

Rules of Procedure for the High-Cost Special Education Funding Commission



Adopted August 10, 2021

The High-Cost Special Education Funding Commission operates pursuant to the authority of 105 ILCS 5/14-17.

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Section I—Declaration and Purpose

- Section 1.1 The *High-Cost Special Education Funding Commission*, (Commission), in order to fulfill its statutory purpose and responsibilities under 105 ILCS 5/14-17 and to serve the citizens of Illinois, hereby establishes Rules of Procedure to direct its operations. It is the purpose of these Rules of Procedure to clarify the means by which the Commission will perform its functions, delegate authority without avoiding responsibility, and respond to the requirements of its legislative mandate.
- Section 1.2 Pursuant to 105 ILCS 5/14-17, the Commission is created for the purpose of making recommendations to the Governor and the General Assembly for an alternative funding structure in this State for high-cost special education students that is aligned to the principles of the evidence-based funding formula in Section 18-8.15 in which school districts furthest away from adequacy receive the greatest amount of funding.

Section II—Membership and Officers

- Section 2.1 Members of the Commission are selected pursuant to the appointment specifications noted in 105 ILCS 5/14-17.
- Section 2.2 Vacancies in membership will be filled in accordance with the appointment authority detailed in 105 ILCS 5/14/17.
- Section 2.3 One representative appointed by the Speaker of the House of Representatives, and one senator appointed by the President of the Senate, shall serve as co-chairpersons.

Section III—Meetings

- Section 3.1 All meetings of the Commission, including committee meetings and public hearings, shall be open to the public and comply with the Open Meetings Act.
- Section 3.2 Regular meetings of the Commission shall be held at a time and location determined by the Chairpersons in consultation with designated staff from the Illinois State Board of Education (ISBE). The Chairpersons, at his/her discretion, may cancel or reschedule any regular meeting by written notice within a reasonable time prior to the scheduled meeting date. The time and place of all such meetings scheduled or rescheduled shall be given to the Commission members at least five calendar days prior to this meeting date.
- Section 3.3 Special meetings of the Commission may be called at the discretion of the Chairpersons in consultation with designated ISBE staff or by request of a majority of Commission members. An Agenda, together with a notice of the time and place of any such meeting, must be provided to the Commission members at least five calendar days prior thereto. Only matters contained in the Agenda shall be discussed at any special meeting. The Chairpersons may cancel a special meeting at his or her discretion, provided that a meeting called by the Commission members may be canceled only by the consent of a majority of the Commission members.
- Section 3.4 The Chairpersons and designated ISBE staff shall prepare an Agenda of business scheduled for deliberation prior to each regular meeting. The approval of Minutes from the previous meeting and a public comment opportunity shall be included on each Agenda. The Agenda shall be distributed to the members of the Commission at least five calendar days prior to a scheduled meeting. Any member may have an item placed on the Agenda by notifying the Chairpersons of his or her desires in that regard in writing at least seven days prior to the Commission meeting. Such notification should also include a copy of any written materials that the member wishes to distribute to the Commission. In addition, there shall always be a category titled “New Business” for the initiation of emergent matters on every Agenda (that may not be voted upon), except on a special meeting.

Section IV—Conduct of Business

- Section 4.1 In order to transact business, a simple majority of those appointed to the Commission must be present at the initial roll call at the commencement of any regular or special meeting to constitute a quorum. Commission members attending in person, by video teleconference, or by telephone, as permitted by the Open Meetings Act, shall be considered present for the purpose of establishing a quorum. If a quorum is not present at the scheduled time of the meeting, the Chairpersons may continue a roll call for a reasonable time. Thereafter, if a quorum is not reached, the meeting may not continue. Official action may be taken if and when a quorum is subsequently reached.
- Section 4.2 A majority of those voting (defined as those who cast “yes” or “no” votes) on a motion shall be sufficient to pass and make it the official act of the Commission. Motions shall be made and seconded by Commission members before being called for a vote. A motion shall not be made and seconded by the same Commission member.
- Section 4.3 The Chairpersons shall have the right to call for a vote by voice vote in all cases unless there is an objection by one member, in which case a roll call vote shall be taken. The Minutes shall reflect the results of each roll call. Virtual meetings should constitute a roll call vote.
- Section 4.4 Proxy votes shall not be permitted. A Commission member must be present to record his or her vote and to present a motion or motions.

