation in Meeting by Other Means, Approval of Minutes, Reports of the Chairman and the Superintendent, Items for Board 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, but may be modified at the discretion of the Chairman during the course of the 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. The Board shall not take action on any item unless the subject is identified on the published agenda. However, the Board may consider (without taking action on) items not specifically set forth on a regular meeting 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 provided that he or she is permissibly present under Sections 2.01 and 7 of the Open Meetings Act (5 ILCS 120/2.01 & 7) and Section V.C of these Bylaws and 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 voice vote may be taken on any motion or resolution except for those involving the expenditure of money, action to permit a Board member’s attendance by other means (as discussed in Section V.C of these Bylaws), the convening of a closed session of the Board or the election of officers. A member may request that any motion or resolution be voted upon by call of the roll.

5. The voting order of members for roll call votes 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. Minutes shall be taken of all regular, special and emergency meetings, whether open or closed, and a verbatim record shall be made of all closed meetings in the form of an audio or video recording. Minutes shall include, but not be limited to: (i) the date, time and place of the meeting; (ii) the members of the public body recorded as either present or absent and whether the members were physically present or present by means of video or audio conference; and (iii) a summary of discussion on all matters proposed, deliberated, or decided, and a record of any votes taken.

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, keep the official records of the Board, 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. 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. Once every six (6) months, the Board shall review the minutes of all closed meetings and make a determination, to be reported in open session, that (i) the need for confidentiality still exists as to all or part of those minutes, or (ii) the minutes or portions thereof no longer require confidential treatment and are available for public inspection. (5 ILCS 120/2.06(d))

ARTICLE VI
COMMITTEES

A. Standing Committees

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

   Governmental Relations Committee
The Government Relations Committee shall develop legislative principles; review legislative proposals on issues which are not under the purview of another Board Committee; monitor the state and federal legislative sessions, 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’s Chairperson shall be authorized to establish, on an ad hoc basis and with the concurrence of the Board Chairperson, such subcommittees as he or she determines are necessary for appropriately fulfilling the Committee’s responsibilities.

**Finance and Audit Committee**

The Finance and Audit Committee shall develop the State Board of Education's annual budget and monitor its progress in the General Assembly; work to improve the financing of local school districts and other institutions within the purview of the State Board of Education; at least annually, review Board member travel policy and related matters; review agency administrative and operational policies and procedures, including the implementation of policies and procedures relating to contracts; review and approve Requests for Sealed Proposals per policy; provide oversight for the Internal Audit Function; review all external audits of the State Board of Education and the agency response; develop a process for a quarterly review of the State Superintendent’s expenses and time allocations and for sharing the results of the review with the entire Board; and perform such other responsibilities as are designated by the Board or the Board Chairperson.

This Committee’s Chairperson shall be authorized to establish, on an ad hoc basis and with the concurrence of the Board Chairperson, such subcommittees as he or she determines are necessary for appropriately fulfilling the Committee’s 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 and the staff secretary to the Board; review evaluations of agency senior leadership; review Board operational policies and procedures; plan special Board activities such as recognition and celebration; develop Board meeting calendar, arrange meeting agendas and identify locations; develop procedures for self evaluation of the Board’s operation and impact; and review Board Bylaws and recommended changes.

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

**Education Policy Planning Committee**

The Education Policy 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 Illinois education. The Committee shall provide a forum for Board discussion about the direction of educational policy and its implications for the State of Illinois educational system. The committee will be responsible for identifying issues of future interest to the Board and studying the implications for education and the State Board of Education. The committee will develop policy topics for Board meeting agendas and a long-term policy development
calendar. 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’s Chairperson shall be authorized to establish, on an *ad hoc* basis and with the concurrence of the Board Chairperson, such subcommittees as he or she determines are necessary for appropriately fulfilling the Committee’s responsibilities.

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

B. **Membership of Standing Committees**

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.

C. **Temporary Committees and Advisory Bodies**

1. The Board Chairperson may establish temporary committees and advisory bodies through written notice to the other Board members. Membership of temporary committees shall consist solely of Board members. Membership of advisory bodies may include non-members of the Board.

2. The written notice from the Chairperson shall specify the charges to and membership of a temporary committee or advisory body. The Chairperson shall regularly request reports to the Board concerning their activities, and shall dissolve them when their specific charges have been completed. The Chairperson may fill any vacancies in committee or advisory body membership which may occur.

D. **Committee and Advisory Body Meetings and Procedures**

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

2. At least three days before each committee or advisory body 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 advisory body meetings shall be open meetings in accordance with the Open Meetings Act and Section V.C of these Bylaws.

