



# Board of Education

Office of the Board  
1 North Dearborn Street  
Suite 950  
Chicago, IL 60602

## Board Report

24-1101-RU1

Agenda Date: 11/1/2024

### AUTHORIZE THE COMMENCEMENT OF THE PUBLIC COMMENT PERIOD FOR BOARD RULES: CHAPTERS I, II, and III

#### THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

That the Board authorize the commencement of the Public Comment Period from November 2, 2024 to December 2, 2024 for the Policy described in the disposition table below. Pursuant to Board Rule 2-6(c), the Board must authorize the commencement of the Public Comment Period.

Current Policy Section/ Current Policy Title	New Policy Section/ New Policy Title	Description of Revision/Disposition
101.1 102.1 Board Rule Chapter I, II, and III 4-1	TBD	Rescind Policy 101.1, Policy 102.1, Board Rules Chapter I, II, III, and 4-1 and Adopt New Board Rules (numbering TBD): The Board, Board Administrative Rules, Board Members, Board Member Expectations, Officers, Meetings, Meeting Procedures, Committees, and Direct Reports

Approved as to Legal Form:

Approved:

DocuSigned by:

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**Ruchi Verma**  
General Counsel

Signed by:

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**Mary Gardner**  
Vice President

## **Board Rule: The Board**

### **I. Introduction**

Summary language to be drafted before final approval of this Board Rule.

### **II. About the Board**

#### **A. Name**

The official legal name "Board of Education of the City of Chicago" shall be used to refer to the governing body of the school district and in all legal documents and contexts. The name "Chicago Public Schools" shall be used to designate the public school system, its staff, and administration.

In these Rules, the terms "Board of Education of the City of Chicago," "Chicago Board of Education," and "the Board" may be used interchangeably. Similarly, the terms "Chicago Public Schools" and "the District" may also be used interchangeably.

#### **B. Mission**

To set goals and standards and make policies that make a high quality public education system available to the children of Chicago. To oversee the operations of the Chicago Public Schools, guarantee their accountability to the goals and objectives set by the Board and ensure that its accomplishments meet the expectations of the residents of Chicago.

### **III. Board Powers and Duties**

#### **A. Powers and Duties of the Board**

The Board's powers and duties come largely from the Illinois School Code (105 ILCS 5/34), and official action by the Board may only occur at a duly called and legally conducted meeting.

Some of the key powers and duties of the Board include:

- To contract for all types of services, including instructional services and school operations (105 ILCS 5/34-18(30));
- To establish by-laws, rules and regulations, which shall have the force of ordinance (105 ILCS 5/34-19);
- To apportion students (105 ILCS 5/34-18(7));
- To establish criteria to monitor school performance, and remediate non-performing schools through various means, including school improvement plans, removal and replacement of the principal, replacement of faculty members, election of a new Local School Council, reconstitution, closing of a school, etc. (105 ILCS 5/34-8.3);
- To establish such general departments as it may deem necessary or appropriate and approve the heads of such departments (105 ILCS 5/34-7);
- To approve and issue the contract to a principal at schools with an Appointed LSC or Board of Governors after candidates have been recommended by the CEO (105 ILCS 5/34-2.4(b), 105 ILCS 34-8.3);
- To appoint a general superintendent of schools to serve pursuant to a performance-based contract (105 ILCS 5/34-6);
- To terminate the employment of certain types of employees (105 ILCS 5/34-85);
- To incur debt (105 ILCS 5/34-31 et. seq.);
- To levy taxes upon all taxable property for educational purposes and capital improvements (105 ILCS 5/34-53.5.);
- To establish a budget and appropriate funds (105 ILCS 5/34-43); and
- To indemnify a Board employee from any damages (either judgment or settlement) arising out of a lawsuit if the employee is acting within the scope of their employment, and to provide the employee with a defense to that lawsuit, including

reasonable legal fees and costs. (745 ILCS 10/2-302 and 105 ILCS 5/34-18.1).

#### B. Emergency Authority in the event of a Declared State of Emergency

1. The Board President must adopt emergency guidelines for the conduct of Board business and meetings, including the manner of public participation at Board meetings, to permit the Board to conduct business when a national, state or local emergency is declared and the Board cannot convene a meeting in the usual manner and comply with federal, state or local emergency orders and guidelines, and/or ensure the safety of the public and staff. During any meeting convened under the emergency guidelines adopted under this subsection (a), the Board may modify, replace, or revoke any emergency guideline adopted by the Board President under this Rule if the proposed Board action satisfies the following:

- i) the Board action permits the Board to conduct business in a manner that ensures public and staff safety; and
- ii) the Board action complies with all federal, state, and local requirements and guidance under the state of emergency.

2. If a national, state, or local emergency is declared requiring immediate action by the District, the Board President may suspend any Board Rule, Policy, and Guidelines and adopt emergency guidelines to take measures consistent with local, state, and federal orders, guidelines, laws, and ordinances adopted or enacted to address and mitigate the emergency. The Board President may not use the emergency power under this subsection (b) to suspend Board Rules, Policies, or Guidelines regarding the conduct of Board business. The Board President may not use the emergency power under this subsection (b) if the Board convenes a Special Meeting under Board Rule XX. During any meeting convened after the adoption of the emergency guidelines under this subsection (b), the Board may modify, replace, or revoke any

emergency guideline adopted by the Board President under this subsection (b) if the proposed Board action satisfies the following:

- i) the Board action ensures the safety of students, the public, and District staff; and
- ii) the Board action complies with all federal, state, and local requirements and guidance under the state of emergency.

3. Any Board Rules, Policies, and Guidelines that conflict with an emergency guideline adopted under these subsections (a) or (b) are suspended while the emergency guideline is in effect.

4. The powers under this Rule expire at the earliest of the following:

- i) the expiration or termination of national, state, or local emergency declaration has expired or terminated by law;
- ii) when the Board is able to conduct business in the usual manner and comply with local, state, and federal orders, guidelines, laws, and ordinances adopted or enacted to address and mitigate the existing emergency.

5. This Rule shall have retroactive application to March 17, 2020. All actions taken by the Board President pursuant to this Rule on or after March 17, 2020 to March 25, 2020, are expressly ratified and approved.

#### IV. Delegation of Board Authority

##### A. Manner and Effect of Delegation of Authority

With the exception of those powers and authority exclusively reserved to the Board by the Illinois School Code, as it exists now, or as it may be hereafter amended, the Board may delegate its authority by Board Rule, Board Policy, Board Resolution, Board Report or other Board action. Where the Board has delegated authority to an Officer or his/her designee, that Officer or his/her designee may take all actions consistent with the delegation without further Board action or authority and the action shall be binding upon the Board at the time the Officer acts.

##### B. Authority Not Specifically Delegated

The Board reserves to itself all authority and power it has not specifically delegated to another by Board Rule, Board Policy, Board Resolution, Board Report or other Board action.

##### C. Authority over Departments and Delegated Authority

Chiefs, Officers and heads of departments have the authority to supervise their respective departments or units, including all employees within their departments or units, and to take all actions delegated to them by Board Rule, Policy, Resolution, Board Report or other Board action. Said Chiefs, Officers and heads of departments or units may delegate their authority to employees within their departments or units, including any authority delegated to them by the Board.

## V. Delegation of Authority and Reporting to the Board

### A. Delegation to Chief Executive Officer or His/Her Designee

Subject to the limitations set forth in the Illinois School Code, these Rules and the Board's Policies, and except as provided in Rule 4-1c below, the Chief Executive Officer and his/her designee(s) are hereby delegated the following authority with respect to Board employees, which may be exercised without Board action:

1. Except as provided in Board Rule XX to hire, appoint, or promote based on merit employees upon his/her own recommendation or the recommendation of the Chief Talent Officer, General Counsel, the Chief Financial Officer, executive officers, officers or principals, and to establish eligibility criteria for hire, appointment or promotion;
2. To classify and reclassify employees;
3. To establish a schedule of basic salaries and wage rates, and to set compensation, wages and/or salary based on employee classifications or job titles or other criteria;
4. To establish policies with respect to overtime pay;
5. To grant annual increases to wages and salary based on cost of living for employees not subject to a performance management program or merit pay plan and to grant or withhold annual increases to wages and salary based upon merit to employees subject to a performance management program or merit pay plan adopted by the Chief Executive Officer or designee;
6. To establish employee benefit plans, including employee medical, dental and life insurance plans, disability plans, and tax-deferred savings plans, and the eligibility criteria for participation in those plans;
7. To establish work schedules for all employees, including hours of work and days of work;
8. To establish performance management procedures and evaluation procedures for all employees, including, but not limited to, teachers and principals;
9. To grant paid time off for excused days, holidays, sick leave, parental leave, personal leaves or vacation;
10. To grant voluntary leaves of absence to employees and to order involuntary leaves of absence for employees;
11. To grant paid and unpaid leaves of absence to eligible employees in accordance with collective bargaining agreements, Board Rules and Policies;
12. To establish employee discipline protocols and commence disciplinary or dismissal proceedings against employees;
13. To demote, transfer, discipline or dismiss employees;
14. To lay off employees, reduce the Board's workforce, or alter compensation for employees;
15. To accept resignations and retirements from employees and to grant related revocations; and,
16. To exercise all other authority over employees that is not specifically reserved for Board action.

### B. Chief Executive Officer's Quarterly Workforce Planning Report

The Chief Executive Officer or his/her designee(s) shall submit a quarterly workforce planning report (which shall be made public) to the Board that summarizes the previous quarter's workforce actions made by the Chief Executive Officer or his/her designee in accordance with Rule 4-1a, provided however, that the reason or cause for any employee dismissal shall not be made public.

### C. Authority Reserved for Board Action

The Board shall exercise all authority over the following employee matters, which authority is non-delegable under the Illinois School Code or which the Board has reserved to itself:

1. To appoint the Board Secretary, the Chief Executive Officer, the General Counsel, deputies, assistant deputies, senior general counsels, and assistants general counsel, executive officers, officers, and contract principals at schools with Appointed Local School Councils and contract principals at schools with Local School Councils that fail to directly select a principal in accordance with section 34-2.3(2) of the Illinois School Code;
2. To establish salaries upon hire for the Board Secretary, the Chief Executive Officer, the General Counsel, deputies, assistant deputies, senior general counsels, and assistants general counsel, executive officers and officers;
3. To dismiss the Board Secretary, the Chief Executive Officer, the General Counsel, deputies, assistant deputies, senior general counsels, and assistants general counsel, executive officers and officers upon majority vote of the full membership of the Board;
4. To dismiss probationary appointed teachers in accordance with the Illinois School Code;
5. To dismiss contract principals and tenured teachers for cause after adoption, modification or rejection of an Illinois State Board of Education hearing officer's recommendation;
6. To terminate the contract of and to dismiss a contract principal upon recommendation of the Chief Executive Officer, after notice

and a hearing, in accordance with the Section 5/34-8.3(d) of the Illinois School Code or, upon consent of the contract principal and the applicable Local School Council; and,

7. To, upon recommendation of the Chief Executive Officer or his/her designee, dismiss for cause non-probationary educational support personnel whose employment is governed by collective bargaining agreements.

**Board Rule: Board Administrative Rules**

**I. Introduction**

Summary language to be drafted before final approval of this Board Rule.

