

BOARD OF EDUCATION

2:10 School District Governance

The District is governed by a Board of Education consisting of seven members. The Board's powers and duties include the authority to adopt, enforce, and monitor all policies for the management and governance of the District's schools.

Official action by the Board of Education may only occur at a duly called and legally conducted meeting. Except as otherwise provided by the Open Meetings Act, a quorum must be physically present at the meeting.

As stated in the Board member oath of office prescribed by the School Code, a Board member has no legal authority as an individual.

LEGAL REF.:

[5 ILCS 120/](#), Open Meetings Act.

[105 ILCS 5/10-1](#), [5/10-10](#), [5/10-12](#), [5/10-16.5](#), [5/10-16.7](#), and [5/10-20.5](#).

CROSS REF.: 1:10 (School District Legal Status), 2:20 (Powers and Duties of the Board of Education; Indemnification), 2:80 (Board Member Oath and Conduct), 2:120 (Board Member Development), 2:200 (Types of Board of Education Meetings), 2:220 (Board of Education Meeting Procedure)

Adopted: August 18, 2021

Hinckley-Big Rock Community Unit School District 429

BOARD OF EDUCATION

2:20 Powers and Duties of the Board of Education; Indemnification

The powers and duties of the Board of Education generally include:

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.
2. Formulating, adopting, and modifying Board of Education 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, and dismissing personnel, including determining whether an employee has willfully or negligently failed to report an instance of suspected child abuse or neglect as required by [325 ILCS 5/](#).
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;
6. Letting contracts in accordance with applicable federal and State law, including utilizing the public bidding procedure when required;
7. Providing, constructing, controlling, supervising, and maintaining adequate physical facilities;
8. Approving the curriculum, textbooks, and educational services;
9. Evaluating the educational program and approving School Improvement Plans when they are required to be developed or revised.
10. Presenting the District report card and School report card(s) to parents/guardians and the community; these documents report District, School and student performance.
11. Establishing and supporting student behavior policies designed to maintain an environment conducive to learning, including hearing individual student suspension or expulsion cases brought before it.
12. Establishing attendance units within the District and assigning students to the schools;
13. Establishing the school year;
14. Providing student transportation services pursuant to State law.
15. Entering into joint agreements with other boards of education to establish cooperative educational programs or provide educational facilities; and
16. Complying with requirements in the Abused and Neglected Child Reporting Act (ANCRA). 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 ANCRA, direct or cause the Board to direct the Superintendent or other equivalent school administrator to comply with ANCRA's requirements concerning the reporting of child abuse.
17. Notifying the State Superintendent of Education promptly and in writing of the name of a licensed teacher who was convicted of a felony, along with the conviction and the name and location of the court where the conviction occurred.
18. Notifying the Teachers' Retirement System (TRS) of the State of Ill. Board of Trustees promptly and in writing when it learns that a teacher as defined in the Ill. Pension Code was convicted of a felony, along with the name and location of the court where the conviction occurred, and the case number assigned by that court to the conviction.
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 Board of Education 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.

LEGAL REF.:

[105 ILCS 5/10](#), [5/17-1](#), [5/21B-85](#), and [5/27-1](#).

[115 ILCS 5/](#), Ill. Educational Labor Relations Act.

[325 ILCS 5/](#), Abused and Neglected Child Reporting Act.

CROSS REF.: 1:10 (School District Legal Status), 2:10 (School District Governance), 2:80 (Board Member Oath and Conduct), 2:210 (Organizational Board of Education 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), 4:165 (Awareness and Prevention of Sexual Abuse and Grooming Behaviors), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:30 (Hiring Process and Criteria), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:150 (Personnel Records), 5:210 (Resignations and Retirement), 5:290 (Employment Termination), 6:10 (Beliefs and Guiding Principles), 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 Behavior), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 8:10 (Public Relations), 8:30 (Visitors to and Conduct on School Property)

Adopted: January 31, 2024

Hinckley-Big Rock Community Unit School District 429

BOARD OF EDUCATION

2:30 School District Elections

School District elections are non-partisan, governed by the general election laws of the State, and include the election of Board of Education members, various public policy propositions, and advisory questions. Board of Education members are elected at the consolidated election held on the first Tuesday in April in odd-numbered years. If, however, that date conflicts with the celebration of Passover, the consolidated election is postponed to the first Tuesday following the last day of Passover. The canvass of votes is conducted by the election authority within 21 days after the election.