Section 4.5 Minutes of each meeting shall be approved by the Commission as required by the Open Meetings Act. Copies of the approved Minutes shall be posted online within 10 calendar days after Council approval and made available to anyone who requests them in accordance with the Open Meetings Act.

Section 4.6 Members of the public may comment at each meeting subject to reasonable constraints. Participants are expected to follow these guidelines:

1. Address the Commission only at the appropriate time as indicated on the Agenda and when recognized by the Chairpersons.
2. Identify oneself and be brief. Ordinarily, comments shall be limited to five minutes.
3. In the interest of time, the Chairpersons may shorten public comment to give the maximum number of participants the opportunity to speak.
4. Conduct oneself with respect and civility toward others.

Section V—Committees

Section 5.1 The Chairpersons may create committees in consultation with designated ISBE staff and shall appoint all committee members, chairpersons, and vice-chairpersons, all of whom shall serve at his or her pleasure. Committee activities shall be consistent with the provisions of these Rules of Procedure and governed by the actions of the Chairpersons and/or the Commission.

Section 5.2 Committees shall exercise those powers as are appropriate to their mission and responsibility. They also shall have such other powers and duties as designated by the Chairpersons. Committee reports and recommendations shall be submitted to the Chairpersons within the time prescribed by him or her and they shall be advisory only.

Section 5.3 Committee meetings shall be scheduled by the Chairpersons or the committee chairperson in consultation with designated ISBE staff and shall be subject to provisions of Section III of these Rules of Procedures.

Section 5.4 In order to transact business, a majority of those appointed to a committee must be present at the initial roll call at the commencement of any regular or special meeting. Committee members attending in person, by video teleconference, or by telephone, for purposes of establishing a quorum as permitted by the Open Meetings Act, shall be considered present. If a quorum is not present at the scheduled time of the meeting, the committee chairperson may continue a roll call for a reasonable time. Thereafter, if a quorum is not reached, the meeting may continue, provided no official action is taken. If a quorum is subsequently reached, official action may be taken at that time.

Section 5.5 The provisions of Sections 4.2 through 4.6 apply to committees of the Commission and the committee chairperson shall fulfill the role of Chairperson for committee meetings.

Section VI—Administrative Support

Section 6.1 Designated ISBE staff shall provide administrative support to the Commission.

Section 6.2 Designated ISBE staff shall create and maintain a website for the Commission that shall serve to inform the public about the Commission.

Section VII—Ethics and Harassment Training, Open Meetings Act Training, and Conflicts of Interest

- Section 7.1 All members of the Commission shall annually complete the mandatory ethics training for members of Illinois boards and commissions. A signed acknowledgment of completion of the training shall be submitted to designated ISBE staff and kept for each Commission member.
- Section 7.2 All members of the Commission shall complete the Open Meetings Act training available on the website of Illinois Attorney General. A certificate of completion shall be submitted to designated ISBE staff and kept for each Commission member.
- Section 7.3 No Commission member shall accept any stipend, fee, gratuity, or consideration of any kind or nature from any person, unit, agency, or organization for the purpose of influencing a vote, decision, or recommendation of a member on a matter before the Commission.
- Section 7.4 No Commission member shall receive any funds related to recommendations made by the Commission.
- Section 7.5 The decision of the Chairpersons with respect to conflict of interest situations shall be final unless the situation involves a Chairperson, in which case the Co-Chairperson’s decision shall be final.

Section VIII—Robert’s Rules of Order

- Section 8.1 All matters not covered by these Rules of Procedure shall be governed by the latest edition of Robert’s Rules of Order.

Section IX—Adoption and Amendments to Rules of Procedure

- Section 9.1 Adoption or amendment of these Rules of Procedure shall require a two-thirds vote of the Commission members voting at an official meeting that has been properly noticed as required by these Rules of Procedure. Amendments shall be proposed only by members during a regular meeting of the Commission and voted upon during the next regular meeting.
- Section 9.2 A complete electronic copy of these Rules of Procedure shall be posted on the website required by Section 6.2.