**II. Board Continuous Improvement**

**A. Self-Evaluations**

The Board President shall establish a formal Board Self-Evaluation annually in February, or at such time as deemed appropriate by the Board President provided an annual Board Self-Evaluation occurs. Based on the data collected via the Self-Evaluation, the Board shall establish Board Governance Goals focused on strengthening their governance and improving their performance as a Board.

The Board President may establish additional Board Self-Evaluations as appropriate. Board Self-Evaluations shall provide for the self-evaluation of practices, procedures, or professional ethics, and be in accordance with Open Meetings Act.

**B. Ongoing Development**

The results of the Board Self-Evaluation shall inform the areas for improvement in the ongoing professional development for Board Members and the Board as a collective governing body.

**C. Board Operating Procedures Manual**

The Board Operating Procedures Manual will also be reviewed and updated by the Board on an annual basis and within thirty (30) calendar days of the annual Board Self-Evaluation, or within such time as deemed appropriate by the Board President provided the Board Operating Procedures Manual is updated annually.

**III. District Strategic Plan**

**A. Generally**

Strategic planning is the systematic process of specifying the goals derived from the mission, vision, and core values of the school system, determining the present attainment of those goals, and then selecting strategies to reduce the discrepancies. The major emphasis of the District's planning system shall be the achievement by all students of State and local goals. The District Strategic Plan provides the strategic framework for all aspects of the District school system toward the accomplishment of these identified goals.

**B. Development of the District Strategic Plan**

The CEO or their designee shall coordinate the comprehensive planning process and monitor progress on the accomplishment of District Strategic Planning goals, priorities, and objectives specified in the District Strategic Plan. The District Strategic Plan shall be comprehensive, and shall include but not be limited to, priorities and objectives to support the identified goal(s). The District Strategic Plan must, at a minimum, include appropriate metrics and/or key performance indicators (KPIs), appropriate data sources, and a tentative reporting timeline. The District Strategic Plan shall be thoroughly reassessed and reevaluated in its entirety no more than every five (5) years, or for some other period as approved by the Board.

**C. Progress Monitoring**

By the start of the school year, the CEO shall present to the Board President for approval a plan for monitoring the progress of the District Strategic Plan for the year. For transparency, the progress monitoring plan must include monitoring that will take place at public Board Meetings.

**D. Transparency**

The District Strategic Plan and subsequent reports shall be kept on file and made available to the public via the Board website and the District's website.

#### IV. Legislative Agenda

The Board will represent the District's interests in legislative action to promote the welfare of public education in Chicago Public Schools or will direct those interests to be represented through the CEO or a designee. As a public entity, the Board must operate within the bounds of state and federal laws affecting public education. To effectively meet these responsibilities to the public and students of the District, the Board and CEO will work vigorously for the passage of new laws designed to advance the values and goals of our District and community, and for the repeal or modification of existing laws that impede these values and goals. To achieve these goals, the CEO will periodically study, discuss, and weigh the merits of pending legislation for the purpose of establishing the district's official position. When established, these official positions will be the position of the District in the legislative process.

##### A. CEO Responsibilities

1. Develop and present to the Board annually, no later than the January Regular Meeting, a legislative agenda for upcoming legislative sessions that is consistent with the furtherance of the District's strategic plan, goals, and priorities. The legislative agenda may include broad goals and priorities for upcoming legislative sessions and/or specific legislative items. Upon approval of a majority of the Board at a Regular Meeting, these positions will become the official position of the District in the legislative process.
2. In the cases when the District must respond to unforeseen legislation, which includes legislation that affects the Board's ability to advance the legislative agenda in c(i) or the general welfare of the District, the Board delegates the responsibility to the Board President and CEO to make a determination as to the District's position provided the position is not in conflict with the legislative agenda in c(i).
3. Set aside time with the Board throughout the year to discuss the legislative matters whenever the need arises as determined by the Board President and/or CEO.
4. Support and work for legislation that promotes quality education within Chicago Public Schools.
5. Stay informed of pending legislation.
6. Actively communicate concerns and make the Board's position known to elected representatives at the local, state, and national levels by regular contact with the local, state, and federal elected officials and entities whose decisions affect the welfare of public education in our District.
7. Seek adequate funding for schools and full funding for state and federally mandated programs.
8. Respond appropriately to requests for legislative proposals, comments on legislative proposals, and development of priority positions.

##### B. Board Member Responsibilities

1. Inform the public of its legislative priorities and outcomes of its legislative efforts annually at a time and means as determined by the Board President.
2. The Board President shall designate Board Members to serve as the Board's legislative representatives with associations and organizations that promote the legislative agendas of public education as needed.
3. Accept the consensus of the Board with respect to the annual legislative agenda pursuant to this Rule and legislative positions taken by the CEO in pursuit of that agenda.

##### C. Oversight and Compliance

1. Board Members and the CEO, individually or as members of professional organizations, will not represent positions conflicting with the District's on legislative matters on behalf of the Board or the District, unless it is made clear that such representation is not the official position of the District.
2. The Board reserves the right to censure Board Members who are not compliant with this Rule. A censure shall pass with two-thirds full membership of the Board voting in favor.

#### V. Administrative Organizational Units

105 ILCS 5/34-7 stipulates that the Board has the authority to establish such administrative organization units as it may deem necessary or appropriate to ensure the effective and efficient operation of the system and determine the duties and functions of each. The Board delegates this authority to the CEO who shall establish administrative organization units, with the approval of the Board President. Chiefs, officers, and the heads of departments shall be appointed by the Board in accordance with Chapter XX of these Rules.

## VI. Adoption, Amendment, Rescission or Suspension of Rules

### A. Generally

The Board enacts Rules pursuant to 105 ILCS 5/34-19 and such actions have the force of ordinances. Rules of the Board may only be amended, rescinded or suspended at a Regular Meeting by a vote of two-thirds of the full membership of the Board. The adoption of Rules requires a majority of the full membership of the Board.

### B. Public Comment

Except as provided by subsections (d) and (f) below, adoption, amendment, rescission or suspension must be preceded by the following actions:

1. The proposed adoption or amendment of a Rule or motion for rescission of a Board Rule has been posted on the District's website for a period of thirty (30) calendar days ("Public Comment Period") with an invitation to the general public to provide public comment.
2. The Board shall authorize the commencement of the Public Comment Period. The authorization shall occur at a Committee Meeting or Regular Meeting and be authorized by a simple majority of the Board.
3. All public comment received during the Public Comment Period has been published to the general public on the District's website, provided however the comments that reveal confidential or private information or use expletives or defamatory, vulgar or threatening language may be redacted or omitted.
4. All public comment received during the Public Comment Period shall be provided to Board Members as part of their meeting preparation materials.

### C. Interim Rules and Interim Amendments to Rules

The Board may adopt an interim Rule or amend a Rule on an interim basis prior to a Public Comment Period and/or before meeting any or all of the prerequisites outlined in paragraphs (c) (i) to (iv) as an interim Rule to meet legal requirements or other exigent circumstances provided that the interim Rule shall expire ninety (90) calendar days after adoption unless replaced by a final Rule.

### D. Form of Rule Addition, Amendment, or Rescission

Any and all additions, amendments or rescissions of these Rules shall specify the chapter and/or section thereof sought to be added, amended or rescinded.

### E. Suspension of Rules

Rules may be suspended by a majority of the full membership then serving. Any suspension of a Rule shall be for a specified time period of no more than 12 months. If the Rule is still suspended after 12 months, the Rule must be revisited and a decision made to suspend for another 12 months or rescind the Rule permanently.

### F. Biennial Readoption

All Board Rules must be readopted biennially every other year. Readoption requires two-thirds majority of the full membership of the Board. The General Counsel shall establish guidelines to ensure all Board Rules are readopted biennially. Such guidelines shall also establish that Rules be adopted biennially through one of the following three scenarios:

1. Required Changes, which shall be in accordance with (h) of this Rule.
2. Non-Material Changes, which shall be in accordance with (i) of this Rule.
3. No Changes, which shall be in accordance with (j) of this Rule.

If the Board does not readopt a Rule on the timeline set forth in this Rule, that Rule shall remain in effect for an additional three (3) months, allowing the Board to consider its review and readoption at their next Regular Meeting.

### G. Required Changes

The General Counsel shall establish guidelines for the Rule amendment, development, and adoption process that are in accordance with this Rule and all other relevant Rules and other applicable regulations. Such guidelines must include:

1. A process by which to engage with stakeholders most impacted by the Rule
2. An equity assessment
3. A comprehensive legal review
4. A Whole Child review, an effort to support students to be healthy, safe, engaged, and academically challenged

**H. Exceptions**

The General Counsel shall establish guidelines for a waiver of the Public Comment Period for the following two exception types: Non-Material Amendments and Legally Required Amendments to previously Board-approved Rules. Waivers can only be authorized for amendments to Rules and are subject to final adoption by at least two-thirds of the full membership of the Board at a Regular Meeting.

**1. Non-Material Changes**

Non-Material Amendments shall be limited to the following:

- i. Updates to headers and footers
- ii. Changes to titles of staff and positions, departments, schools
- iii. Changes or updates to the names of guidelines or websites referenced within the Rule
- iv. Legal or cross references that have been changed since the Rule adoption
- v. Changes to format
- vi. Correcting grammatical, capitalization, punctuation errors, and typos
- vii. Any other Scrivener's errors

**2. Legally Required Amendments**

If a Rule needs to be adopted, amended, rescinded, or suspended to be in compliance with federal and state law or regulations or City of Chicago Ordinance.

**I. No Changes**

The General Counsel shall establish guidelines consistent with the following:

1. When a Rule is reviewed biennially pursuant to guidelines referenced in Section (g) and a determination is made that no changes are needed, the Rule shall be added to the agenda at a Regular Meeting to be considered for re adoption by the full Board. The Public Comment Period referenced in (c) (i) to (iv) and requirements set forth in paragraph (h) of this Rule may be waived for Rules for which no changes are recommended.

**J. Initiation Process for Rule or Policy Changes**

Readoption, amendment, rescission or suspension of Rules outside the Biennial Readoption as defined in section (g) shall be initiated through at least one Initiation Process as defined below:

1. If the Board and/or District's goals and priorities change such that an adoption, amendment, rescission, or suspension of a Rule is necessary to achieve the goal or priority of the Board and/or District, or
2. If a Rule needs to be adopted, amended, rescinded, or suspended to address an Internal Audit finding or Office of Inspector General recommendation.

**K. Initiation Process for Adoption of New Rules**

The General Counsel shall establish guidelines for the Initiation Process for New Rules consistent with the following:

1. A process by which to engage with stakeholders most impacted by the Rule
2. An equity assessment
3. A comprehensive legal review
4. A Whole Child review, an effort to support students to be healthy, safe, engaged, and academically challenged
5. All new Rules are subject to (c) (i) to (iv)
6. If adopted by the Board, all provisions within this Rule shall apply thereafter.

**L. Timeline for Implementation**

1. Within three (3) years from the effective date of this Rule, all Board Rules must have undergone a review process as outlined in section (h), unless the Rule was adopted or amended between September 26, 2019 and April 26, 2023.
2. After this three (3) year period, when all Board Rules have been reviewed, the Biennial Readoption referenced in section (g) will take effect, as will section (i) and section (j).

**Board Rule: Board Members****I. Introduction**

Summary language to be drafted before final approval of this Board Rule.

