

Governing Board

Powers and Duties of the Governing Board; Indemnification

It shall be the role of the Governing Board to establish policies to determine how the Member Districts will cooperate to provide for students with disabilities as defined and mandated by the provisions of the Illinois School Code.

To accomplish the above role, the Governing Board's responsibilities include but are not limited to:

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. Formulate, adopt, and modify Board policies, at its sole discretion, subject only to mandatory collective bargaining agreements and State and federal law.
3. Recommend and approve amendments to the Articles of Joint Agreement.
4. Review programs and prepare reports.
5. Elect Governing Board officers of President and Secretary.
6. Elect a District Treasurer.
7. Elect an Executive Board.
8. Delegate specific authorities to the Executive Board.
9. Approve a tentative budget.
10. Conduct an annual budget hearing.
11. Approve a final budget.
12. Employ or dismiss the Superintendent.
13. Directing, through policy, the Superintendent, in his or her charge of the District's administration.
14. Approve contractual agreements with unions representing employees.
15. Purchase and/or sell property.
16. Comply with requirements in the Abused and Neglected Child Reporting Act (ANCRA). Specifically, each individual School Board member must, if an allegation is raised to the member during an open or closed School Board meeting that a student is an abused child as defined in the ANCRA, direct or cause the School Board to direct the Superintendent or other equivalent school administrator to comply with ANCRA's requirements concerning the reporting of child abuse.
17. Take action, which can only be approved by the Governing Board.
18. 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.
19. 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.

Indemnification

To the extent allowed by law, the Governing Board shall defend, indemnify, and hold harmless Board members, employees, volunteer personnel (pursuant to 105 ILCS 5/10-22.34, 10-22.34a and 10-

22.34b), mentors of licensed 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 5/10-22.31, 5/17-1, and 5/27-1.
115 ILCS 5/, Ill. Educational Labor Relations Act.
325 ILCS 5, Abused and Neglected Child Reporting Act.
Articles of Joint Agreement

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), 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; Conduct; and Conflict of Interest), 5:150 (Personnel Records), 5:210 (Resignations), 5:290 (Employment Termination and Suspensions), 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 Behavior), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 8:10 (Connection with the Community), 8:30 (Visitors to and Conduct on School Property)

DATE: August 25, 2004

REVIEWED: December 4, 2019; June 3, 2020; October 28, 2021; April 28, 2022; January 26, 2023

REVISED: March 21, 2007; February 26, 2014; June 8, 2016, December 4, 2019; June 3, 2020; April 28, 2022

EB Policy: 2:58