

OFFICE OF THE SUPERINTENDENT

Millburn Public Schools

INFORMATION ITEM

April 4, 2011

To: Board of Education Members

From: Ellen E. Mauer, PhD

Subject: Policy 2:210- Organizational Board of Education Meeting

This policy is revised to include taking an oath upon seating of new BOE members and fixing a date and time for the next year's meetings. It is also changed to reflect the newer 28 day rule for canvassing election results instead of the old 7 day rule. Mention of Passover is omitted, but can still be respected when scheduling.

We can use this as our first reading and place this on the consent agenda for next time.

## School Board

### Organizational School Board Meeting 1

During a March meeting in odd-numbered years, the School Board establishes a date for its organizational meeting to be held sometime after the election authority canvasses the vote, but within 28 days after the consolidated election. The consolidated election is held on the first Tuesday in April of odd-numbered years. At the organizational meeting the following shall occur:

1. Each successful candidate, before taking his or her seat on the Board, shall take the oath of office as provided in Board policy 2:80, *Board Member Oath and Conduct*. 2
2. The new Board members shall be seated.
3. The Board shall elect its officers who assume office immediately upon their election. 3
4. The Board shall fix a time and date for its regular meetings. 4 5

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

**1** State law controls this policy's content. Local canvassing boards were abolished in 2006; the statute requiring school boards to canvass the vote was repealed (105 ILCS 5/9-18, repealed by P.A. 95-141). The appropriate "election authority" (county clerk or election commission) canvasses the vote for school district elections (10 ILCS 5/1-8). The election authority must canvass the vote within 21 days after the election (10 ILCS 5/22-17 and 5/22-18, as amended by P.A. 94-647). Sometime between receiving the results from the election authority, but within 28 days after the consolidated election, boards must hold an organizational meeting to elect officers and fix a time and place for the regular meetings (105 ILCS 5/10-16). State law contains the schedule for consolidated elections (10 ILCS 5/2A-1.1). See policy 2:30, *School District Elections*.

The following option may be added after the second sentence of the first paragraph. It allows a board to recognize that the consolidated election will be postponed for Passover (10 ILCS 5/2A-1.1a); the exact provision is already in 2:30, *School District Elections*:

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.

**2** The oath is required by 105 ILCS 5/10-16.5. State law does not require anyone to actually give or administer the oath to the newly elected individual. There are lots of variations on how to accomplish this task. One alternative follows:

The meeting is called to order by the Board President, provided he or she is still in office and, if not, by the Vice President. This individual also serves as the meeting's presiding officer. The presiding officer administers the oath of office.

**3** Id. A secret vote for officer elections is not permitted (5 ILCS 120/1).

**4** The Open Meetings Act and The School Code have different provisions regarding the establishment of a regular meeting schedule. The Open Meetings Act requires each public body to prepare and make available a regular meeting schedule at the beginning of each calendar or fiscal year (5 ILCS 120/2.03). The School Code states that this task is accomplished during the organizational meeting. By "announcing" the schedule at the beginning of each calendar or fiscal year and by "fixing" the schedule at the organizational meeting, a board can implement both laws.

**5** An optional provision follows:

During an April Board meeting in even-numbered years, the Board considers organizational matters, such as, selecting individual members to fill offices with terms that expire this or the next month and fixing a time and date for its regular meetings.

LEGAL REF.: 10 ILCS 5/2A-1 et seq.  
105 ILCS 5/10-5, 5/10-16, and 105 ILCS 5/10-16.5.

CROSS REF.: 2:30 (School District Elections), 2:110 (Qualifications, Term, and Duties of Board Officers), 2:200 (Types of School Board Meetings), 2:220 (School Board Meeting Procedure), 2:230 (Public Participation at School Board Meetings and Petitions to the Board)

## **Board of Education**

### **Organizational Board of Education Meeting**

During a March meeting in odd-numbered years, the Board of Education establishes a date for its organizational meeting. This meeting must occur within 7 days after the consolidated election. The consolidated election is held on the first Tuesday in April. 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.

At the organizational meeting the following shall occur:

1. The new Board of Education members shall be immediately seated.
2. The Board of Education shall elect its officers who assume office immediately upon their election.

LEGAL REF.: 10 ILCS 5/2A-1 et seq.  
105 ILCS 5/9-18, 5/10-5, and 5/10-16.

CROSS REF.: 2:30 (Board of Education Elections), 2:200 (Types of Board of Education Meetings), 2:220 (Board of Education Meeting Procedure), 2:230 (Public Participation at Board of Education Meetings and Petitions to the Board)

ADOPTED: May 20, 2002