## II. Board Member Eligibility, Selection, Terms, and Vacancies

### A. Eligibility

As per 105 ILCS 5/34-4, to be eligible for election or appointment to the Board, a person shall be a citizen of the United States, shall be a registered voter as provided in the Election Code, shall have been, for a period of one year immediately before election or appointment, a resident of the city, district, and subdistrict that the member represents, and shall not be a child sex offender as defined in Section 11-9.3 of the Criminal Code of 2012. A person is ineligible for election or appointment to the Board if that person is not in compliance with the provisions of Section 10-9 as referenced in Section 34-3.

Permanent removal from the city by any member of the Board during the member's term of office constitutes a resignation therefrom and creates a vacancy in the Board. Board members shall not hold other public office under the Federal, State or any local government other than that of Director of the Regional Transportation Authority, member of the economic development commission of a city having a population exceeding 500,000, notary public or member of the National Guard, and by accepting any such office while members of the Board, or by not resigning any such office held at the time of being elected or appointed to the Board within 30 days after such election or appointment, shall be deemed to have vacated their membership in the Board.

### B. Selection and Terms

As per 105 ILCS 5/34-3(b-15), for purposes of selection of members of the Chicago Board of Education, the City of Chicago shall be divided into 10 districts, and each of those 10 districts shall be subdivided into 2 subdistricts as provided in subsection (a) of Section 34-21.10.

#### i. Until January 15, 2027

Each district shall be represented by one member who is elected at the 2024 general election to a 2-year term that begins January 15, 2025 and one member who is appointed by the Mayor by no later than December 16, 2024 to a 2-year term that begins January 15, 2025. Each elected member shall reside within the district that the member represents, and each appointed member shall reside both within the district that the member represents and outside of the subdistrict within which the elected member of the district resides.

#### ii. Beginning January 15, 2027

Each elected member shall reside within the subdistrict that the member represents. Each subdistrict shall be represented by one member who is elected at the 2026 general election. If a member is elected at the 2026 general election to fill the expired term of an appointed member, then the elected member shall serve a 2-year term that begins January 15, 2027. If a member is elected at the 2026 general election to fill the expired term of an elected member, then the member shall serve a 4-year term that begins January 15, 2027.

If a member is elected at the 2026 general election to serve a 2-year term, then the member elected at the 2028 general election shall serve a 4-year term that begins January 15, 2029. If a member is elected at the 2026 general election to serve a 4-year term, then the member elected in that subdistrict at the 2030 general election shall serve a 2-year term that begins January 15, 2031.

#### iii. Beginning with the members elected at the 2032 general election

The members of each subdistrict shall serve two 4-year terms and one 2-year term for each 10-year period thereafter. As determined by lot, the terms of the members representing the subdistricts shall be the following:

- (a) the members representing 7 subdistricts shall be elected for one 2-year term, followed by two 4-year terms;
- (b) the members representing 7 subdistricts shall be elected for one 4-year term, followed by one 2-year term, and then one 4-year term; and
- (c) the members representing 6 subdistricts shall be elected for two 4-year terms, followed by one 2-year term.

### C. Vacancies

As per 105 ILCS 5/34-3(b-20), all elected and appointed members shall serve until a successor is appointed or elected and qualified.

Whenever there is a vacancy in the office of an appointed member of the Board, the Mayor shall appoint a successor who has the same qualifications as the member's predecessor to fill the vacancy for the remainder of the unexpired term.

Whenever there is a vacancy in the office of an elected member of the Board, the President of the Board shall notify the Mayor of the vacancy within 7 days after its occurrence and shall, within 30 days, fill the vacancy for the remainder of the unexpired term by majority vote of the remaining members of the Board. The successor to the elected member shall have the same qualifications as the member's predecessor.

### **III. Board Member Authority**

A Board Member has no legal authority as an individual. Board Members, as individuals, do not separately possess the powers that reside in the Board. Board members shall have authority only when acting as a Board legally in session. The Board shall not be bound in any way by any statement or action on the part of any individual Board member, except when such statement or action is pursuant to specific official instructions of the Board.

### **IV. Compensation and Expenses**

#### **A. Generally**

As stipulated in 105 ILCS 5/34-4, Board Members shall serve without any compensation. However, Members of the Board may be reimbursed for expenses incurred while in the performance of their duties upon submission of proper receipts. The process for reimbursement is outlined below.

Board Member anticipated expenditures must be discussed with the Board President and/or their designee prior to being incurred, in order to ensure that they are allowable and that the current budget allows for those expenditures.

#### **B. Expenses**

Whenever possible, the Board Office staff will create Purchase Orders to cover the cost of registration, travel, transportation, and lodging for conferences and other Board-related business travel, in advance of the travel. Board Office staff will coordinate these expenses on behalf of Board Members.

#### **C. Reimbursement**

In the case that a reimbursement is necessary, Board Members must follow the guidelines set forth in Board Policy 507.1 Employee Travel and Work-Related Expense Reimbursement. Per Board Policy 507.1.V.B., all Board Member expense requests for travel, meals, and/or lodging must be approved by roll call vote at an open meeting of the Board.

#### **D. Advances and Credit Cards**

Board Members will not be issued advances or credit cards.

### **V. Use of Equipment and Supplies**

Board Members shall be provided with appropriate equipment and supplies for their official use. Equipment shall be acquired in accordance with the District's Central and Network Office Device Policy. All Board property shall be used in alignment with Board Rule XX and Board Rule XX. Equipment must be returned on the last day of service.

### **VI. Access to Records**

#### **A. Personnel Records**

Access to District personnel records shall be governed by Board policy and State law, and no Board Member shall be denied documents or information to which they are legally entitled and are required in the performance of the Board member's duties.

Information obtained from employee personnel records by Board Members shall be used in alignment with Board Rule XX. and only for the purpose of aiding the Members in fulfilling their legal responsibilities in making decisions on such matters as appointments, assignments, promotions, demotions, remuneration, discipline, and dismissal, or to aid the development and implementation of personnel policies, or for other uses as necessary to enable the Board to carry out its legal responsibilities.

#### **B. All Other Records or Data**

Board Member requests for any other District records or data shall be made to the Board Office. Board Office staff will work with District staff to fulfill the request according to the process set in place by the District.

## VII. Service on Other Bodies

### A. Generally

Board Members are required to serve on two other public bodies. There are also additional opportunities for Board Members to serve on other bodies based on the Board's memberships on those given bodies. In all cases, when serving on other bodies, Board Members must maintain their fiduciary duty to the Board.

### B. PBC and CTPF

The Board must select and approve one (1) Board Member to serve on the Board of Commissioners of the Public Building Commission of Chicago (PBC) and two (2) Board Members to serve on the Board of Trustees of the Chicago Teachers' Pension Fund (CTPF). These appointments will be made by the Board in alignment with guidelines provided by each of these bodies.

### C. All Others

The Board President shall appoint members, as necessary, to serve on other organizations, committees, and/or councils as required by law, Board policy, or as desired by the Board.

These appointments shall be carried out in accordance with procedures set forth by the Board President or their designee. The Board President shall make a good faith effort to match appointments with the interests and expressed willingness of Board Members to serve and no Board Member will be considered for multiple appointments until every Board Member has been offered and accepted at least one appointment.

Board members who wish to present a report of activities or updates of these groups to the full Board may do so by working with the Board President to have the item added to the agenda of an upcoming Board Meeting.

## VIII. Honorary Student Board Member

105 ILCS 5/34-3(c) grants the Board the authority to appoint a student to the board to serve in an advisory capacity. As such, the Board has established the role of Honorary Student Board Member (herein referred to as "HSBM").

### A. Duties

The Board values student perspectives and strives to ensure that student voice is incorporated in the Board's decision making. In order to accomplish this, the duties of the HSBM are as follows:

- represent the CPS student body at the Board's monthly meetings.
- serve as an appointed member on a District-level student committee.
- act as a public representative of the students of the District at various conferences, meetings, and ceremonies, as applicable.
- in alignment with 105 ILCS 5/34-3(c), the HSBM will not have voting privileges, nor can they attend any executive session of the Board.

### B. Support

The Board will provide the following for the HSBM:

- a thorough orientation to ensure the HSBM is able to fully understand the role and the work of the Board prior to starting their term.
- ongoing support with any questions or concerns the HSBM may have throughout their term.
- a \$1,000 scholarship to support the post-secondary educational pursuits of the HSBM at a two- or four-year college or university.

### C. Eligibility and Selection

The Board Office will establish and annually review the eligibility criteria and selection process.

## **Board Rule: Board Member Expectations**

## I. Introduction

Summary language to be drafted before final approval of this Board Rule.

## II. Oath of Office

### A. Oath

Prior to taking a seat on the Board of Education, Board Members shall take the Chicago Board of Education Oath of Office that provides the following:

I, (name of Board Member), do solemnly swear that I will faithfully discharge the duties of the office of member of the Board of Education of the City of Chicago, in accordance with the Constitution of the United States, the Constitution of the State of Illinois, and all applicable federal and state laws, to the best of my ability.

I further swear 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 vote at a public board meeting;
- I shall abide by decisions of the Board, while retaining the right to seek changes in such decisions through ethical and constructive channels;
- I shall avoid any conflict of interest or the appearance of impropriety which could result from my position, and will not use my Board membership for personal gain or publicity;
- I shall foster with the Board extensive participation of the community, formulate goals, define outcomes, and set the course for Chicago Public Schools;
- 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 a key advocate on behalf of students and our community's schools to advance the vision for Chicago Public Schools; and
- I shall strive to work together with the Chief Executive Officer (CEO) to lead the school district toward fulfilling the vision the Board has created, fostering excellence for every student in the areas of student learning and well-being, as well as healthy, safe, engaging, and academically challenging school experiences, that prepare each student for college, career, and civic life.

### B. Administration of the Oath of Office

1. Each Board Member must sign and submit the Oath of Office to the Board Secretary by the first day of the term to which the Board Member is appointed or elected.

2. Each Board Member taking office shall either read the Oath during an open meeting and swear or affirm to follow it as indicated in the Oath, or a group of Board Members or entire Board may take the Oath simultaneously.

3. The Oath shall be administered at Board Member's first public Board Meeting meeting by the Board President, Secretary of the Board, or a designee.

4. The Board shall maintain on the Board website each Board Member's signed and submitted Oath of Office.

## III. Board Member Training and Development

### A. Generally

In order for the Board to fulfill its responsibilities, individual Board Members must learn, understand, and practice effective governance principles. A critical step in achieving this goal is the establishment of a comprehensive new Board Member training and professional development program to help Board Members become effective and to promote a high-functioning team.

