

School Board

Committees¹

The School Board may establish committees to assist with the Board’s governance function and, in some situations, to comply with State law requirements. These committees are known as *Board committees* and report directly to the Board. Committee members may include both Board members and non-Board members depending on the committee’s purpose. The Board President makes all Board committee appointments unless specifically stated otherwise.² Board committee meetings shall comply with the Open Meetings Act.³ A Board committee may not take final action on behalf of the Board – it may only make recommendations to the Board.⁴

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

¹ State or federal law controls this policy’s content in that some committees are required by State law, such as, Parent-Teacher Advisory Committee and Behavioral Interventions Committee. Board committees are *public bodies* for purposes of the Open Meetings Act (OMA) (5 ILCS 120/1.02) and the Freedom of Information Act (FOIA) (5 ILCS 140/2(a)).

A board must appoint or approve a Concussion Oversight Team and charge it with establishing protocols for return-to-play and return-to-learn for students who have suffered a concussion or head injury. Youth Sports Concussion Safety Act, 105 ILCS 5/22-80(d). As this is administrative/staff work rather than governance work, the best practice is to have the Concussion Oversight Team be an *administrative* committee, but consult the board attorney for guidance. Section 22-80(d) identifies who must be on each Concussion Oversight Team. A physician, to the extent possible, must be on the Team. If the school employs an athletic trainer and/or nurse, they must be on the Team to the extent practicable. The Team must include, at a minimum, one person who is responsible for implementing and complying with the return-to-play and return-to-learn protocols adopted by the Team. Other licensed health care professionals may be appointed to serve on the Team. See [sample policy 7:305, Student Athlete Concussions and Head Injuries](#).

² Alternatively, strike the “unless” clause and substitute: “subject to Board approval.” Be sure this treatment is consistent with policy 2:110, *Qualifications, Term, and Duties of Board Officers*.

³ OMA includes *committees and subcommittees* in its definition of *public body*. 5 ILCS 120/1.02. According to a binding opinion from the Public Access Counselor, a “committee of a public body is considered to be a separate public body for purposes of compliance with the requirements of OMA.” PAO 13-2. This means that board committees must independently fulfill OMA’s requirements. For example, a board committee must comply with notice and agenda requirements. Since board committees seldom meet regularly, compliance steps need careful planning. Board committees should plan for an efficient way to “approve the minutes of its open meeting within 30 days after that meeting or at [its] second subsequent regular meeting, whichever is later.” 5 ILCS 120/2.06(b). The only exceptions are for: (1) the Performance Educational Review Act (PERA) joint committee (105 ILCS 5/24A-4(b)); (2) the Reduction In Force (RIF) joint committee (105 ILCS 5/24-12(c)); and (3) when a committee is engaged in collective bargaining negotiations, including negotiating team strategy sessions, or grievance arbitrations (115 ILCS 5/18). Board committees must also review their closed session minutes to determine if they still require confidential treatment or will be made available for public inspection. 5 ILCS 120/2.06(d), amended by P.A. 102-653. Committees that meet regularly, such as standing committees, must conduct this review every six months, or as soon after as is practicable, taking into account the nature and meeting schedule of the committee. Committees that are *ad hoc* in nature must review their closed session minutes six months from the date of the last review of the closed session minutes or at the next scheduled meeting of the committee, whichever is later. *Id.*

Sample policy 2:200, *Types of School Board Meetings*, designates the superintendent, on behalf of each board committee, to receive the mandatory training on OMA compliance required by 5 ILCS 120/1.05(a) and administered by the Ill. Attorney General’s Public Access Counselor. See policies 2:200, *Types of School Board Meetings*, and 2:220, *School Board Meeting Procedure*, for meeting requirements and protocol. Every board member must also complete OMA training as required by 5 ILCS 120/1.05(b) and (c).

⁴ Additional committee guidelines may be added, such as:

Committees shall operate under the following guidelines:

- The Board President shall appoint no more than two Board members to serve on a committee.