4. Committees and advisory bodies may conduct their business in meetings of two or more members. A majority of members must approve recommendations to the State Board of Education.

5. A record shall be taken of all committee and advisory body meetings in accordance with Section V.G of these Bylaws.
6. All committees and advisory bodies 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 VII
PARLIAMENTARY AUTHORITY

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 VIII
INDEMNIFICATION

The Board shall seek from the Office of the Attorney General the indemnification of all of its present and former members to the fullest extent permitted from time to time by the State Employee Indemnification Act (5 ILCS 350/0.01 et seq.), or any successor thereto.

ARTICLE IX
AMENDMENTS

Except for those sections prescribed by law, the Bylaws may be amended at a regular or special meeting of the Board by a vote of six Board members provided 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.
EXHIBIT A
SECTION 1A-4 OF THE SCHOOL CODE

(105 ILCS 5/1A-4) (from Ch. 122, par. 1A-4)
Sec. 1A-4. Powers and duties of the Board.

A. (Blank).

B. The Board shall determine the qualifications of and appoint a chief education officer, to be known as the State Superintendent of Education, who may be proposed by the Governor and who shall serve at the pleasure of the Board and pursuant to a performance-based contract linked to statewide student performance and academic improvement within Illinois schools. Upon expiration or buyout of the contract of the State Superintendent of Education in office on the effective date of this amendatory Act of the 93rd General Assembly, a State Superintendent of Education shall be appointed by a State Board of Education that includes the 7 new Board members who were appointed to fill seats of members whose terms were terminated on the effective date of this amendatory Act of the 93rd General Assembly. Thereafter, a State Superintendent of Education must, at a minimum, be appointed at the beginning of each term of a Governor after that Governor has made appointments to the Board. A performance-based contract issued for the employment of a State Superintendent of Education entered into on or after the effective date of this amendatory Act of the 93rd General Assembly must expire no later than February 1, 2007, and subsequent contracts must expire no later than February 1 each 4 years thereafter. No contract shall be extended or renewed beyond February 1, 2007 and February 1 each 4 years thereafter, but a State Superintendent of Education shall serve until his or her successor is appointed. Each contract entered into on or before January 8, 2007 with a State Superintendent of Education must provide that the State Board of Education may terminate the contract for cause, and the State Board of Education shall not thereafter be liable for further payments under the contract. With regard to this amendatory Act of the 93rd General Assembly, it is the intent of the General Assembly that, beginning with the Governor who takes office on the second Monday of January, 2007, a State Superintendent of Education be appointed at the beginning of each term of a Governor after that Governor has made appointments to the Board. The State Superintendent of Education shall not serve as a member of the State Board of Education. The Board shall set the compensation of the State Superintendent of Education who shall serve as the Board's chief executive officer. The Board shall also establish the duties, powers and responsibilities of the State Superintendent, which shall be included in the State Superintendent's performance-based contract along with the goals and indicators of student performance and academic improvement used to measure the performance and effectiveness of the State Superintendent. The State Board of Education 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 under this Section to the State 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 unless otherwise provided by law.

C. The powers and duties of the State Board of Education shall encompass all duties delegated to the Office of Superintendent of Public Instruction on January 12, 1975, except as the law providing for such powers and duties is thereafter amended, and such other powers and duties as
the General Assembly shall designate. The Board shall be responsible for the educational policies and guidelines for public schools, pre-school through grade 12 and Vocational Education in the State of Illinois. 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. The Board shall recommend the passage and the legislation necessary to determine the appropriate relationship between the Board and local boards of education and the various State agencies and shall recommend desirable modifications in the laws which affect schools.

D. Two members of the Board shall be appointed by the chairperson to serve on a standing joint Education Committee, 2 others shall be appointed from the Board of Higher Education, 2 others shall be appointed by the chairperson of the Illinois Community College Board, and 2 others shall be appointed by the chairperson of the Human Resource Investment Council. The Committee shall be responsible for making recommendations concerning the submission of any workforce development plan or workforce training program required by federal law or under any block grant authority. The Committee will be responsible for developing policy on matters of mutual concern to elementary, secondary and higher education such as Occupational and Career Education, Teacher Preparation and Certification, Educational Finance, Articulation between Elementary, Secondary and Higher Education and Research and Planning. The joint Education Committee shall meet at least quarterly and submit an annual report of its findings, conclusions, and recommendations to the State Board of Education, the Board of Higher Education, the Illinois Community College Board, the Human Resource Investment Council, the Governor, and the General Assembly. All meetings of this Committee shall be official meetings for reimbursement under this Act.

