

State of Illinois
Illinois Purchased Care Review Board

BYLAWS

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Amended November 7, 2023

I. NAME

The name of this organization shall be the Illinois Purchased Care Review Board.

II. PURPOSE

The purpose of the Illinois Purchased Care Review Board (the Review Board) is to determine the allowable costs of facilities and payments to be made by school districts, for special education services provided to students with disabilities whose needs districts cannot meet in the programs they offer. The activities and duties of the Illinois Purchased Care Review Board are pursuant to Section 14-7.02 of the School Code [105 ILCS 5/14-7.02].

III. POWERS AND DUTIES

- A. The Review Board shall establish rules and regulations for its operations and shall establish uniform standards and criteria which it shall follow.
- B. The Review Board shall review the costs for special education and related services provided by eligible nonpublic schools, special education facilities, and out-of-state public school education programs and shall approve or disapprove individual facility rates with respect to allowable costs.
- C. The Review Board shall establish uniform definitions and criteria for accounting separately for the costs of special education and related services, and room and board.
- D. The Review Board shall also establish guidelines for the coordination of services and financial assistance provided by all State agencies to assure that no otherwise qualified child with a disability, eligible for services under Article 14 of the School Code shall be excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity provided by any State agency.
- E. The Review Board shall seek the advice of the Advisory Council on Education of Children with Disabilities on the rules and regulations to be promulgated by it relative to providing education services.

IV. MEMBERSHIP

- A. Members of the Review Board shall consist of the following persons or their designees: The Directors of Children and Family Services, Public Health, Healthcare and Family Services, and the Governor's Office of Management and Budget; the Secretary of Human Services, the State Superintendent of Education; and such other persons as the Governor may designate. [105 ILCS 5/14-7.02]
- B. Designated and Alternative representatives of each member agency shall be made in writing to the Chairperson prior to the exercise of voting privilege at any regular or special meeting.
- C. Members shall be reimbursed through their own agencies for all ordinary and necessary expenses in performing their duties as members of the Review Board.

V. OFFICERS

A. Officers

- 1. The officers shall be a Chairperson, Vice-Chairperson and Secretary.
- 2. Members of the Review Board shall elect all officers from their membership at the regularly scheduled meeting in June of each year, with new officers being installed at the regularly scheduled meeting in July.
- 3. The officers shall be elected by roll call ballot after nominations from the floor.
- 4. No officer shall serve for more than two consecutive terms in the same office but may be elected to subsequent terms after an intervening term or terms.
- 5. Vacancies occurring in the elected offices of the Review Board shall be filled by the Review 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 Review Board, call meetings as herein provided, and perform such other special duties as may be vested in him or her by the Review 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 Review Board.

3. The Secretary shall be responsible to insure that the minutes of all proceedings at regular and special meetings of the Review Board are recorded in accordance with the Illinois Open Meetings Act (5 ILCS 120). The Secretary shall perform such other duties pertaining to the office as the Review Board may from time to time direct. In the event that the Secretary is absent from any regular or special meeting of the Review Board, the Chairperson shall appoint a board member in attendance at the meeting to serve as Secretary *Pro-Tem*.

VI. MEETINGS

A. Meetings will be held in accordance with the Illinois Open Meetings Act (5 ILCS 120).

B. Regular Meetings

1. The Review Board shall meet on the first Tuesday of each month unless otherwise specified by the Review Board
2. The Review Board shall adopt an annual meeting calendar at the regular June meeting of each year, effective July 1 for the new fiscal year.

C. Special Meetings

1. The Chairperson shall have the authority to call special meetings.
2. A majority of members of the Review Board may request that a special meeting be called by the Chairperson.
3. At least forty-eight (48) hours in advance of the special meeting, the members of the Review Board shall be provided with written notice which shall include the time, place, and purpose of the special meeting, members who called the meeting and other related and necessary materials.
4. No business other than that on the agenda shall be transacted.

D. Public Participation

1. Public Participation during regular meetings of the Review Board shall include an opportunity for members of the public to present their comments and recommendation on rate-relevant issues. Public participation during meetings shall be at the discretion of the Chair and in compliance with policies and procedures adopted by the Board.

2. The Review 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 at the discretion of the Chair.
- E. Closed sessions of the Review Board may be convened only for the purposes authorized in Section 2(c) of the Open Meetings Act (5 ILCS 120/2(c)).
- F. A majority of the members of the Review Board or such designees as are provided for in the rules and regulations shall constitute a quorum. Subject to Sections 2.01 and 7 of the Open Meetings Act (5 ILCS 120/2.01 and 7), a quorum of members of the Review Board must be physically present at the location of an open meeting. If, however, a quorum of the members of the Review Board is physically present as required by Section 2.01 of the Open Meetings Act, a majority of the Review Board may allow that a member 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 ISBE staff assigned to assist the Review Board 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 Review Board 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.
- G. Agenda
1. The Chairperson shall have prepared, in writing, the agenda for regular and special meetings.
 2. The agenda when the Review Board shall meet in regular session shall include, but not be limited to, the following items: Call to Order and Roll Call, Approval of Minutes, Rates, Old Business, New Business, and Adjournment.
 3. The Review Board shall provide an opportunity for public participation during regular or special meetings, provided that such public commentary is directly relevant to the issues on the agenda. Public participation in such meetings shall be in compliance with policies and procedures adopted by the Review Board.

4. At least three (3) days before the date of a regular meeting the members shall be given written notice of the agenda and other related and necessary material. Any exceptions must be approved by the Review Board.
5. Any member may place items on the written agenda by contacting the Chairperson in writing prior to the time the written agenda shall be sent to the members.
6. All communications to the Board from non-members, regarding matters to be submitted to the Board for consideration, shall be in accordance with the "State Officials and Employees Ethics Act" (5 ILCS 430).

H. Voting Procedure

1. Every motion or resolution considered by the Review Board shall be voted upon by calling the ayes and nays unless it is requested by one or more members that the motion be voted upon by call of the roll.
2. The Chairperson will always vote last and shall be permitted to vote on all matters.

VII. COMMITTEES

A. Establishment

1. The Chairperson shall establish all committees and appoint a chairperson.
2. The Chairperson shall specify the charges to all committees, shall regularly request reports to the Review Board concerning their activities and shall dissolve them when their specific charges have been completed.
3. The committee chairperson shall call meetings as necessary for the committee to complete its assignment. Notice shall be given to each member at least three days in advance of each meeting, containing the time, place, and agenda.

B. Standing Committees

Standing committees shall consist of the Nominations Committee, which shall be appointed by the Chairperson annually, subject to Board approval.

VIII. PARLIAMENTARY AUTHORITY (OPEN MEETINGS ACT)

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

IX. AMENDMENTS

Except for those sections prescribed by statutes, these Bylaws may be amended at a regular or special meeting of the Board by a majority vote of the Board providing such amendments have been filed with the Review Board staff, in writing, fourteen (14) days prior to such meeting