### B. Board Member Training

1. Domain A: Board Powers and Duties, which shall include, but not be limited to:
  1. Board Members must take the Chicago Board of Education Oath of Office at their first public Board Meeting, and sign and submit the Oath of Office and agreement with Board Operating Procedures Manual in accordance with Board Rule XX.
  2. Each Board Member must complete training on the Open Meetings Act no later than ninety (90) days after taking the Oath of Office. After completing the training, each Board Member must file a copy of the certificate of completion with the Board Secretary. Training on the Open Meetings Act is only required once.
  3. Each Board Member shall receive training on, and be given a copy of, the powers of the Chicago Board of Education granted through state and federal laws and Board Rules and Policies.
  4. Each Board Member shall, within ninety (90) days of taking the Oath of Office, and annually thereafter, receive training on the Board of Education Code of Ethics.
  5. Each Board Member shall, within ninety (90) days of taking the Oath of Office, and annually thereafter, complete the Illinois Mandated Reporter Training.
  6. Each Board Member shall, within ninety (90) days of taking the Oath of Office, and annually thereafter, complete training on harassment, discrimination, and reporting policies, and other relevant training.
  7. Each Board Member shall be provided training on budget and revenues, education theory and governance, governmental relations, school-based management, and state and federal education law and regulations pursuant to 105 ILCS 5/34-3.2. Board Members shall also be provided training regarding trauma-informed practices for students and staff.
  8. Additional mandatory training as required by the Board President and applicable laws and Board Rules and Policies.
2. Domain B: Board Business, which shall include, but not be limited to:
  1. Parliamentary procedure in accordance with Board Rule XX, the latest edition of Robert's Rules of Order, and other Board Rules, Policies, and procedures established by the Board President.
  2. Each Board Member must be given a copy of the latest edition of the Board of Education Board Rules.
  3. Each Board Member shall receive training on the agenda preparation and formulation process.
  4. Board Members will review the Board Operating Procedures Manual during orientation and will acknowledge in writing that they have been trained on and will agree to abide by the Manual during their tenure.
  5. Additional mandatory training as required by the Board President and applicable laws and Board Rules and Policies.
3. Domain C: Board Member Organizational Responsibilities and Relationships, which shall include, but not be limited to:
  1. Organizational Meeting of the Board of Education, including but not limited to, the election and powers of its officers.
  2. Oversight and evaluation of the direct reports of the Board.
  3. Each Board Member must complete a training on personnel dismissals that require Board approval, such as contract principals, tenured teachers, pre-tenured teachers, educational support personnel, paraprofessional and school related personnel, and other personnel decisions. Board Members must complete the training program before participating in a vote on dismissal of personnel.
  4. Board Members' role within the appointments to the Appointed Local School Councils (ALSCs) and Local School Councils (LSCs).
  5. Other training as directed by the Board President that supports the Board's organizational responsibilities.
4. Domain D: District Oversight, which shall include, but not be limited to:
  1. Board and District Goals, Vision, and Strategic Plan
  2. School Performance
  3. District and School Finance
  4. Instructional Program
  5. Portfolio of school options, such as District, charter, contract, and Options schools
  6. District personnel
  7. District's approach to, and protocols for, equity and community engagement
  8. Immediate decisions before the Board

9. Collective Bargaining Agreements
10. Other trainings as directed by the Board President that support District oversight
5. The Board President may authorize additional training to be included in the Board Member Mandatory Training.

## VI. Censure of a Board Member

### A. Generally

Censure is a formal resolution of the Board officially reprimanding one of its members. Censure is an appropriate punitive measure when the violation of law or policy is deemed by the Board to be a serious offense.

In order to protect the overriding principle of freedom of speech, the Board shall not impose censure on any of its members for the exercise of their First Amendment rights no matter how distasteful the expression was to the District and Board.

In order to ensure the right to a fair jury trial, the Board shall not impose censure on any of its members for the violation of any law while criminal charges are pending. However, when the criminal proceedings are final, the Board need not be bound by the conclusions of the Court and may hold a censure hearing.

### B. Procedure

The Board will follow the processes outlined in Robert's Rules of Order regarding the censure of a Board Member.

## V. Board Member Removal from Office

The Board may adopt a formal resolution petitioning the Mayor for removal of an appointed Board Member, or petitioning the States' Attorney for prosecution of any Board Member, when the Member, acting in an official capacity, or in a capacity as a special government agent, commits any of the following acts:

A. Failure to Act. Intentionally or recklessly fails to perform any mandatory duty as required by law, including, but not necessarily limited to:

- 1) Refusal to cooperate with an investigation conducted by the Office of Inspector General, pursuant to 105 ILCS 5/34-13.1 (d);
- 2) Failure to comply with the Abused and Neglected Child Reporting Act, 325 ILCS 5/1 et seq.;
- 3) Failure to cooperate with the Board's efforts to obtain criminal history records check and a Statewide Sex Offender Database, pursuant to 105 ILCS 5/34-18.5(d);
- 4) Failure to file a Statement of Economic Interest, pursuant to Art. XIII, Sect. 2 of the Illinois Constitution and the Illinois Governmental Ethics Act, 5 ILCS 420/3A, et seq.;

or,

B. Forbidden Acts. Knowingly performs an act which they know is forbidden by law, including but not necessarily limited to:

- 1) Conviction for a felony, bribery, perjury of an infamous crime, as defined by 5 ILCS 280/1;
- 2) Holding an interest in a contract with the Board that is inconsistent with the terms of 105 ILCS 5/10-9, et seq.;
- 3) Disclose confidential information pertaining to a student in violation of the Illinois Student School Records Act, 105 ILCS 10/1, et seq., and/or the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g;
- 4) Violation of the Article 29 of the Election Code of the State of Illinois, 10 ILCS 5/29-1, et seq.;
- 5) Willful violation of 105 ILCS 5/34-43 through 34-51, as prohibited by 105 ILCS 5/34-52;

or,

C. Self Dealing. With intent to obtain a personal advantage for themselves or another, they perform an act in excess of their lawful authority;

or,

D. Bribery. Solicits or knowingly accepts for the performance of any act a fee or reward which they know is not authorized by law. This provision is inclusive of, but not necessarily limited to, violations of the following provisions of the Illinois Criminal Code: 720 ILCS 5/33-1 through 33-7, 720 ILCS 5/29-1 and 720 ILCS 5/29A-1.

In the event that the Board determines that a Board Member has violated this Rule, the Board

may adopt a resolution either (a) recommending that the Mayor remove the Board Member from the Board (for any Board Member that is serving by appointment of the Mayor), or (b) referring the matter to the Cook County State's Attorney and Office of the Attorney General. To adopt such a resolution, two-thirds of the members of the Board must vote in favor of it.

### **Board Rule: Officers**

#### **I. Introduction**

Summary language to be drafted before final approval of this Board Rule.

#### **II. Selection of Officers**

##### **A. President**

As specified in 105 ILCS 5/34-3 (b-10), by December 16, 2024, the Mayor shall appoint a President of the Board for a 2-year term that begins January 15, 2025.

Beginning with the 2026 general election, one member shall be elected at large and serve as the President of the Board for a 4-year term that begins January 15, 2027.

##### **B. Vice President**

As specified in 105 ILCS 5/34-3 (b-10), the Board shall elect annually from its number a Vice President.

###### **1. Nominations**

In alignment with Board Rule XX, at the Organizational Meeting, the President shall solicit nominations for the Vice President position. Each nomination will require a second to go forward. When there are no more names to be placed in nomination, the President will ask for a motion to close nominations that will require a second and approval by a majority of the Board.

###### **2. Selection**

If only one Board Member is nominated for Vice President, the President shall then declare that candidate the Vice President.

If two or more Members are nominated for Vice President, a show of hands or roll call voice vote is necessary. The Board Member receiving the most votes is elected. If there is a tie, the President will cast the deciding vote.

##### **C. Secretary**

As specified in 105 ILCS 5/34-3 (b-10), the Secretary of the Board shall be selected by the Board and shall be an employee of the Board rather than a member of the Board.

##### **D. Chair Pro Tem**

At any Board Meeting when a quorum is present, in the case of the absence or disability of both the President and the Vice President, the Secretary shall call the meeting to order and the Board Members present shall elect a Chair Pro Tem. The Chair Pro Tem shall perform the duties of the President at that meeting.

#### **III. Vacancies**

##### **A. President**

A vacancy in the President role will be filled based on whether the President was an appointed Member of the Board or an elected Member of the Board. As specified in 105 ILCS 5/34-3 (b-20), whenever there is a vacancy in the office of an appointed Member of the Board, the Mayor shall appoint a successor who has the same qualifications as the Member's predecessor to fill the vacancy for the remainder of the unexpired term. Whenever there is a vacancy in the office of an elected Member of the Board, the President of the Board shall notify the Mayor of the vacancy within 7 days after its occurrence and shall, within 30 days, fill the vacancy for the remainder of the unexpired term by majority vote of the remaining members of the Board. The successor to the elected member shall have the same qualifications as the member's predecessor.

##### **B. Vice President**

A vacancy in the Vice Presidency is filled by a special Board election. As soon as practicable after being notified of the vacancy, the Board President shall hold the special election during a Board Meeting following the process outlined in XX of this Board Rule.

#### C. Secretary

As specified in 105 ILCS 5/34-3 (b-10), the Secretary of the Board shall be selected by the Board and shall be an employee of the Board rather than a member of the Board. The Board will hire a new Secretary to fill a vacancy of that role.

### IV. Duties

#### A. President

As specified in 105 ILCS 5/34-3 (b-10), the President shall perform the duties imposed upon their office by the rules of the Board, provided that (i) the President shall preside at meetings of the board and shall only have voting rights to break a voting tie of the other Chicago Board of Education elected and appointed members.

On and after January 15, 2027, the President of the Board shall preside at meetings of the Board and vote as any other member but have no power of veto.

The additional duties of the President, as determined by the the Board, include, but are not limited to, the following:

- Focusing the Board meeting agendas on appropriate content (in alignment with Board Rule XX);
- Maintaining order and decorum at Board Meetings (in alignment with Board Rule XX);
- Establishing and publishing guidelines that govern the public participation portion of each meeting (in alignment with Board Rule XX);
- Approving the CEO's recommendations for administrative organization units (in alignment with Board Rule XX);
- Approving the CEO's annual recommendations for the progress monitoring of the District Strategic Plan (in alignment with Board Rule XX);
- Adopting emergency guidelines for the conduct of Board business and meetings (in alignment with Board Rule XX);
- Calling Special Meetings of the Board (in alignment with Board Rule XX);
- Adopting emergency guidelines for the conduct of Board business and meetings (in alignment with Board Rule XX);
- Administering (or ensuring a designee administers) the Oath of Office for new Board Members (in alignment with Board Rule XX);
- Establishing professional development opportunities for Board Members (in alignment with Board Rule XX);
- Maintaining (or ensuring a designee maintains) on the Board website a log identifying the complete training and development activities of each Board Member (in alignment with Board Rule XX);
- Making all Board committee appointments, unless specifically stated otherwise (in alignment with Board Rule XX);
- Establishing a formal Board Self-Evaluation process (in alignment with Board Rule XX);
- Establish an annual Board Goal-Setting, Monitoring and Evaluation Process (in alignment with Board Rule XX);
- Establishing time annually with the Board and the public to review legislative priorities and the outcomes of legislative efforts (in alignment with Board Rule XX);
- Working with the CEO to make a determination as to the District's position in response to unforeseen legislation (in alignment with Board Rule XX);
- Along with the Secretary, signing and executing all contracts duly authorized by order, resolution or direction of the Board, and signing and executing leases of school property or property required for school purposes duly authorized by order, resolution or direction of the Board (in alignment with Board Rule XX);
- Directing the CEO to submit proposed contracts valued between \$250,000 and \$500,000 to the Board for Board review and approval (in alignment with Board Rule XX); and
- Approving the dismissal of school for funeral services in case of the death of the principal (in alignment with Board Rule XX).

#### B. Vice President

As specified in 105 ILCS 5/34-3 (b-10), the Vice-President shall perform the duties of the President if that office is vacant or the President is absent or unable to act.

