

DRAFT UPDATE

Board of Education

Powers and Duties of the Board of Education; Indemnification

The major powers and duties of the Board of Education include, but are not limited to:

1. Organizing the Board after each consolidated election by electing officers and establishing its regular meeting schedule and, thereafter, taking action during lawfully called meetings to faithfully fulfill the Board's responsibilities in accordance with State and federal law.
2. Formulating, adopting, and modifying Board policies, at its sole discretion, subject only to mandatory collective bargaining agreements and State and federal law.
3. Employing a Superintendent and other personnel, making employment decisions, dismissing personnel, and establishing an equal employment opportunity policy that prohibits unlawful discrimination.
4. Directing, through policy, the Superintendent, in his or her charge of the District's administration.
5. Approving the annual budget, tax levies, major expenditures, payment of obligations, annual audit, and other aspects of the District's financial operation; and making available a statement of financial affairs as provided in State law.
6. Entering contracts using the public bidding procedure when required.
7. ~~Indemnifying, protecting, and insuring against any loss or liability of the School District, Board members, employees, and agents as provided or authorized by State law.~~
8. Providing, constructing, controlling, and maintaining adequate physical facilities; making school buildings available for use as civil defense shelters; and establishing a resource conservation policy.
9. Establishing an equal educational opportunities policy that prohibits unlawful discrimination.
10. Approving the curriculum, textbooks, and educational services.
11. Evaluating the educational program and approving School Improvement and District Improvement Plans.
12. Presenting the District report card and School report card(s) to parents/guardians and the community; these documents report District School and student performance.
13. Establishing and supporting student discipline policies designed to maintain an environment conducive to learning, including deciding individual student suspension or expulsion cases brought before it.
14. Establishing attendance units within the District and assigning students to the schools.
15. Establishing the school year.
16. Requiring a moment of silence to recognize veterans during any type of school event held at a District school on November 11.
17. Providing student transportation services: pursuant to State law.
18. Entering into joint agreements with other boards to establish cooperative educational programs or provide educational facilities.

Comment [AP1]: This policy is renamed to add emphasis to Indemnification.

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Comment [AP2]: Update 1: The major powers and duties list was amended.

OPTION: Boards that elect officers for 1-year terms and/or hold organizational meetings yearly, should substitute the following language for #1:

Annually organizing the Board by electing officers and establishing its regular meeting schedule and, thereafter, taking action during lawfully called meetings to faithfully fulfill the Board's responsibilities in accordance with Board policy and State and federal law.

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~~17-18.~~Complying with requirements in the Abused and Neglected Child Reporting Act. Specifically, each individual Board member must, if an allegation is raised to the member during an open or closed Board meeting that a student is an abused child as defined in the Act, direct or cause the Board to direct the Superintendent or other equivalent school administrator to comply with the Act's requirements concerning the reporting of child abuse.

~~18-19.~~Communicating the schools' activities and operations to the community and representing the needs and desires of the community in educational matters.

Indemnification

To the extent allowed by law, the Board shall defend, indemnify, and hold harmless School Board members, employees, volunteer personnel (pursuant to 105 ILCS 5/10-22.34, 10-22.34a and 10-22.34b), mentors of certified staff (pursuant to 105 ILCS 5/2-3.53a, 2-3.53b, and 105 ILCS 5/21A-5 et. seq.), and student teachers who, in the course of discharging their official duties imposed or authorized by law, are sued as parties in a legal proceeding. Nothing herein, however, shall be construed as obligating the Board to defend, indemnify, or hold harmless any person who engages in criminal activity, official misconduct, fraud, intentional or willful and wanton misconduct, or acts beyond the authority properly vested in the individual.

Comment [AP3]: Update 2: The Indemnification section was pulled out of the above list and expanded for emphasis.

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LEGAL REF.: 105 ILCS 5/2-3.25d, 5/10-1, 5/17-1, and 5/27-1.
115 ILCS 5/
325 ILCS 5/4.

CROSS REF.: 1:10 (School District Legal Status), 1:20 (District Organization, Operations, and Cooperative Agreements), 2:10 (School District Governance), 2:80 (Board Member Oath and Conduct), 2:140 (Communications To and From the Board), 2:210 (Organizational School Board Meeting), 2:240 (Board Policy Development), 4:60 (Purchases and Contracts), 4:70 (Resource Conservation), 4:100 (Insurance Management), 4:110 (Transportation), 4:150 (Facility Management and Building Programs), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:90 (Abused and Neglected Child Reporting), 6:10 (Educational Philosophy and Objectives), 6:15 (School Accountability), 6:20 (School Year Calendar and Day), 7:10 (Equal Educational Opportunities), 7:30 (Student Assignment and Intra-District Transfer), 7:190 (Student Discipline), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 8:10 (Connection with the Community), 8:30 (Visitors to and Conduct on School Property)

ADOPTED: ~~March 19, 2013~~