E. Five members of the Board shall constitute a quorum. A majority vote of the members appointed, confirmed and serving on the Board is required to approve any action, except that the 7 new Board members who were appointed to fill seats of members whose terms were terminated on the effective date of this amendatory act of the 93rd General Assembly may vote to approve actions when appointed and serving.

The Board shall prepare and submit to the General Assembly and the Governor on or before January 14, 1976 and annually thereafter a report or reports of its findings and 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 its specific problems and recommends express solutions therefor. Such annual report also shall contain the following information for the preceding year ending on June 30: each act or omission of a school district of which the State Board of Education has knowledge as a consequence of scheduled, approved visits and which constituted a failure by the district to comply with applicable State or federal laws or regulations relating to public education, the name of such district, the date or dates on which the State Board of Education notified the school district of such act or omission, and what action, if any, the school district took with respect thereto after being notified thereof by the State Board of Education. The report shall also include the statewide high school dropout rate by grade level, sex and race and the annual student dropout rate of and the number of students who graduate from, transfer from or otherwise leave bilingual programs. The Auditor General shall annually perform a compliance audit of the State Board of Education's performance of the reporting duty imposed by this amendatory Act of 1986. A regular system of communication with other directly related State agencies shall be implemented.
The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Council, as required by Section 3.1 of the General Assembly Organization Act, and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act.

F. Upon appointment of the 7 new Board members who were appointed to fill seats of members whose terms were terminated on the effective date of this amendatory Act of the 93rd General Assembly, the Board shall review all of its current rules in an effort to streamline procedures, improve efficiency, and eliminate unnecessary forms and paperwork.

(Source: P.A. 93-1036, eff. 9-14-04.)
EXHIBIT B
STATE BOARD CODE OF CONDUCT

Adopted May 25, 1997

The Illinois State Board of Education recognizes its responsibility to lead the effort to provide an excellent education for every child in Illinois. The task demands the highest standards of professional and ethical conduct to inspire confidence that this Board will meet the goal. As a member of this Board, I shall do my best to meet these standards:

1. To devote the time, thought and study needed to perform in an exemplary manner my responsibilities as an educational leader, state policy maker and steward of public funds.

2. To work with fellow Board members in a spirit of harmony and cooperation in spite of difference of opinion that may arise during vigorous debate.

3. To base my personal decisions upon all available facts and upon the best thinking that emerges from Board debate; to vote my honest conviction in every case, unswayed by partisan, regional, or other bias; and once the decision has been made, to abide by and uphold the final majority of the Board.

4. To remember that I have no legal authority as an individual outside the meetings of the Board; to conduct my relationships with State Board staff, the public and the media in a manner which is consistent with this fact; and to avoid speaking or giving the appearance of speaking for the Board except when either representing an adopted position of the Board or when designated as its spokesperson.

5. To avoid circumstances that present conflicts of interest or even the appearance of impropriety with respect to my position as a member of the State Board of Education.

6. To maintain strict confidentiality regarding Agency information and executive session matters until privileged information becomes public knowledge.

7. To bear in mind that the primary function of the Board is to establish policy and that the implementation of such policy is the responsibility of the State Superintendent and the staff of the state education agency.

8. To welcome and encourage active participation by citizens in the development of educational policy and to do my utmost to respect and represent perspectives from all parts of the diverse communities we serve across the state.

9. To strive for positive and productive Board relationships with the State Superintendent and Agency staff, and all individuals and groups with whom we work as members of the Illinois State Board of Education.
EXHIBIT C
STATE BOARD CONFLICTS OF INTEREST POLICY

1.1. Definitions. The following Conflicts of Interest Policy shall apply to any matter in which a State Board member has or may have a conflict of interest. A member has a conflict of interest in a matter if the member’s interest, either through business, investment or family, might reasonably create the appearance of or result in;

1. using public office for direct or indirect private gain;
2. giving preferential treatment to any organization or person;
3. losing independence or impartiality of action;
4. making a government decision outside official channels; or
5. adversely affecting the confidence of the public in the integrity of the Board.

1.2. Disclosure. Prior to the Board taking action on a matter in which a Board member has or may have a conflict of interest, the interested Board member shall disclose such interest to the other Board members and all material facts relating thereto.

1.3. Determination of Potential Conflict of Interest. A Board member may use any one of the following procedures to determine whether an interest constitutes a conflict of interest:

i. The member may request a determination from the General Counsel of the State Board of Education;

ii. The member may ask the Board to determine whether such an interest constitutes a conflict of interest. The Board shall ask the member with the potential conflict of interest to leave the meeting during such discussions or deliberations on whether a conflict of interest exists. The member with the potential conflict of interest may be counted in determining the existence of a quorum at any meeting of the Board where the interest is discussed but shall not vote on whether a conflict exists. A majority of the non-interested Board members present at a meeting at which a quorum is present must determine whether a conflict exists; or

iii. The member with the potential conflict of interest may indicate his or her willingness to follow the procedures set forth in Section 1.4 of this Policy absent a determination by the Board that a conflict of interest exists.