The Board, by proper resolution, may cause to be placed on the ballot: (a) public policy referendum according to [Article 28 of the Election Code](#), or (b) advisory questions of public policy according to [Section 9-1.5 of the School Code](#).

The Board Secretary serves as the local election official. He or she receives petitions for the submission of a public question to referenda and forwards them to the proper election officer and otherwise provides information to the community concerning District elections.

LEGAL REF.:

[10 ILCS 5/1-3](#), [5/2A](#), [5/9](#), [5/10-9](#), [5/22-17](#), [5/22-18](#), and [5/28](#).

[105 ILCS 5/9](#).

CROSS REF.: 2:40 (Board Member Qualifications), 2:50 (Board Member Term of Office), 2:210 (Organizational Board of Education Meeting)

Adopted: August 18, 2021

Hinckley-Big Rock Community Unit School District 429

BOARD OF EDUCATION

2:40 Board Member Qualifications

A Board of Education member must be, on the date of election or appointment, a United States citizen, at least 18 years of age, a resident of Illinois and the District for at least one year immediately preceding the election, and a registered voter.

Reasons making an individual ineligible for Board membership include holding an incompatible office, certain types of State or federal employment, and conviction of an infamous crime. A child sex offender, as defined in State law, is ineligible for Board membership.

LEGAL REF.:

[Ill. Constitution, Art. II](#), §1; [Art. IV](#), §2(e); [Art. VI](#), §13(b).

[105 ILCS 5/10-3](#) and [5/10-10](#).

CROSS REF.: 2:30 (School District Elections), 2:70 (Vacancies on the Board of Education - Filling Vacancies)

Adopted: May 29, 2024

Hinckley-Big Rock Community Unit School District 429

BOARD OF EDUCATION

2:50 Board Member Term of Office

The term of office for a Board of Education member begins immediately after both of the following occur:

1. The election authority canvasses the votes and declares the winner(s); this occurs within 21 days after the consolidated election held on the first Tuesday in April in odd-numbered years.
2. The successful candidate takes the oath of office as provided in Board policy 2:80, *Board Member Oath and Conduct*.

LEGAL REF.:

[10 ILCS 5/2A-1.1](#), [5/22-17](#), and [5/22-18](#).

[105 ILCS 5/10-16](#), and [5/10-16.5](#).

CROSS REF.: 2:30 (School District Elections), 2:80 (Board Member Oath and Conduct), 2:210 (Organizational Board of Education Meeting)

Adopted: October 16, 2024

Hinckley-Big Rock Community Unit School District 429

BOARD OF EDUCATION

2:60 Board Member Removal from Office

If a majority of the Board determines that a Board member has willfully failed to perform his or her official duties, it may request the Regional Superintendent to remove such member from office.

LEGAL REF.:

[105 ILCS 5/3-15.5.](#)

CROSS REF.: 2:70 (Vacancies on Board of Education - Filling Vacancies)

Adopted: October 16, 2024

Hinckley-Big Rock Community Unit School District 429

BOARD OF EDUCATION

2:70 Vacancies on Board of Education - Filling Vacancies

Vacancy

Elective office of a Board of Education member becomes vacant before the term's expiration when any of the following occurs:

1. Death of the incumbent;
2. Resignation in writing filed with the Secretary of the Board of Education;
3. Legal disability,
4. Conviction of a felony, bribery, perjury, or other infamous crime or of any offense involving a violation of official oath or of a violent crime against a child;
5. Removal from office;
6. The decision of a competent tribunal declaring his or her election void;
7. Ceasing to be an inhabitant of the District or a particular area from which he or she was elected, if the residential requirements contained in the School Code are violated;
8. An illegal conflict of interest; or
9. Acceptance of a second public office that is incompatible with Board of Education membership.

