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**Memorandum**

To: Public University Board Members

From: Joe Sanders, General Counsel, IBHE

RE: Statutes relevant to the work of the governing boards of universities provided pursuant to 110 ILCS 205/13 (b-5)

Date: June 30, 2022

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Analysis of statutes relevant to the work of the governing boards of universities must take into consideration the enabling statute of the board and/or university. *See e.g.* 110 ILCS 305/1 (creating the Board for the University of Illinois). These statutes will give a sense of the scope of the work of the governing board.

These statutes may convey broad authority on the board. *See Id.* (Giving the Board of Trustees of the University of Illinois the “power to contract and be contracted with, to sue and be sued, . . . to plead and be impleaded, to acquire, hold, and convey real and personal property; to have and use a common seal, and to alter the same at pleasure; to make and establish by-laws, and to alter or repeal the same as they shall deem necessary, for the management or government, in all its various departments and relations, of the University of Illinois.”) The scope of this authority is too broad to be adequately addressed in this memorandum. Boards are advised to confer with legal counsel at their university and/or their legal counsel regarding specifics of this broad legal authority.

This memorandum serves as a starting point for research into statutes relevant to the work of governing boards of public universities. It provides cites for enabling statutes for the public universities and boards, as well as Illinois statutes of general application to public universities that affect the basic processes of board operation and governance.

Public University Acts

Chicago State University Law, 110 ILCS 660/5-1  
Eastern Illinois University Law, 110 ILCS 665/10-1  
Governors State University Law, 110 ILCS 670/15-1  
Illinois State University Law, 110 ILCS 675/20-1  
Northeastern Illinois University 110 ILCS 680/25-1  
Northern Illinois University 110 ILCS 685/30-1  
Southern Illinois University Management Act, 110 ILCS 520/0.01  
University of Illinois Trustees Act (110 ILCS 310/0.01)  
University of Illinois Act (110 ILCS 305/0.01)  
University of Illinois at Chicago Act (110 ILCS 320/1)  
University of Illinois at Springfield Law (110 ILCS 327/40-15)

Western Illinois University 110 ILCS 690/35-1

Generally Applicable Laws – Public Universities

Grant Accountability and Transparency Act (GATA), 30 ILCS 708/1

Open Meetings Act (OMA), 5 ILCS 120/1

Freedom of Information Act (FOIA), 5 ILCS 140/1

State Finance Act, 30 ILCS 105/1

Board of Higher Education Act, 110 ILCS 205/0.01

Procurement Code, 30 ILCS 500/1-1

Public Officer Prohibited Activities Act, 50 ILCS 105/0.01

State Officials and Employees Ethics Act, 5 ILCS 430/1-1

Fiscal Control and Internal Auditing Act, 30 ILCS 10/1001

Illinois Educational Labor Relations Act, 115 ILCS 5/1