#### C. Secretary

As specified in 105 ILCS 5/34-3 (b-10), the duties of the Secretary shall be imposed by the rules of the Board. The Board has determined that the duties of the Secretary include, but are not limited to, the following:

- Per Board Rule XX, shall proceed immediately to prepare notices and an agenda on the same and shall cause them to be served on members of the public and the members of the Board of Education at least 48 hours prior to the day and hour set for said special meeting
- Per Board Rule XX, shall promptly notify the person, civic group or organization that presented the said school issue or school problem to be heard, of the day and hour of the regular meeting of the Board at which the public hearing is to be held, and stating the time allowed by the Board for oral presentation;
- Per Board Rule XX, shall immediately call the roll of members at each meeting of the Board of Education;
- Shall cause to be developed and kept a record of all of the agendas and proceedings of the Board of Education;
- Shall give notice to members and the public of regular, special and recessed meetings of the Board of Education;
- Shall have general supervision of all records of the agendas and proceedings of the Board of Education and of each committee and subcommittee thereof, and of such other records as the Board of Education may direct;
- Shall sign all records of proceedings of the Board of Education;
- Shall cause to be prepared expeditiously the agendas and proceedings of the Board of Education and such reports and other matters as the Board of Education may direct or are by law required, and shall send copies thereof to all members;
- Shall publish and make available on the website up-to-date versions of all Board Rules and Policies
- Shall maintain a list of reports that require annual Board approval;
- Per Board Rule XX, shall maintain records of each Board Member's signed Oath of Office that must be submitted by the first day of the term to which the Board Member is appointed or elected;
- Per Board Rule XX, shall administer the Oath at an open meeting;
- Shall accept all legal service and legal correspondence, including liens and summons served on the Board;
- Shall sign all checks drawn by order of the Board of Education and present the same to the Mayor and the City Comptroller for countersigning;
- Shall sign all contracts and legal instruments approved by the Board of Education;
- At any Board Meeting when a quorum is present, in the case of the absence or disability of both the President and the Vice President, shall call the meeting to order and the Board Members present shall elect a Chair Pro Tem (as per Board Rule XX); and
- Shall perform such other duties as usually pertain to the Office of Secretary or such as may be directed by the Board of Education and by these Rules.

## **Board Rule: Meetings**

### **I. Introduction**

Summary language to be drafted before final approval of this Board Rule.

### **II. Meeting Types**

#### **A. Regular Meetings**

In alignment with the Open Meetings Act 5 (ILCS 120/2.02(a)), the Board shall establish a schedule of Regular Meetings by the start of the fiscal year each year and shall state the regular dates, times, and places of such meetings.

An agenda for each Regular Meeting shall also be posted at the District's Central Office and at the location where the meeting is to be held at least 48 hours in advance of the holding of the meeting.

#### **B. Special Meetings**

Special Meetings may be held at any time on call of the President or any five Board Members. Such call shall be in writing, duly signed, and shall be presented to the Secretary who shall proceed immediately to prepare notices and an agenda on the same and shall cause them to be served on members of the public and the members of the Board of Education at least 48 hours prior to the day and hour set for said Special Meeting.

#### **C. Organizational Meetings**

The Board shall hold an Organizational Meeting annually between January 15 and the first Regular Meeting of the Board, or in

combination with the first Regular Meeting of the Board.

At the organizational meeting, the following shall occur:

1. the Oath of Office will be taken by any new Board Members (in accordance with Board Rule XX)
2. The Vice President of the Board shall be elected (in accordance with Board Rule XX)
3. The membership of the Agenda Review Standing Committees shall be announced (in accordance with Board Rule XX)
4. The Chair and Vice Chair of the Agenda Review Standing Committees shall be elected (in accordance with Board Rule XX)

#### D. Closed Meetings

In alignment with the Open Meetings Act (5 ILCS 120/2a), the Board and Board Committees may hold a meeting closed to the public, or close a portion of a meeting to the public, upon a majority vote of a quorum present, taken at a meeting open to the public for which notice has been given as required by the Open Meetings Act. Only topics specified in the vote to close under 5 ILCS 120/2 may be considered during the closed meeting.

No final action may be taken at a closed meeting. Final action shall be preceded by a public recital of the nature of the matter being considered and other information that will inform the public of the business being conducted.

### III. Quorum

In alignment with the Open Meetings Act (5 ILCS 120/1.02), a "meeting" means any gathering of a majority of a quorum of the members of a public body held for the purpose of discussing public business. A quorum for the Board of Education shall consist of a majority of the full membership then serving.

### IV. Remote Participation of Board Members

#### A. Generally

In alignment with the Open Meetings Act (5 ILCS 120/7), if a quorum of Board Members is physically present, a majority of the Board may allow a Board Member to attend the meeting by other means (video or audio conference) if the Member is prevented from physically attending because of:

- (1) personal illness or disability;
- (2) employment purposes or the business of the Board;
- (3) a family or other emergency; or
- (4) unexpected child care obligations.

#### B. Process

If a Board Member wishes to attend a meeting by other means:

1. the member must notify the Secretary before the meeting unless advance notice is impractical;
2. a roll call vote will be taken during the Meeting; and
3. the Secretary shall indicate in the meeting minutes whether the members of the Board were physically present for the meeting or present by means of video or audio conference.

### V. Proceedings

#### A. Generally

In alignment with the Open Meetings Act (5 ILCS 120/2.06), the Board shall keep written minutes of all meetings, whether open or closed, and a verbatim record of all closed meetings in the form of an audio or video recording. Minutes shall include, but need not be limited to:

- (1) the date, time and place of the meeting;
- (2) the members of the public body recorded as either present or absent and whether the members were physically present or present by means of video or audio conference; and
- (3) a summary of discussion on all matters proposed, deliberated, or decided, and a record of any votes taken.

Any Board Member may direct that any of their remarks made during a meeting be included in the record of proceedings.

The Board shall approve the minutes of its open meeting within 30 days after that meeting or at the Board's second subsequent Regular Meeting, whichever is later. The minutes of meetings open to the public shall be available for public inspection within 10 days after the approval of such minutes by the Board. The Board shall post the minutes of a Regular Meeting open to the public on its website within 10 days after the approval of the minutes by the public body. Any minutes of meetings open to the public posted on the website shall remain posted on the website for at least 60 days after their initial posting.

#### B. Closed Meetings

In alignment with the Open Meetings Act (5 ILCS 120/2.06(d)), the Board shall periodically meet to review minutes of all closed meetings. Meetings to review minutes shall occur every 6 months, or as soon thereafter as is practicable, taking into account the nature and meeting schedule of the Board.

Committees which are ad hoc in nature shall review closed session minutes at the later of: (1) 6 months from the date of the last review of closed session minutes or (2) at the next scheduled meeting of the ad hoc committee.

At such meetings a determination shall be made, and reported in an open session that (1) the need for confidentiality still exists as to all or part of those minutes or (2) that the minutes or portions thereof no longer require confidential treatment and are available for public inspection.

### **Board Rule: Meeting Procedures**

#### **I. Introduction**

Summary language to be drafted before final approval of this Board Rule.

#### **II. Order of Business**

At each meeting of the Board of Education, the President shall call the meeting to order. The Secretary shall immediately call the roll of members.

The typical order of business shall be as follows:

- Safety Announcement
- President's Statement
- Honoring Excellence
- CEO's Remarks
- Committee Updates
- Public Participation
- CEO Presentations & Progress Monitoring
- Discussion of Public Agenda Items
- Vote on Public Agenda Items
- Closed Session
- Adjournment

The order of business shall be as noted in the agenda published for the particular meeting. However, the Board can amend the order of business, either by unanimous consent or by a two-thirds vote. The processes for developing a meeting agenda is stated below.

#### **III. Agenda**

##### A. Agenda Creation

##### i. Generally

The Board President shall establish the agenda for each Board Meeting. In alignment with 5 ILCS 120/2.02(c), any Board Meeting agenda required by OMA shall set forth the general subject matter of any resolution or ordinance that will be the subject of final action at the meeting. The Board shall transact business according to the agenda.

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ii. Standard Items of Business

The Board President shall use the following process to establish which items of business (items which require Board Action, such as Resolutions and Board Reports) to include on the agenda.

a. The Board President shall include on the agenda all items of business that are proposed by:

- the Chief Executive Officer;
- the Chief Education Officer;
- the Chief Financial Officer;
- the Chief Operating Officer;
- the Chief Procurement Officer;
- the General Counsel; or
- any Committee of the Board.

b. At any time, the Board President may add any other item of business to the Agenda at their discretion.

c. The Board President shall determine which items of business shall be considered in the Closed Session of the Board Meeting, according to applicable law.

d. The Board President shall determine which items will constitute the consent items, that is, items for action assigned by the Board at the Meeting to be adopted by a single vote. Any item may be pulled off of consent for further discussion by any Board Member at any time before action is taken.

iii. Board Member Initiated Items of Business

a. Any Board Member may propose an item of business (items which require Board Action, such as Resolutions and Board Reports) for adoption by the Board. The process shall be consistent with the following requirements:

1. The Board Member shall submit the item of business to the Board President in writing; and
2. The Board Member shall submit the item of business to the Board President at least twenty-one (21) calendar days in advance of the Regular Board Meeting, to permit appropriate review and comment by the General Counsel;
3. General Counsel must complete the review and comment process within seven (7) calendar days;
4. The Board Member shall submit no more than one (1) item of business per Board Meeting; and
5. The Board President will place the item of business on the agenda for initial consideration by the full Board; and
6. If a majority of the Board votes in favor of the business item, the business item shall be assigned to an appropriate Committee by the Board President; and
7. Once the Board sends an item of business to a Committee, the Committee shall consider that item of business like any other matter before that Committee pursuant to Board Rule XX.
8. Any item of business approved for consideration at a future Board meeting shall be laid over for no more than three (3) consecutive meetings pursuant to Board Rule XX.

b. Board Member initiated items of business may have more than one sponsor, but are limited by the Open Meeting Laws to having less than a quorum discuss an item of business by any means outside of a properly noticed meeting. Less than a quorum of the Board for any item of business can be listed as cosponsors when the resolution is first presented to the Board President or added as cosponsors by notification from the originating Board Member and the verification of the added cosponsor. Cosponsorship can also be listed by the request of a Board Member when the item of business is discussed at a properly noticed meeting.

B. Agenda Posting

i. Regular Meetings

In alignment with 5 ILCS 120/2.02(a), an agenda for each meeting shall be posted at the District's Central Office and at the location where the meeting is to be held at least 48 hours in advance of the holding of the meeting. The Board shall also post on its website the agenda of any meetings. Any agenda that is posted on the website shall remain posted on the website until the meeting is concluded.

ii. Other Meetings

In alignment with 5 ILCS 120/2.02(a), public notice of any special meeting except a meeting held in the event of a bona fide

emergency, or of any rescheduled regular meeting, or of any reconvened meeting, shall be given at least 48 hours before such meeting, which notice shall also include the agenda for the special, rescheduled, or reconvened meeting, but the validity of any action taken by the public body which is germane to a subject on the agenda shall not be affected by other errors or omissions in the agenda.

The requirement of public notice of reconvened meetings does not apply to any case where the meeting was open to the public and (1) it is to be reconvened within 24 hours, or (2) an announcement of the time and place of the reconvened meeting was made at the original meeting and there is no change in the agenda. Notice of an emergency meeting shall be given as soon as practicable, but in any event prior to the holding of such meeting, to any news medium which has filed an annual request for notice under subsection (b) of 5 ILCS 120/2.02.