Special Board Committees

A special committee may be created for specific purposes or to investigate special issues. A special committee is automatically dissolved after presenting its final report to the Board or at the Board's discretion.⁵

Standing Board Committees⁶

A standing committee is created for an indefinite term although its members will fluctuate. Standing committees are:

1. Board Policy Committee.⁷ This committee researches policy issues, and provides information and recommendations to the Board.
2. Parent-Teacher Advisory Committee.⁸ This committee assists in the development of student behavior policy and procedure, and provides information and recommendations to the Board. Its members are parents/guardians and teachers, and may include persons whose expertise or experience is needed. The committee reviews such issues as administering medication in the schools, reciprocal reporting between the School District and local law enforcement agencies regarding criminal [and civil](#) offenses committed by students, student discipline, disruptive classroom behavior, school bus safety procedures, and the dissemination of student conduct information.
3. Behavioral Interventions Committee.⁹ This committee develops and monitors procedures for using behavioral interventions in accordance with Board policy 7:230, *Misconduct by Students with Disabilities*, and provides information and recommendations to the Board. At the Board President's discretion, the Parent-Teacher Advisory Committee shall perform the duties assigned to the Behavioral Interventions Committee.

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

- The President and the committee members shall establish the committee's meeting dates, time, and place.
- The Superintendent may attend all committee meetings.

⁵ A board may list examples as in the following option:

Examples of special committees include the following: (1) Committee to Evaluate Procurement of Architectural, Engineering, and Land Surveying Services (see [sample administrative procedure](#) 2:170-AP, *Qualification Based Selection*), and (2) Facility Naming Committee (see [sample](#) policy 4:150, *Facility Management and Building Programs*).

⁶ The board may create and list other standing committees, e.g., an audit committee as authorized by 105 ILCS 5/10-22.45. Be sure that the creation of a committee in this policy aligns with the policy concerning the applicable topic. If an audit committee is included here, a board may want to reference it in policy 4:80, *Accounting and Audits*, and vice-versa.

⁷ A board policy committee is optional; its creation is consistent with policy 2:240, *Board Policy Development*.

⁸ 105 ILCS 5/10-20.14 requires all districts to establish and maintain a parent-teacher advisory committee to develop, with the board, policy guidelines on student discipline. The parents on this committee, as well as other non-staff members, may not have access to student records unless the student cannot be identified or prior consent is obtained. 105 ILCS 10/6. The district's parent-teacher advisory committee must also: (1) in cooperation with local law enforcement agencies, develop guidelines for reciprocal reporting of criminal [and civil](#) offenses committed by students; and (2) in cooperation with school bus personnel, develop school bus safety procedures. 105 ILCS 5/10-20.14, [amended by P.A. 104-430](#). Completion of the statutory requirements imposed on the Parent-Teacher Advisory Committee, as well as the Behavioral Interventions Committee, should be documented.

⁹ Boards must establish and maintain a behavioral interventions committee to develop procedures that reflect consideration of ISBE's guidelines on the use of behavioral interventions with students with disabilities. 105 ILCS 5/14-8.05(c). An alternative follows:

The Behavioral Interventions Committee, coordinated by the Executive Director of the Special Education Cooperative, develops and monitors procedures for using behavioral interventions in accordance with Board policy 7:230, *Misconduct by Students with Disabilities*. Committee reports and recommendations are made to the Board upon its request.

Nothing in this policy limits the authority of the Superintendent or designee to create and use committees that report to him or her or to other staff members. ¹⁰

LEGAL REF.: 5 ILCS 120/, Open Meetings Act.
105 ILCS 5/10-20.14 and 5/14-8.05.

CROSS REF.: 2:110 (Qualifications, Term, and Duties of Board Officers), 2:200 (Types of School Board Meetings), 2:240 (Board Policy Development), 7:190 (Student Behavior), 7:230 (Misconduct by Students with Disabilities)

DRAFT

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

¹⁰ OMA generally does not apply to *superintendent* a/k/a administrative committees. See Univ. Professionals v. Stukel, 344 Ill.App.3d 856 (1st Dist. 2003)(staff committees are not subject to OMA). The Act will be applicable, however, in some circumstances. For example, a staff committee containing three or more board members will be subject to OMA. 5 ILCS 120/1.02. Consult the board attorney for advice. The following are examples of superintendent committees: Communicable and Chronic Infectious Disease Program Task Force, Communicable and Chronic Infectious Disease Review Team, Employee Drug Abuse Committee, Title I Advisory Committee, Student Support Committee, Food Allergy Management Committee, and Sex Equity Committee. For further discussion, see IASB's *Clearing Up the Confusion on Board Committees: Your Questions Answered*, available at: www.iasb.com/IASB/media/School-Law/BoardCommittees_FAQ.pdf.