

OFFICE OF THE SUPERINTENDENT

Millburn Public Schools

INFORMATION ITEM

November 2, 2009

To: Board of Education Members

From: Ellen E. Mauer, PhD

Subject: Third Reading-Qualifications, Term, and Duties of Board Officers- Policy 2:110

As requested, we are having a third reading of this policy to allow for opinions from our members who were not able to be with us last time. At this time, the only point of the policy that was being considered for change was the term of officer part. We can discuss, then put on the next agenda for either more discussion or for the action portion of the next meeting.

School Board

Qualifications, Term, and Duties of Board Officers 1

The School Board officers are: President, Vice President, Secretary, and Treasurer. 2 These officers are elected at the Board's organizational meeting.

President

The Board elects a President from its members for a 2-year term. The duties of the President are: 3

1. Preside at all meetings;
2. Make all Board committee appointments, unless specifically stated otherwise; 4
3. Be permitted to attend and observe any meeting of a Board committee; 5
4. Represent the Board on other boards or agencies;
5. Serve as chairperson of the Education Officers Electoral Board which hears challenges to Board candidate nominating petitions;
6. Sign official District documents requiring the President's signature, including Board minutes and Certificate of Tax Levy;
7. Call special meetings of the Board;
8. Review appeals of record access requests that were denied;
9. Ensure that a quorum of the Board is physically present at all Board meetings; 6
10. Administer the oath of office to new Board members; and 7
11. Serve as the Board's official spokesperson to the media.

The President is permitted to participate in all Board meetings in a manner equal to all other Board members, including the ability to make and second motions.

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.

2 Districts governed by a board of directors have 3 officers: a president, clerk, and treasurer. The president and clerk must be board members (105 ILCS 5/10-5).

3 The board by resolution may decrease the term of office to one year (105 ILCS 5/10-13, 5/10-13.1, and 5/10-14). Selection of officers must be in open session (5 ILCS 120/2).

The president presides at all meetings and performs the duties imposed on the office by law or board action (105 ILCS 5/10-13). Of the listed duties, only the following are imposed by law: #1, preside at meetings (Id.); #5, chair Education Officers Electoral Board (10 ILCS 5/10-8); #6, sign minutes (105 ILCS 5/10-7) and sign certificate of tax levy (105 ILCS 5/17-11); #7, call special meetings (105 ILCS 5/10-16); and #8, review appeals of denied record access requests (5 ILCS 140/2(e) and 140/10).

4 Alternatively, strike the "unless" clause and substitute: "subject to Board approval." Be sure this treatment is consistent with policy 2:150, *Committees*.

5 Optional. A board that wants the president to participate in committee meetings may use the following alternative: "Be a member of all Board committees." Using this alternative, the president would be counted to determine the number of members that constitutes a quorum for each board committee meeting. If a board would like the superintendent to attend any or all meetings of a board committee, it should consider asking the superintendent to be a committee resource person (or other such title) rather than an ex-officio member of the board committee itself. That way, the superintendent will not count to determine the number of committee members that constitutes a quorum.

6 A quorum must be physically present during all board meetings (5 ILCS 120/7, as added by P.A. 94-1058, eff. 1/1/07). Requiring the president to ensure that a quorum is physically present helps manage the board's compliance with the Open Meetings Act. See 5 ILCS 120/7, as added by P.A. 94-1058, eff. 1/1/07; policy 2:220, *School Board Meeting Procedure*.

7 Each board member, before taking his or her seat on the board, must take an oath in substantially the same form as given in 105 ILCS 5/10-16.5, as added by P.A. 94-881. Omit this duty if policy 2:80, *Board Member Oath and Conduct* provides that the board member taking office shall read the oath him or herself.

The Vice President fills a vacancy in the Presidency.

Vice President **8**

The Board elects a Vice President from its members for a 2-year term. The Vice President performs the duties of the President if:

1. The office of President is vacant;
2. The President is absent; or
3. The President is unable to perform the office's duties.

A vacancy in the Vice Presidency is filled by a special Board election.