#### **IV. Public Participation**

In alignment with 105 ILCS 5/34-19.1, at each meeting that is open to the public, members of the public and employees of the District shall be afforded time, subject to reasonable constraints, to address the Board.

In alignment with 5 ILCS 120/2.06(g), any person shall be permitted an opportunity to address public officials under the rules established and recorded by the public body. The Board President shall establish and publish guidelines that will govern the public participation portion of each Board Meeting. The guidelines must include, but not limited to, the following:

- In order to increase access to a diversity of voices, members of the general public:
  - Shall be allotted no more than two (2) minutes to speak at a Meeting; and
  - May not speak at two (2) consecutive Board Meetings or more than one meeting per month.
- In order to ensure opportunities for union representatives and elected officials to address the Board, those individuals shall be allotted no more than five (5) minutes to speak.
- All individuals registered for public participation shall:
  - Not cede their time to any other individual; and
  - Refrain from comments of a personal nature and/or comments unrelated to the operations of the Board and CPS.
- Individuals registered for public participation or attending the Meeting as observers shall:
  - Refrain from using profane language or providing any unsolicited comments;
  - Refrain from engaging in any disruptive behavior;
  - Refrain from bringing any hand-held posters or placards into the Meeting space.

#### **V. Rules of Order**

##### **A. Generally**

Rules of order during a meeting are a critical component to ensuring that the business is conducted in a civil, productive, and timely manner. Unless otherwise specified in this Rule, the Board's conduct of business at Board Meetings shall be governed by the latest edition of Robert's Rules of Order. The General Counsel, or designee, shall serve as parliamentarian at all Board Meetings.

##### **B. Rules for Efficiency of Board Meetings**

i. **Early Adjournment:** Board Meetings may adjourn a meeting early if two-thirds of the Board Members present vote in favor of adjourning the meeting.

ii. **Board Member Speaking Time:** In the interest of providing equity of voice and opportunities for viewpoints of all Board Members to be heard, the Board President or Board Member acting as Chair of the meeting, shall recognize each Board Member to address the Board for a maximum of five (5) minutes per item before the Board Member is asked to relinquish the opportunity to speak. This Board Member shall not speak again on this item until the other Board Members have had an opportunity to be heard, if needed, and be limited to a maximum of three (3) additional minutes of speaking time on the item. The time provided for response to the Board Member's question(s) shall not apply to these speaking time limits. The Board Secretary shall oversee the timing of the discussions and inform the Chair when a Board Member's time has expired.

##### **C. Motion to Vote Immediately (Call for the Question)**

A motion to vote immediately (call for the question) is to prevent or stop all discussion on the motion before the Board. The motion requires a second and a two-thirds majority of full membership of the Board.

#### D. Order of Discussion

Preference is given to first hear the maker and seconder of a motion before the Board and then Board Members are heard in the order that they have requested to speak. The manner by which Board Members request to speak shall be established by the Board President.

#### E. Division of the Question

Any Board Member present can request that a motion composed of two (2) or more independent parts or ideas be divided to allow the parts to be considered and voted upon separately.

#### F. Motion to Recess

The Chair may temporarily recess a meeting for a specified time, or when called to order, by the Chair of the meeting. The motion passes with a majority of the Board Members voting upon it.

#### G. Withdrawing and Laying Over Agenda Items

i. The CEO or Board Member who initiated an agenda item may withdraw the item without prejudice before it is deemed to belong to the Board. The agenda item shall be deemed to belong to the Board when the Order of the Meeting has been stated by the Chair. After the Order of the Meeting is stated, the agenda item can only be withdrawn with the consent of the majority of the Board Members present at the meeting.

ii. Any Board Member may make a motion to Lay Over any agenda item presented by the CEO or Board Member initiated agenda item. Laying Over an agenda item shall require a majority of the Board Members voting upon the motion and shall be laid over for one meeting; provided, however, that no matter shall be so laid over for more than three (3) consecutive Board Meetings. The agenda item so deferred shall be published in the proceedings of the Board Meeting.

#### H. Votes Required - Recording of Vote

The Board Secretary shall record the Ayes and Noes of the Board Members voting questions pending before the Board. The following establishes a non-exhaustive list for the minimum number of Ayes required for Board approval.

##### i. Actions requiring a majority of full membership:

- CEO appointment
- School site selection, textbooks, education apparatus and equipment
- Establishment of Departments
- General Counsel appointment and removal
- Appointment, Promotion, and Discharge of Assistant Attorneys
- Establishment of Board by-laws and Rules
- Use of special funds to purchase tax anticipation warrants
- Resale of tax anticipation warrants
- Election of Vice President
- Moving a Board Member initiated item of business to an appropriate Committee

##### ii. Actions requiring two-thirds majority of full membership:

- Establishment of Board Policies
- Readoption of Board Rules and Policies
- Repealing, amending, or adding to by-laws, Rules, Policies, and regulations
- Sale of Real Estate
- Leases over ten (10) years that the Board enters, renews, or amends
- Supplemental budget for which the Board increases taxable property
- Supplemental budget for emergencies
- Transfers between appropriations

##### iii. Actions requiring three-fourths majority of full membership:

- Emergency expenditures

- Increase ceiling of commission paid to licensed real estate broker

iv. Actions in this section (i) shall not supersede the minimum number of Ayes needed to pass pursuant to other Rules, federal and state law or regulations, or City of Chicago ordinances.

#### I. Motion to Reconsider

A motion to reconsider an action taken by the Board can be approved by a majority of the full membership of the Board. The motion can only be made on the day the vote to be reconsidered was taken or, provided the motion to reconsider is included in the Order of Business, at the next Regular Meeting or at any Special Meeting held in the interval. The motion to reconsider must be made by a Board Member who did not vote with the non-prevailing side in the original vote and whose reconsidered vote could change the original outcome. In the case of a tie vote, any Board Member may initiate a motion to reconsider. Any Member can second the motion.

#### J. Motion to Rescind

A motion to rescind prior action of the Board requires the same requisite votes needed to pass the prior action of the Board, such as majority or two-thirds majority of the Board. The motion to rescind shall be previously noticed to the entire Board. If the motion to rescind passes, the prior action is nullified.

#### K. Line Item Veto

For any agenda item requesting authority for multiple actions/items/transactions, the Board shall have the right, at its discretion, to strike or decline approval for any one or more action/item/transaction identified on such agenda item without voiding the remainder of the agenda item. Any Board Member may make a motion to line item veto actions/items/transactions within the agenda item. Such motions must be seconded. The Board will proceed to vote on the agenda item with the line item(s) stricken from the agenda item and shall prevail in accordance with the minimum Ayes needed to pass pursuant to section (i) or as otherwise provided by law or Board Rules.

#### L. Changing a Vote During a Meeting

During a meeting, excluding any recesses that take the meeting to another day, a Board Member can request to change their vote on a previous item without requiring a motion to reconsider, as long as the change does not change the outcome of the original vote and as long as there is no objection from another Board Member. The request and the change must be duly noted in the minutes of the meeting.

#### M. Abstention from Voting

In accordance with the Code of Ethics (Board Rule XX), Board Members shall abstain and state the basis for the abstention via the monthly conflicts check, as to any matter that comes before the Board in which the Board Member might have any economic interest as defined by the or other conflict of interest that renders the Board Member unable to cast a vote.

### **Board Rule: Committees**

#### **I. Introduction**

Summary language to be drafted before final approval of this Board Rule.

#### **II. Types of Committees**

##### **A. Generally**

Board Committees are advisory in nature and may not take final action on behalf of the Board. Instead, they provide an opportunity for Committee Members to delve more deeply into various topics and provide recommendations to the full Board. They also serve as opportunities for additional engagement of the community.

##### **B. Standing Committees**

While their members will fluctuate, Standing Committees are created for an indefinite term.

##### **i. Agenda Review Committees**

The core function of Agenda Review Committees is to provide the opportunity for Board Members to form, review, analyze, and deliberate on recommendations on items of business prior to consideration by the full Board at a Regular Board Meeting. Standing Committees also provide additional opportunities for the community to learn about items of business coming before the Board and for the Board to hear from community members about those items of business during the public participation segment of the Agenda Review Committee Meetings.

#### ii. Additional Standing Committees

The Board may establish additional Standing Committees as it deems appropriate to fulfill its responsibilities under the law and to make informed decisions regarding issues pertaining to the District. These may be focused on addressing disparities or individualized needs, or any other topics that warrant further ongoing consideration.

### C. Ad Hoc Committees

The President, with the approval or at the direction of the Board of Education, may appoint committees to operate on an ad hoc basis, which will consider and report on matters referred to them. These committees shall exist for a limited time period to undertake specific tasks, and are automatically dissolved after presenting their final reports to the Board, once they have completed the tasks assigned to them, or at the date set at the establishment of the committee.

## III. Agenda Review Standing Committees

### A. Establishment of Agenda Review Standing Committees

Three (3) Agenda Review Standing Committees shall be established to review items of business to be considered by the full Board. The Agenda Review Standing Committees shall be:

- Student Success Committee, which shall review education and programmatic business items related to the success of students.
- Operations Committee, which shall review capital, facilities, and other operational business items.
- Finance and Audit Committee, which shall review budget, audit, and other financial business items.

### B. Agenda Review Standing Committee Creation or Elimination

The Board President, with the approval or at the direction of a two-thirds vote of the Board, may create a new Agenda Review Standing Committee or eliminate any Agenda Review Standing Committee in III.A.

### C. Agenda Review Standing Committee Membership

Agenda Review Standing Committee membership shall be consistent with the following:

- i. Each Agenda Review Standing Committee shall have seven (7) Members.
- ii. All Board Members are expected to serve on at least one (1) Agenda Review Standing Committee, but no more than two (2).
- iii. The Board President shall appoint each Board Member to an Agenda Review Standing Committee within thirty (30) days of the start of that Board Member's term. Board Members shall make their preferences known to the Board President prior to that time.
- iv. The Board President shall also appoint three alternate Board Members for each Agenda Review Standing Committee to act in the place of any Board Member who is unable to attend any given meeting. The three alternates will be asked to stand in for a Board Member in the order in which they are appointed - Alternate 1, Alternate 2, and Alternate 3.
- v. The term for Agenda Review Standing Committee service shall be one (1) year. However, Board Members may be re-appointed to the same Agenda Review Standing Committee(s) every year.
- vi. The Honorary Student Board Member is able to join any Agenda Review Standing Committee Meetings as a non-voting Member.

### D. Rules of Order; Quorum

- i. Quorum for all Agenda Review Standing Committees shall be considered a majority of the membership appointed to the Agenda Review Standing Committee.
- ii. All Agenda Review Standing Committee Meetings shall be conducted in accordance with the Open Meeting Act.
- iii. Agenda Review Standing Committees shall be governed by Board Rule XX, the latest edition of Robert's Rules of Order, and all other applicable Policies.

### E. Agenda Review Standing Committee Leadership

The Agenda Review Standing Committee Leadership shall be consistent with the following:

- i. Each Agenda Review Standing Committee shall have a Chair and a Vice Chair.
- ii. The Chair and Vice Chair shall be elected by the Members of the Agenda Review Standing Committee annually at the Board's annual Organizational Meeting.
- iii. The term for the Chair and Vice Chair positions shall be one (1) year. However, the Chair and Vice Chair may be re-elected for the same positions every year.
- iv. The Chair is:
  - a. Responsible for working with the Board staff appointed to the Agenda Review Standing Committee to ensure that agendas are developed and minutes and/or reports are produced in a timely manner.
  - b. The meeting facilitator.
  - c. Authorized to invite, but cannot compel, presenters to appear before the Agenda Review Standing Committee for the purpose of obtaining relevant information.