Filling Vacancies

Whenever a vacancy occurs, the remaining members shall notify the Regional Superintendent of Schools of that vacancy within five days after its occurrence and shall fill the vacancy until the next regular board election, at which election a successor shall be elected to serve the remainder of the unexpired term. However, if the vacancy occurs with less than 868 days remaining in the term or less than 88 days before the next regularly scheduled election, the person so appointed shall serve the remainder of the unexpired term, and no election to fill the vacancy shall be held. Members appointed by the remaining members of the Board to fill vacancies shall meet any residential requirements as specified in the School Code. The Board shall fill the vacancy within 60 days after it occurred by a public vote at a meeting of the Board.

Immediately following a vacancy on the Board of Education, the Board will publicize it and accept completed applications and résumés from District residents who are interested in filling the vacancy. Applications are available at the District office. After reviewing the applications, the Board may invite the prospective candidates for personal interviews to be conducted during duly scheduled closed meetings.

LEGAL REF.:

[105 ILCS 5/10-10](#) and [5/10-11](#).

CROSS REF.: 2:40 (Board Member Qualifications), 2:60 (Board Member Removal from Office), 2:120 (Board Member Development)

Adopted: October 16, 2024

BOARD OF EDUCATION

2:80 Board Member Oath and Conduct

Each School Board member, before taking his or her seat on the Board, shall take the following oath of office:

I, (name), do solemnly swear (or affirm) that I will faithfully discharge the duties of the office of member of the Board of Education of Hinckley-Big Rock Community Unit School District #429, in accordance with the Constitution of the United States, the Constitution of the State of Illinois, and the laws of the State of Illinois, to the best of my ability.

I further swear (or affirm) that:

I shall respect taxpayer interests by serving as a faithful protector of the School District's assets;

I shall encourage and respect the free expression of opinion by my fellow Board members and others who seek a hearing before the Board, while respecting the privacy of students and employees;

I shall recognize that a Board member has no legal authority as an individual and that decisions can be made only by a majority vote at a public Board meeting;

I shall abide by majority decisions of the Board, while retaining the right to seek changes in such decisions through ethical and constructive channels;

As part of the Board of Education, I shall accept the responsibility for my role in the equitable and quality education of every student in the School District;

I shall foster with the Board extensive participation of the community, formulate goals, define outcomes, and set the course for Hinckley-Big Rock Community Unit School District #429;

I shall assist in establishing a structure and an environment designed to ensure all students have the opportunity to attain their maximum potential through a sound organizational framework;

I shall strive to ensure a continuous assessment of student achievement and all conditions affecting the education of our children, in compliance with State law;

I shall serve as education's key advocate on behalf of students and our community's school (or schools) to advance the vision for Hinckley-Big Rock Community Unit School District #429; and

I shall strive to work together with the District Superintendent to lead the School District toward fulfilling the vision the Board has created, fostering excellence for every student in the areas of academic skills, knowledge, citizenship, and personal development.

The Board President or designee will administer the oath in an open Board meeting; in the absence, of the President, the Vice President will administer the oath. If neither is available, the Board member with the longest service on the Board will administer the oath.

The Hinckley-Big Rock Community Unit School District #429 adopts the Illinois Association of School Boards' *Code of Conduct for Members of School Boards*. A copy of the *Code* shall be displayed in the regular Board meeting room.

LEGAL REF.:

[105 ILCS 5/10-16.5.](#)

CROSS REF.: 1:30 (School District Philosophy), 2:20 (Powers and Duties of the Board of Education; Indemnification), 2:50 (Board Member Term of Office), 2:100 (Board Member Conflict of Interest, 2:105 (Ethics and Gift Ban), 2:210 (Organizational Board of Education Meeting)

Adopted: October 16, 2024

Hinckley-Big Rock Community Unit School District 429