Secretary **9**

The Secretary shall be a member of the Board who serves a 2-year term. **10** The Secretary may receive reasonable compensation, not to exceed \$500 per year, as fixed by the Board at least 180 days before the beginning of the term. **11** The Secretary shall perform or delegate the following duties:

1. Keep Board meeting minutes; **12**
2. Prepare Board meeting agendas and provide them, along with prior meeting minutes, to Board members before the next meeting;
3. Mail meeting notification and agenda to news media who have officially requested copies;
4. Keep records of the Board's official acts, and sign them, along with the President, before submitting them annually to the Treasurer on the first Monday of April and October and on such other times as the Treasurer requests; **13**
5. Report to the Treasurer on or before July 7, annually, such information as the Treasurer is required to include in the Treasurer's report to the Regional Superintendent; **14**
6. Act as the local election authority for all Board elections; **15**
7. Arrange public inspection of the budget before adoption; **16**
8. Publish required notices;
9. Sign official District documents requiring the Secretary's signature; and
10. Maintain Board policy, financial reports, publicity, and correspondence.

A permanent vacancy in the office of Secretary is filled by special Board election.

Recording Secretary **17**

The Board may appoint a Recording Secretary who is a staff member. The Recording Secretary's primary responsibility shall be the keeping of records, in bound books with numbered pages, of all

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8 105 ILCS 5/10-13.1 establishes this office. See also: first paragraph of footnote 3.

9 Supra note 3. 105 ILCS 5/10-14 establishes this office. In districts governed by a board of directors, a clerk who is a board member performs these duties (105 ILCS 5/10-5).

10 105 ILCS 5/10-14. Alternatively, the secretary could be a non-board member who serves at the board's pleasure (Id.).

11 Id. and 50 ILCS 145/2. The compensation of a board member serving as secretary may not exceed \$500 per year. Omit this sentence if the secretary is not a board member.

12 105 ILCS 5/10-7; 23 Ill.Admin.Code §1.210b(4).

13 105 ILCS 5/10-7.

14 105 ILCS 5/10-8.

15 10 ILCS 5/10-1 et seq. and 5/17-22; 105 ILCS 5/9-10.

16 105 ILCS 5/17-1.

17 This section is optional. See policy 2:220, *School Board Meeting Procedure*, for the requirements of meeting minutes and participation by audio or video means. Delete all text after "and" in the last sentence if the board has not adopted a policy allowing participation by audio or video means.

transactions of the Board in regular and special open meetings. In addition, the Recording Secretary or Superintendent shall record all closed meeting minutes and receive notification from Board members who desire to attend a Board meeting by video or audio means pursuant to Board policy 2:220, *School Board Meeting Procedure*.

Treasurer *Class I county school units and Class II county school districts that have withdrawn from the authority of the Township Treasurer.* **18**

The Treasurer of the Board shall be either an elected member of the Board who serves a 1-year term or an appointed non-Board member who serves at the Board's pleasure. A Treasurer who is a Board member may not be compensated. **19** A Treasurer who is not a Board member may be compensated provided it is established before the appointment. **20** An appointed Treasurer must: **21**

1. Be at least 21 years old;
2. Not be a member of the County Board of School Trustees; and
3. Have a financial background or related experience, or 12 credit hours of college-level accounting.

The Treasurer shall: **22**

1. Furnish a bond, which shall be approved by a majority of the full Board;
2. Maintain custody of school funds;
3. Maintain records of school funds and balances;
4. Prepare a monthly reconciliation report for the Superintendent and Board; and
5. Receive, hold, and expend District funds only upon the order of the Board.

A vacancy in the Treasurer's office is filled by Board appointment. **23**

LEGAL REF.: 5 ILCS 120/7 and 420/4A-106.
105 ILCS 5/8-1, 5/8-2, 5/8-3, 5/8-6, 5/8-16, 5/8-17, 5/10-1, 5/10-5, 5/10-7, 5/10-8,
5/10-13, 5/10-13.1, 5/10-14, 5/10-16.5, and 5/17-1.

CROSS REF.: 2:80 (Board Member Oath and Conduct), 2:210 (Organizational School Board Meeting)

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18 105 ILCS 5/8-1(b). 105 ILCS 5/5-1 defines Class I county school units as districts in counties with less than 2,000,000 inhabitants. Those districts in Cook County (Class II county) under the authority of the trustees of schools of the township and the township treasurers should use this alternative: "Qualifications, appointment, and duties of the Treasurer for the School District shall be as provided in The School Code." 105 ILCS 5/8-1(a); duties are found in 105 ILCS 5/8-2, 5/8-6, 5/8-16, and 5/8-17.

19 105 ILCS 5/8-1(b).

20 105 ILCS 5/8-3.

21 105 ILCS 5/8-1(b) and 5/8-1(d).

22 105 ILCS 5/8-2, 5/8-6, and 5/8-16.

23 105 ILCS 5/8-1(b).