#### **F. Agenda Review Standing Committee Member Participation Requirements**

The Agenda Review Standing Committee Member participation requirements shall be:

- i. Every Agenda Review Standing Committee Member is expected to attend all Agenda Review Standing Committee Meetings and to be prepared for the fullest discussion of issues before the Agenda Review Standing Committee.
- ii. An Agenda Review Standing Committee Member may participate by video or audio conference if they are prevented from physically attending because of:
  - a. personal illness or disability;
  - b. personal employment purposes;
  - c. business obligations of the Board;
  - d. a family or other emergency; or
  - e. such other reasons authorized under Section 7 of the Open Meetings Act (5/ILCS 120/7).

A quorum of the Agenda Review Standing Committee Membership must be present in person for a Board Member to participate by video or audio conference due to (a)-(e) in this section.

#### **G. Agenda Review Standing Committee Membership Changes**

In the case of a change in membership outside of the annual Organizational Meeting:

- i. The Board President shall be responsible for appointing a Member who is new to the Board to an Agenda Review Standing Committee as soon as is practicable.
- ii. The Board President shall be responsible for appointing a Board Member to fill a vacancy as soon as is practicable.
- iii. Board Members interested in filling a vacancy shall make their interest known to the Board President when the vacancy has occurred.
- iv. The subsequent appointment shall be designated to finish the vacated term.
- v. If the Chair or Vice Chair positions are vacated mid-term, the Agenda Review Standing Committee Members shall elect a Chair or Vice Chair at the first Agenda Review Standing Committee Meeting following the vacancy of the Chair or Vice Chair.

#### **H. Staffing**

- i. The Board Office shall designate at least one (1) staff member to each Agenda Review Standing Committee who shall be responsible for: notification of meetings, preparation of agendas, documentation of meetings, and development of reports and data for use of the Agenda Review Standing Committee.
- ii. The staff shall also ensure that the proceedings and recordings of Agenda Review Standing Committee Meetings are made available to the public via the Board of Education website.

#### **I. Scheduling**

The scheduling of the Agenda Review Standing Committee Meetings shall be consistent with the following:

- i. The Board shall adopt an Annual Calendar of Agenda Review Standing Committee Meetings at the time in which the Board approves the calendar of Regular Meetings in accordance with Board Rule XX.
- ii. A minimum of two (2) Agenda Review Standing Committee Meetings per year shall be held in the community at a school, community-based organization, or other site outside of the location of the Regular Meetings as determined by the Board President.
- iii. Agenda Review Standing Committees Meetings shall be compliant with the Open Meetings Act.

#### **J. Agendas and Proceedings**

1. Most items of business for the Regular Board Meeting requiring Board action shall first be directed to an Agenda Review Standing Committee for review. The Board President shall determine which Agenda Review Standing Committee an item of business should be referred to when it is not clear.
2. A copy of the Agenda Review Standing Committee agenda shall be posted prior to the scheduled Meeting in accordance with the Open Meetings Act.
3. The record of the proceedings of Agenda Review Standing Committee Meetings shall include a record of the following (1) the date, time and place of the meeting, (2) the Members who were present, absent and whether Members were physically present or present by means of video or audio conference, and (3) a summary of discussion on all matters proposed, deliberated or decided and any votes taken. Any Board Member may direct that any of their remarks made during a Committee Meeting be included in the record of proceedings.
4. The order of business will proceed as follows.
  1. Roll Call
  2. Order of Business
  3. Opening Remarks from Chair and Senior Leadership
  4. Public Participation
  5. Items of Business
  6. Recommendations
  7. Presentations (if any)
  8. Adjournment

The Agenda Review Standing Committee Chair reserves the right to adjust the order of business, provided that the Agenda Review Standing Committee Meeting is still in accordance with the Open Meetings Act and all other Board Policies.

#### **K. Agenda Review Standing Committee Reports**

- i. The Board Office staff shall prepare an Agenda Review Standing Committee Report for each Agenda Review Standing Committee Meeting.
- ii. Each Agenda Review Standing Committee Report shall be compiled using a uniform format that consists of Agenda Review Standing Committee findings, recommendations, and any supporting information.
- iii. The Agenda Review Standing Committee Report shall be transmitted to the full Board prior to each scheduled Board meeting.
- iv. The Agenda Review Standing Committee Report shall be included in the public agenda for the Regular Board Meeting.

#### **L. Public Participation**

Public participation at Agenda Review Standing Committee Meetings shall follow the guidelines developed in alignment with Board Rule XX.

#### **M. Participation by Non-Committee Board Members**

- i. Any Board Member is welcome to attend Agenda Review Standing Committee Meetings of which they are not Members. However, they shall not be allowed to vote. Non-Committee Board Members may participate in the discussion at the discretion of the Agenda Review Standing Committee Chair.
- ii. Any Board Member is allowed to submit questions or concerns they have about items of business being discussed at Agenda Review Standing Committee Meetings of which they are not members to the Agenda Review Standing Committee Chair or their designee in accordance with established processes.
- iii. All Board Members are encouraged to review the full agenda, minutes, and recordings of all Agenda Review Standing Committee Meetings prior to the Regular Board Meeting.

#### **N. Powers**

- i. Agenda Review Standing Committees do not speak for or act for the Board.
- ii. Agenda Review Standing Committees may not exercise authority over the CEO or District staff. Any direction to the CEO or District staff related to an Agenda Review Standing Committee recommendation shall come from the full Board.

#### **O. Agenda Review Standing Committee Responsibilities**

- i. Agenda Review Standing Committees are advisory in nature. They provide recommendations to the full Board on items of business for the Regular Board Meeting.
- ii. For an item of business to be considered by the full Board, the Committee shall forward it to the full Board as:

- a. Recommended
- b. Not Recommended
- c. Recommended with Modification
- d. No Recommendation
- iii. A minority report may also be submitted if the Agenda Review Standing Committee has a divided view of its recommendation.

#### **IV. Additional Standing Committees**

With the approval or at the direction of a two-thirds vote of the Board, or to be in compliance with applicable laws, statutes, ordinances, or regulations, the Board President may create an additional standing committee. At the time an additional standing committee is being developed and proposed for approval by the Board, specifications similar to those listed in III.C-O of this Board Rule must also be created for that specific standing committee. Specifications must include, but not be limited to:

- i. Purpose, Scope, and Powers of the Committee
- ii. Rules for membership, including number of seats, term lengths, appointment processes, and process for filling vacancies
- iii. Rules of Order and Quorum rules
- iv. Duties, responsibilities, powers, term length, and appointment processes for the committee leadership
- v. Member participation requirements
- vi. Process for committee membership changes
- vii. Staff assignments
- viii. Required trainings, if any

#### **V. Ad Hoc Committees**

With the approval or at the direction of a two-thirds vote of the Board, or to be in compliance with relevant legislation, the Board President may create an ad hoc committee. At the time an ad hoc committee is being developed and proposed for approval by the Board, specifications similar to those listed in III.C-O of this Board Rule must also be created for that specific ad hoc committee. Specifications must include, but not be limited to:

- i. Purpose, Scope, and Powers of the Committee
- ii. Rules for membership, including number of seats, term lengths, appointment processes, and process for filling vacancies
- iii. Rules of Order and Quorum rules
- iv. Duties, responsibilities, powers, term length, and appointment processes for the committee leadership
- v. Member participation requirements
- vi. Process for committee membership changes
- vii. Staff assignments
- viii. Required trainings, if any

Additionally, due to its time limited nature, a more detailed scope of work and timeline for completion must also be included for any ad hoc committee.

### **Board Rule: Direct Reports**

#### **I. Introduction**

Summary language to be drafted before final approval of this Board Rule.

#### **II. CEO**

##### **A. Hiring**

In alignment with 105 ILCS 5/34-6, the Board may, by a vote of a majority of its full membership, appoint a CEO to serve pursuant to a performance-based contract. The Board may conduct a national search for a CEO. An incumbent CEO may not be precluded from being included in such a national search.

##### **B. Key Duties and Authority**

In all cases, the CEO is expected to act in the best interests of CPS and the CPS Board and perform the position with a high degree of competence, professional standards, and judgment. The CEO shall devote the best professional efforts and full employment time in carrying out the duties and responsibilities of the position. The duties and responsibilities shall include but are not limited to those

prescribed by the laws and regulations of the State of Illinois and by the policies, rules, regulations, and directions adopted by the Board (collectively the “Board Rules”) and as are reasonably incidental to the position of CEO all as may be modified from time to time by the Board.

The CEO’s duties and responsibilities include, but are not limited to the following: those duties set forth in Section 8 of the Illinois School Code (105 ILCS 5/34-8), those duties delegated to the CEO by Board Policies, and, including but not limited to: the transfer and assignment of professional personnel and other employees under the CEO’s supervision as in the CEO’s judgment the needs of the School District require; the organization and arrangement of administrative and supervisory staff, including instruction and operational affairs; the selection and recommendation for action by the Board of certified and non-certified personnel for hire and recommendation for professional staff for promotion; the promulgation or amendment from time-to-time of rules and procedures deemed necessary or desirable for the well-ordering of the School District. The CEO shall attend all open and closed meetings of the Board unless excused from closed meetings by the Board because the Board is considering the CEO’s performance, conduct, compensation, or employment status. The Board shall not reassign the CEO from the position of CEO to another position without the CEO’s express written consent.

In alignment with 105 ILCS 5/34-6, the CEO shall be the chief administrative officer of the Board and shall have charge and control, subject to the approval of the Board and to other provisions of 105 ILCS 5/34, of all departments and the employees therein of Chicago Public Schools, except the Law Department. The CEO shall negotiate contracts with all labor organizations which are exclusive representatives of educational employees employed under the Illinois Educational Labor Relations Act.

As stated in 105 ILCS 5/34-8, the CEO shall prescribe and control, subject to the approval of the Board and to other provisions of 105 ILCS 5/34, the courses of study mandated by State law, textbooks, educational apparatus and equipment, discipline in and conduct of the schools, and shall perform such other duties as the Board may by rule prescribe. The CEO may be granted the authority by the Board to hire a specific number of employees to assist in meeting immediate responsibilities. The CEO may, pursuant to a delegation of authority by the Board and 105 ILCS 5/34-18, approve contracts and expenditures.

Pursuant to other provisions of 105 ILCS 5/34, sites shall be selected, schoolhouses located thereon and plans therefor approved, and textbooks and educational apparatus and equipment shall be adopted and purchased by the Board only upon the recommendation of the CEO or by a majority vote of the full membership of the Board and, in the case of textbooks, subject to 105 ILCS 5/34-28.

The CEO shall also have the authority to monitor the performance of attendance centers, to identify and place an attendance center on remediation and probation, and to recommend to the Board that the attendance center be placed on intervention and be reconstituted, subject to the provisions of 105 ILCS 5/34-8.3 and 8.4.

The CEO, or their designee, shall conduct an annual evaluation of each principal in the district pursuant to guidelines promulgated by the Board and the Board approved principal evaluation form.

