

School Board

Board Policy Development ¹

The School Board governs using written policies. Written policies ensure legal compliance, establish Board processes, articulate District ends, delegate authority, and define operating limits. Board policies also provide the basis for monitoring progress toward District ends. ²

Policy Development

Anyone may propose new policies, changes to existing policies, or deletion of existing policies. Staff suggestions should be processed through the Superintendent. Suggestions from all others should be made to the Board President or the Superintendent.

A Board Policy Committee will consider all policy suggestions and provide information and recommendations to the Board. ³

The Superintendent is responsible for: (1) providing relevant policy information and data to the Board, (2) notifying those who will implement or be affected by or required to implement a proposed policy and obtaining their advice and suggestions, and (3) having policy recommendations drafted into written form for Board deliberation. The Superintendent shall seek the counsel of the Board Attorney when appropriate.

Policy Adoption and Dissemination

Policies or policy revisions will not be adopted at the Board meeting at which they are first introduced, except when: (1) appropriate for a consent agenda because no Board discussion is required, or (2) necessary or prudent in order to meet emergency or special conditions or to be legally compliant.⁴ Further Board consideration may be given at a subsequent meeting(s) and after opportunity for community input. The adoption of a policy will serve to supersede all previously adopted policies on the same topic.

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

¹ State law requires this subject matter be covered by policy. See 105 ILCS 5/10-20.5 and 5/10-16.7.

105 ILCS 5/10-16.7 requires the board to make all employment decisions pertaining to the superintendent as well as “to direct, through policy, the superintendent in his or her charge of the administration of the school district, including, without limitation, considering the recommendations of the superintendent concerning the budget, building plans, the locations of sites, the selection, retention, and dismissal of employees, and the selection of textbooks, instructional material, and courses of study.” Rather than being a laundry list of mandated written board policies, this list provides items on which boards must make decisions after considering the superintendent’s recommendations. The statute also requires the “board [to] evaluate the superintendent in his or her administration of board policies and his or her stewardship of the assets of the district.” Boards have broad incidental powers to adopt all necessary policies. *Thomas v. Bd. of Educ. of Cmty. Unit Sch. Dist. 1*, 117 Ill.App.3d 374 (5th Dist. 1983).

² See the IASB’s *Foundational Principles of Effective Governance*, available on line at: www.iasb.com/pdf/found_prin.pdf.

³ Optional. See policy 2:150, *Committees*.

⁴ State law does not require a first reading before a board adopts a policy. The use of a consent agenda allows a board to vote on a matter without discussion. Policies or policy revisions may be appropriate for a consent agenda when providing for legal compliance; correcting substantive grammar, spelling, or punctuation; or clarifying pre-existing policy language. A board member may make a motion to remove any item from the consent agenda to the regular agenda for discussion. See policy 2:220, *School Board Meeting Procedure*.

The Board policies are available for public inspection in the District’s main office during regular office hours.⁵ Copy requests should be made pursuant to Board policy 2:250, *Access to District Public Records*.

Board Policy Review and Monitoring

The Board will periodically review its policies for relevancy, monitor its policies for effectiveness, and consider whether any modifications are required. The Board may use an annual policy review and monitoring calendar.⁶

Words Importing Gender⁷

Throughout this policy manual, words importing the masculine and/or feminine gender include all gender neutral/inclusive pronouns.

Superintendent Implementation

The Board will support any reasonable interpretation of Board policy made by the Superintendent.⁸ If reasonable minds differ, the Board will review the applicable policy and consider the need for further clarification.

In the absence of Board policy, the Superintendent is authorized to take appropriate action.

Suspension of Policies

The Board, by a majority vote of members present at any meeting, may temporarily suspend a Board policy except those provisions that are controlled by law or contract. The failure to suspend with a specific motion does not invalidate the Board action.

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⁵ This sentence must be customized to include where and how policies are available, such as, through School Board Policies Online or the district’s website.

⁶ Optional.

⁷ Optional. Consult the board attorney to determine whether inclusion of a subhead related to gender neutral/inclusive pronouns is appropriate for the district. This subhead’s text mirrors language from the Ill. Statute on Statutes importing words applying the masculine gender to include the female gender. See 5 ILCS 70/1.04.

For students, State law prohibits gender-based discrimination, including transgender and gender non-conforming students. 775 ILCS 5/5-101(A)(11); 775 ILCS 5/1-103(O-1); and 23 Ill.Admin.Code §1.240. Title IX of the Education Amendments of 1972 (20 U.S.C. §1681) also prohibits exclusion and discrimination on the basis of sex. 20 U.S.C. §1681(a). See also policy 7:10, *Equal Educational Opportunities*.

For employees, the Equal Employment Opportunities Act (a/k/a Title VII of the Civil Rights Act of 1964) prohibits discrimination because of an individual’s sex, which includes sexual orientation and/or transgender status. See 42 U.S.C. §2000e et seq., amended by The Lilly Ledbetter Fair Pay Act of 2009, Pub.L. 111-2; *Bostock v. Clayton Cnty.*, 140 S.Ct. 1731 (2020); and *Hively v. Ivy Tech*, 853 F.3d 339 (7th Cir. 2017). See also policy 5:10, *Equal Employment Opportunity and Minority Recruitment*.

⁸ The board delegates authority to the superintendent through written board policy. The board will not substitute its judgment for that of the superintendent when the superintendent acts reasonably based upon his or her policy interpretation. See the IASB’s *Foundational Principles of Effective Governance*, available online at: www.iasb.com/pdf/found_prin.pdf.¹ The chain of command communicates the channels of authority that should be consistently followed with informal conversations that can solve issues without use of the more formal policy 2:260, *Uniform Grievance Procedure*, other administrative procedures, and/or collective bargaining agreements. See IASB’s *Foundational Principles of Effective Governance*, at www.iasb.com/principles_popup.cfm.

LEGAL REF.: 105 ILCS 5/10-20.5.

CROSS REF.: 2:150 (Committees), 2:250 (Access to District Public Records), 3:40 (Superintendent)