

School District U-46
Elgin, Illinois

October 1, 2018

The Legislation Committee of the Board of Education met at 4:30 p.m. in Room 140 of the Educational Services Center, 355 East Chicago Street, Elgin, Illinois, to finalize recommended amendments to Board Policy Sections 1, 2 and 3. Board members in attendance were: Jeanette Ward, Susan Kerr and Veronica Noland (arrived at 4:41 p.m.). Also in attendance were: Miguel Rodriguez, Chief Legal Officer, Luis Rodriguez, Assistant Attorney, Lela Majstorovic, Assistant Superintendent of Secondary School Instruction and Equity and Josh Carpenter, Assistant Superintendent for Teaching and Learning.

1. Call to Order

Mrs. Ward called the meeting to order and everyone present stated their name and title.

2. Public Participation

There was no public participation.

3. Section 1

Board Members Ward and Kerr agreed to the proposed edits of the all Section 1 policies with recommended amendments. Those Section 1 policies were:

1.010 – School District Legal Status;
1.030 – Educational Philosophy; and
1.040 – Administration Organization Plan.

4. Section 2

2.010 – School Board Legal Status. The proposed edit mirrors state law at 105 ILCS 5/10-20. Board Members Ward and Kerr agreed to the proposed edit.

2.020 – School Board Powers and Duties. The proposed edits mirror state law at 105 ILCS 5/10-20. Board Members Kerr and Ward agreed to the proposed edits.

2.022 – Board Member Authority. The proposed edits add “Chief Executive Officer” to the policy language and re-states that Board Members have no authority as individuals. In response to Board Member Ward, Assistant Attorney Luis Rodriguez stated designee was removed as it is recommended the Board of Education work with the Chief Executive Officer versus a subordinate. Board Members Kerr and Ward agreed to the proposed edits.

2.040 – Board Member Qualifications. Board Members Kerr and Ward agreed to the proposed edits.

2.110 – Board Officers. The proposed edits correct existing language grammar and clarify that an absent member can participate via phone. The edits also clarify that the Board of Education will assign Secretary duties to the Chief Legal Officer and/or designee at its discretion for an indefinite term. In response to Board Member Ward, Assistant Attorney Luis Rodriguez stated the strikethrough of the first paragraph will be removed and will remain the first paragraph of the Section. Board Members Kerr and Ward agreed to the removal of the strikethrough and the remaining proposed edits.

Board Member Veronica Noland arrived at this time – 4:41 p.m.

Board Members Kerr, Noland and Ward agreed to make an addition to Section 2.110. Board Members Kerr, Noland and Ward agreed a vote would not be required to allow a Board Member to participate by phone.

2.120 – New Board member Orientation/Development Opportunities. Board Members Kerr, Noland and Ward agreed to the proposed edits.

2.121 – School Board Conferences, Conventions and Workshops. Board Member Ward requested an addition wherein all non-employees, non-board members expenses for travel, meals and/or lodging must be approved by roll call vote at an open meeting of the Board. In response, Assistant Attorney Luis Rodriguez stated this addition would be best in Section 4 or Section 5 as it would relate to not only non-employee and non-Board Members but also individuals that are considered members of the general public. The Section being discussed specifically deals with the Board of Education. Board Member Noland requested that a threshold be placed on the Board approval requirement so that to avoid \$5.00 approvals being requested of the Board.

2.127 – Ethics and Gift Ban. Board Members Kerr, Noland and Ward agreed to the proposed edits.

2.128 – School Board Member Code of Conduct. Board Member Ward requests removing all language in the second paragraph, bullet 1, wherein removing race, religion, gender, sexual orientation, age, national origin, ancestry, marital status, disability, or any other legally protected status in accordance with applicable legal requirements. Board Members Kerr and Noland are against removing the language regarding the protected classes. In response, Chief Legal Officer Rodriguez stated the issue can be brought to the full Board. Chief Legal Officer Rodriguez also stated the language will remain until a decision is made the by the full Board.

2.130 – Board-Chief Executive Officer/Superintendent Relationship. Board Members Kerr, Noland and Ward agreed to the proposed edits.

2.131 – Evaluation of the Chief Executive Officer/Superintendent. Board Members Kerr, Noland and Ward agreed to the proposed edits.

2.141 – Communications to the Board. Board Members Kerr, Noland and Ward expressed concern over the statement “There is no expectation of privacy for any communication sent to the Board or it’s members....”. Board Member Ward asked what happens when a student emails a Board Member. Board Member Ward stated that is private as that is part of a student record. In response to Board Members’ concerns, Assistant Attorney Luis Rodriguez stated an addition could be made to the end of the second paragraph to state “or as otherwise provided by law”. Chief Legal Officer Rodriguez stated he recommended Board Members use their School District U-46 issued email accounts so as to avoid issues with Board Members’ personal email accounts should a request for all emails be requested through the Freedom of Information Act (FOIA). Board Member Noland expressed concern over not having control over emails that Board Members received. In response, Assistant Attorney Luis Rodriguez stated the intent was regarding emails between Board Members. Assistant Attorney Luis Rodriguez stated language would be revised to make it clearer.

2.151 – Board Liasons. Board Members Kerr, Noland and Ward agreed to the proposed edits.

2.152 – Advisory Committees to the Board. Board Member Ward expressed concern with removing the word citizen from the policy stating there are advisory committees that have citizen in their names such as Citizens’ Advisory Counsel. Chief Legal Officer Rodriguez stated they would re-work the language and will follow-up with the Committee members.

The remaining policies of Section 2 listed below, Board Members Kerr, Noland and Ward agree to the proposed edits:

- 2.160 – Chief Legal Officer
- 2.161 – Board Negotiating Agents
- 2.190 – Agenda Preparation and Dissemination
- 2.200 – School Board Meetings
- 2.210 – Board Organizational Meeting
- 2.220 – Rules of Order
- 2.221 – Voting Method at Board Meetings
- 2.223 – Notification of Board Meetings
- 2.224 – Agenda Format
- 2.242 – Policy Dissemination
- 2.243 – Administration in the Absence of Policy
- 2.245 – Policy Review and Evaluation/Manual Accuracy Check
- 2.246 – Policy Implementation
- 2.250 – Equity Policy
- 2.260 – Uniform Grievance Procedure

5. Section 3

3.010 – Administration Goals. Board Members Ward, Noland and Kerr agreed to the proposed edits.

Chief Legal Officer Rodriguez departed at 5:40 p.m.

The remaining policies of Section 3 listed below, Board Members Kerr, Noland and Ward agree to the proposed edits:

3.011 – Approval of Handbooks and Directives

3.022 – Temporary Administrative Arrangements

3.025 – Chief Executive Officer/Superintendent

3.033 – Administrative Intern Program

3.050 – State and Federal Program Administration

3.051 – Comparability of Services – Title 1 Programs

3.070 – Data Management

3.080 – Reproduction of Copyrighted Materials

6. Public Participation

There were no public comments.

7. Adjournment

The meeting was adjourned at 6:02 p.m.

Approved this 5th day of November, 2018

/s/ Donna Smith //
President

/s/ Miguel A. Rodriguez //
Secretary