The CEO is authorized to develop administrative procedures and take other action as needed to implement Board policy and otherwise fulfill his or her responsibilities. The CEO may delegate to other District staff members the exercise of any powers and the discharge of any duties imposed upon the CEO by Board policies or by Board vote. The delegation of power or duty, however, shall not relieve the CEO of responsibility for the action that was delegated.

#### C. Evaluation

The Board will evaluate, at least annually, the CEO’s performance and effectiveness, using standards and objectives developed by the CEO and Board that are consistent with State law, the Board’s policies, and the CEO’s contract. The evaluation must also specify the form, rubric, indicators, and evidence used for evaluative purposes. A specific time should be designated for a formal evaluation session with all Board members present. The evaluation should include a discussion of professional strengths as well as performance areas needing improvement.

#### D. Compensation and Benefits

The Board and the CEO shall enter into an employment agreement that conforms to Board policy and State law. This contract shall govern the employment relationship between the Board and the CEO. The terms of the CEO’s employment agreement, when in conflict with this policy, will control.

### III. Law

#### A. Law Department

The General Counsel shall have charge and control, subject to the approval of the Board of Education, of the Law Department and of all litigation, legal questions, and such other legal matters as may be referred to the department by the Board of Education or by the Chief Executive Officer. The General Counsel shall have authority to issue legal opinions, to bring actions on behalf of the Board, to take any actions required by law and to settle any matter before the Law Department, including, but not limited to, federal and state court cases, administrative enforcement agency cases, workers' compensation claims, employment issues, and contract disputes, for a sum up to and including \$100,000, without Board approval. The General Counsel shall report all settlements for sums that are less than \$100,000 to the Board as part of the Chief Procurement Officer's delegated authority report under Board Rule XX. The General Counsel shall also review all contracts, bonds, and leases subject to the exceptions noted in Board Rule XX.

Assistants and Deputies General Counsel shall work under the direction and supervision of the General Counsel and are expressly prohibited from performing legal work for or undertaking legal representation of any person or entity other than the Board of Education. Violation of the prohibition against outside practice by an Assistant or Deputy General Counsel shall constitute cause for immediate dismissal from employment.

#### B. Retention of Outside Legal Counsel

The retention of outside legal counsel is reserved to the Board. Subject to approval by the Board, the General Counsel may retain outside legal counsel to appear in legal proceedings on his/her behalf or to provide other legal services to the Board. The General Counsel is also authorized to retain hearing officers, arbitrators, mediators, expert consultants and witnesses and court reporters and to authorize payment of fees, expenses and costs related to those retentions. Any actions taken pursuant to this section shall be reported to the Board on a monthly basis.

#### C. Payment of Judgements and Awards

The General Counsel is authorized to approve payment of any judgments, awards, fines or penalties rendered against or imposed upon the Board when, in the opinion of the General Counsel, no further proceedings are justified. The General Counsel shall report payment of any judgments, awards, fines or penalties in excess of \$10,000 to the Board on a monthly basis.

#### D. Attorney's Appearance in Legal Proceedings

The General Counsel shall appear for and protect the rights and interests of the Board of Education in all cases, suits, and proceedings brought by or against the Board of Education. The General Counsel also shall take all actions necessary to fulfill the Board's obligations pursuant to Section 105 ILCS 5/34-18.1 of the School Code. If a current or former member, officer or employee of the Board is required to appear in any matter or defend against or respond to any claim, in their individual or official capacity, the General Counsel may elect to represent such person, appoint outside counsel to represent such person or approve reimbursement of reasonable legal expenses and costs provided that the person was acting in the scope of the person's office or employment during the events giving rise to the matter or claim. No Board funds shall be expended for payment of legal services rendered on behalf of any person in the event the person is identified as the target of a criminal investigation or upon the charge of such person by criminal complaint, information or indictment in criminal proceedings. Upon the conclusion of the criminal investigation or proceedings in which the person was a target or defendant, however, such person may request reimbursement of reasonable legal expenses and costs if such person has not been charged or has been acquitted or found not guilty or if all charges against such person in the action have been dismissed. All requests for reimbursement are subject to approval of the General Counsel and the Board.

#### E. Workers' Compensation - Authority to Make Statutory Payments

The Chief Financial Officer or his designee shall have authority, in proper cases under the Workers' Compensation Act and Occupational Diseases Act as determined with advice of the General Counsel, to issue requisitions directing the payment of temporary total disability and statutory losses including statutory permanent total disability benefits to Board of Education employees who have sustained accidental injuries or incurred occupational diseases, and of medical and hospital expenses in such cases, without the adoption of Board Reports. Settlements of any Workers' Compensation claims shall be in accordance with Board Rule XX.

### IV. OIG

The Inspector General is appointed by the Mayor of the City of Chicago. However, beginning January 15, 2025, successors shall be appointed by the Board instead of the Mayor. The Inspector General shall investigate allegations of fraud, waste and financial mismanagement in the District by a Local School Council member or an employee, contractor or member of the Board or involving school projects managed or handled by the Public Building Commission and shall perform other duties requested by the Board including, but not limited to, investigations into employee misconduct, including allegations of criminal activity by employees. Based on the nature, extent or combination of allegations, the Inspector General may refer any matter involving allegations of fraud, waste, financial mismanagement, employee misconduct or employee criminal activity to another appropriate District department for investigation and handling. The Inspector General shall report on and make recommendations to the Board about the investigations completed by the Office of the Inspector General. From time to time the Board acknowledges by Board Resolution the Mayor's appointment of an individual to serve as Inspector General and the terms of that Resolution will be in full force and effect for the duration of the Inspector General's tenure unless further amended by the Board. Prior to the beginning of each fiscal year, the Board shall determine the budget allocation for operation of the Office of the Inspector General.

## V. Office of Internal Audit and Advisory Services

### A. Purpose

The purpose of this rule is to establish and define the mission, role, responsibilities, scope and authority of the Office of Internal Audit and Advisory Services (IAAS) as the internal audit function to ensure it effectively supports the organization's goals, enhances its operations, and promotes accountability and transparency.

### B. Mission

The mission of the IAAS is to provide assurance and advisory services through independent, risk-based, and objective reviews to improve and enhance district processes and operations to contribute toward Chicago Public Schools' (CPS) mission of providing high-quality public education opportunities for every child.

### C. Authority

The internal audit function operates with the following authority:

- Provide the Board and Senior Management with objective assurance, advice, insight, and foresight, in a systematic, disciplined approach to evaluating and improving the effectiveness of governance, risk management, and control processes.
- Unrestricted access to all district functions, organizational records, systems, personnel, vendor records, and physical properties relevant to the performance of audit activities.
- Authority to review and report on any area of the district's operations and to communicate findings, observations and recommendations directly to the Board.
- Independence in fact or appearance to perform audits without interference from management or any other influence that could impair objectivity.
- Allocate resources, set frequencies, select subjects, determine scopes of work, and apply the techniques required to accomplish audit objectives.
- Obtain the assistance and cooperation of district personnel where audit activities are conducted, as well as other specialized services from within or outside the district.

### D. Scope

The internal audit function covers all aspects of the organization's activities, including financial, operational, compliance, performance, and information technology areas.

The scope of internal audit includes:

- Evaluation and development of risk management processes.
- Evaluation of significant business, process, and organizational changes to assess impact on the district's control structure.
- Assessment of governance processes.
- Ensuring compliance with laws, regulations, policies, procedures, ordinances, Board rules, and contractual agreements.
- Assessing the accuracy and completeness of financial records and reports to ensure they accurately represent the district's financial position.
- Examining the controls related to Information Technology (IT) to ensure the integrity, confidentiality, reliability, and availability of information.
- Advisory services to enhance the efficiency and effectiveness of operations.

- Identifying opportunities to improve the efficiency, effectiveness, and economy of government processes and programs.
- Determining whether public resources are adequately safeguarded and used appropriately to provide services in an equitable manner.
- Assessing whether the district's performance aligns with its strategic objectives and goals.

#### E. Independence and Objectivity

To maintain independence and objectivity in fact or appearance, the Chief Internal Auditor (CIA) reports functionally to the Board and administratively to the Chief Executive Officer (CEO) and is accountable for:

- Delivering audit plans and reports.
- Communicating significant issues related to risk, control, and governance.
- Ensuring that the internal audit function is free from any interference in determining the scope of internal auditing, performing work, and communicating results.

#### F. Responsibilities

The internal audit function is responsible for:

- Developing a flexible and risk-based internal audit plan using a risk assessment methodology, which addresses key risk areas and aligns with the organization's strategic objectives.
- Adjusting the audit plan as necessary to reflect changes in the district's risks, operations, programs, systems, controls, and audit resources.
- Executing audit engagements in accordance with the approved plan and The Institute of Internal Auditors (IIA) Global Internal Audit Standards (Standards).
- Reporting audit findings, observations, and recommendations to the Board, management, and other relevant stakeholders, as appropriate.
- Monitoring the implementation of audit recommendations and reporting on remediation efforts to the Board and Senior Management.
- Performing special tasks or projects as requested by management or the Board within the scope as defined in section d.
- Providing periodic updates to the Board and Senior Management summarizing audit activities and highlighting significant issues identified and resolved.
- Partnering with management on risk management activities and facilitating the Risk Management Committee (RMC) to form strategic alliances to identify, assess, manage, and monitor risks to add value and drive improvements of the district's operations. The RMC Charter outlines authority, responsibility, and membership of the committee.
- Notify the Office of Inspector General if fraud, waste, or abuse is encountered.
- Respecting the value and ownership of information received and not disclosing information without appropriate authority unless there is a legal or professional obligation to do so through exercising professionalism and prudence in the use and protection of information acquired in the course of conducting audit activities.
- Maintaining professional proficiency and staff competence through continuous learning and development.

#### G. Quality Assurance and Improvement

The internal audit function will implement a quality assurance and improvement program (QAIP) designed to evaluate and promote the internal audit function's conformance with the Standards, achievement of performance objectives, and pursuit of continuous improvement that includes:

- Periodic internal assessments.
- External assessments performed at least once every five years by a qualified, independent assessor or assessment team.
- Continuous professional development and adherence to the IIA Ethics and Professionalism Standards.
- Communication to the Board and Senior Management on the internal audit function's QAIP, including scope, frequency, and results of internal and external assessments.

#### H. Reporting and Communication

The internal audit function will ensure effective communication with the Board, Senior Management, and other stakeholders through the following:

- Regular reports on audit activities, findings, and risk management issues.
- Annual assessment on the audit plan and results in regard to the scope areas identified in Section d. (prior reference Board

Rule 3-9.a.ii.1).

- Ad hoc reports on significant issues or emerging risks.

#### I. Review and Updates

This policy will be reviewed annually by the internal audit function to ensure its continued relevance and alignment with IIA Standards and organizational changes. If updates are deemed necessary, the CIA will coordinate with the Board, with input from Senior Management.

#### J. Professional Standards

The internal audit function shall adhere to the Institute of Internal Auditors (IIA) Global Internal Audit Standards (Standards) and other relevant professional standards.

### **VI. Chief of Staff to the Board**

The CEO shall provide for the necessary resources to appoint a Chief of Staff to the Board of Education. The Chief of Staff to the Board of Education shall oversee all operations of the Office of Board of Education, support the execution of the Board's vision, establish the onboarding and training of Board Members, and support the Board's efforts to meet its fiduciary, legal, and organizational responsibilities.