1.4. Procedure When Conflict of Interest Determined. Upon the Board’s determination that a conflict of interest exists:

i. The Chairperson may appoint a non-interested person to investigate alternatives to the proposed transaction or arrangement;

ii. The Board must approve the matter involving the conflict of interest by a majority vote of non-interested members as being in the best interest of the Board and for the Board’s own benefit; and

iii. The member with the conflict of interest shall not be present for discussion or vote regarding the matter.
1.5. Procedures for Adequate Record Keeping. The minutes of the meeting of the Board shall include: (i) the names of the member(s) who disclosed an actual or potential conflict of interest, the nature of the conflict of interest, and whether the Board determined there may be a conflict of interest; and (ii) the names of the members who were present for discussion and votes relating to the matter, the content of these discussions, and a record of the vote.
TO: Board Operations Committee

FROM: Chris Ward, Chairperson, Board Operations Committee

Agenda Topic: Development of State Board Agendas

Staff Contact(s): Jean Ladage, Board Services Coordinator

Purpose of Agenda Item
The Board Operations Committee will discuss options for reviewing committee and plenary agendas and draft schedules of meetings in lieu of a Board Operations phone conference.
TO: Board Operations Committee
FROM: Jean Ladage, Board Services Coordinator

Agenda Topic: 2007 Calendar of State Board of Education Meetings

Materials: Attached Listing of Locations of Prior Meetings of State Board

Staff Contact(s): Jean Ladage, Board Services Coordinator

Purpose of Agenda Item
The Board Operations Committee will review information regarding sites for 2007 State Board of Education meetings.

Topics for Discussion

- June 20-21, 2007
  Possible site: North Suburban Library System, 200 West Dundee, Wheeling, IL
  Conference room charge is approximately $600 for two days (depending upon full day/half-day usage)
  Parking lot: 68 parking spaces with 3 handicapped spots

- August 9, 2007 meeting, if needed, will be held in Springfield (per Board Operations Committee recommendation in October 2006)

- 2007 Board Retreat
  Staff have determined that a Decatur facility can accommodate the state government rate on the dates requested. (Bloomington facility contacted cannot)

- September 19-20, 2007
  Possible site: Carpentersville Community Unit S.D. 300 (Dr. Kenneth Arndt, Superintendent)
  Can accommodate technological needs for Board and staff

- October 17-18, 2007
  Possible site: Mt. Vernon City Schools, District 80 (Dr. Kevin Settle, Superintendent)
  Can accommodate technological needs for Board and staff

Draft Recommendation

- June 20-21, 2007 (to be discussed)
- August 9, 2007 (Springfield, as needed)
- August 22-24, 2007 Board Retreat (tentatively Decatur, Illinois)
- September 19-20, 2007 (Suburban Chicago location – tentatively Carpentersville)
- October 17-18, 2007 location (Southern Illinois location – tentatively Mt. Vernon)

Next Steps
Following approval by the Board, staff will secure facilities for these meetings and post the confirmed locations on the Agency website.
Summary of Locations of Prior State Board Meetings

2001
January – Chicago Sheraton
February through May - Springfield
June – Oak Brook Lodge
August – Chicago Doubletree
September – Springfield
October – Collinsville Holiday Inn
November – Chicago Doubletree
December – Chicago Doubletree

2002
January – Chicago Doubletree
February through May - Springfield
June – Oak Brook Lodge
August – Springfield
September – Springfield
October – Collinsville
November – Chicago Museum of Science & Industry
December – Chicago Doubletree

2003
January – Chicago Omni
February through June - Springfield
August – Chicago Board of Education Office
September – Springfield
October – Rockford High School
November – Springfield
December – Chicago James R. Thompson Center (JRTC)

2004
January – Chicago JRTC
February through December - Springfield

2005
January through September – Springfield
October ’05 – Danville
November – Chicago
December – Chicago

2006
January - Chicago
February through May - Springfield
June - Glen Ellyn (DuPage County)
August one-day meeting - Springfield
September ’06 in Chicago
October – Lockport (Will County)
November – Springfield
December – Springfield

2007 Proposed
January – Chicago (hotel rooms and JRTC conference rooms are secured)
February through May – Springfield
June – to be determined
August one-day meeting - Springfield
September – Carpentersville (tentative/Kane County)
October – Mt. Vernon (tentative/Jefferson County)
November – Springfield
December Springfield