

School District Website Postings: What's Required? What's Recommended?

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Presented by Heidi A. Katz
Robbins, Schwartz, Nicholas, Lifton & Taylor, Ltd.
55 West Monroe Street, Suite 800
Chicago, IL 60603
www.rsnlt.com

“POST-IT ®” MANDATES, GENERALLY

- Among myriad Internet Age developments:

Various provisions in the *Illinois School Code*, the *Open Meetings Act* (“OMA”), and the *Freedom of Information Act* (“FOIA”), requiring districts to post certain documents or data on their websites.

WHAT'S REQUIRED - by *School Code*,
if SD has website:

District's current ISBE School Report Card

- District must also send written notice to parents stating that report card is on website (providing website address), and that printed copy will be sent upon request (providing phone # to call)
- No website? Send Report Card home to parents without request.

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WHAT'S REQUIRED - by *School Code*, ct'd.

List of contracts over \$25,000 for current FY

- Update list as contracts are awarded by board of education

...and current contracts with exclusive bargaining representatives

105 ILCS 5/10-20.44.

WHAT'S REQUIRED - by *School Code*, ct'd.

Administrator salary compensation report

- Itemizing base salary, bonuses, pension contributions, retirement increases, life and health insurance costs, sick and vacation day payouts, annuities
- Also, other “non-base” compensation paid on behalf of the employee (travel and expense reimbursements, use of District vehicle, etc.)

105 ILCS 5/10-20.46.

WHAT'S REQUIRED - by *School Code*, ct'd.

Current annual budget

- Itemized by receipts and expenditures (can use ISBE Budget Form 50-36 or its summary pages)
- District must notify parents/guardians that budget has been posted on website, providing website address

105 ILCS 5/17-1.2.

WHAT'S REQUIRED - by *School Code*, ct'd.

Information describing the manner in which the school board incorporates “anti-bias” educational activities to “address intergroup conflict”

- Required only if the board has adopted a policy to incorporate such activities into the District’s educational program, as authorized by *School Code* § 23-23.6.

105 ILCS 5/27-23.6(c).

WHAT'S REQUIRED - by the *Open Meetings Act*, if SD has website that its "full-time staff maintains"

Current year's schedule of regular meetings

Agenda of any regular meetings

- Posted from at least 48 hours before the meeting, until the meeting concludes

Public notice of each board meeting

- Posted from at least 48 hours before the meeting, until the meeting concludes

5 ILCS 120/2.02.

WHAT'S REQUIRED - by the *OMA*, ct'd.

Official minutes of open meetings

- Posted within seven days of board's approval, to remain posted for at least 60 days

5 ILCS 120/2.06(b).

WHAT'S REQUIRED - by the *Freedom of Information Act*, if SD has a website

“Brief” description of District, including:

- Short summary of its purpose
- Block diagram showing its functional subdivisions
- Total amount of operating budget
- Number and location of its “separate offices”
- Approximate number of full and part-time employees
- Identification and membership of board

5 ILCS 140/4(a).

WHAT'S REQUIRED - by the *FOIA*, ct'd.

Description of how to request public records, including:

- Directory for the District's FOIA Officer(s)
- Address to which requests for records should be sent
- Any fees which may be charged under *FOIA* § 6

5 ILCS 140/4(b).

ADDITIONAL NOTES ON THE *FOIA*

- The amended FOIA requires each public body's FOIA officer to develop a list of documents or categories of records that the public body "shall immediately disclose upon request."
- School district FOIA officers may wish to consider using the items required to be posted on the website to develop the list of records the district will "immediately disclose" on request.

ADDITIONAL NOTES ON THE *FOIA*, ct'd.

- Copies of web-posted public records can also be kept at the administrative office for immediate inspection and copying on request.
- See Ill. Atty. Gen'l Public Access Opinion No. 10-001, re: "Duty of Public Body to Furnish Copies" under *FOIA*: Public bodies must furnish copies of records when requesters seek them; village could not lawfully refuse to do so on basis that records could be viewed on its website.

OPTIONAL WEBSITE POSTINGS TO CONSIDER

- **District's preferred FOIA Request Form**
- **District's description of its reasonably current list of all types or categories of records under the District's control (FOIA requires this to be posted in the administrative offices)**

OPTIONAL WEBSITE POSTINGS, ct'd.

- **District's Annual Audit**
- **Statement of Affairs**

(Required to be made available in District administrative office, and submitted to local newspapers and ISBE, by each December 1; see 105 ILCS 5/10-17)

OPTIONAL WEBSITE POSTINGS, ct'd.

- **Board policies**
- **Technology Acceptable Use Guidelines**
- **Other administrative procedures**

OPTIONAL WEBSITE POSTINGS, ct'd.

- **Student handbooks**
- **Mandatory notices to students and their parents/guardians**

OPTIONAL WEBSITE POSTINGS, ct'd.

- **Mandatory notices to employees**
- **Personnel handbook**
- **Employment application forms**

QUESTIONS?