

**APPROVED
JUNE 4, 2019**

Item #G-2
June 4, 2019

**SEMI-ANNUAL REVIEW OF
EXECUTIVE SESSION MINUTES AND VERBATIM RECORDINGS
PURSUANT TO SECTION 2.06(d) OF THE OPEN MEETINGS ACT**

Submitted for: Action.

Summary: Based on the semi-annual review of minutes of all closed meetings conducted in accordance with Section 2.06(d), of the Open Meetings Act, this item recommends that the Illinois Board of Higher Education maintain the confidentiality of the minutes from its Executive Sessions held June 5, 2018, August 2, 2018, September 18, 2018, and December 4, 2018. It is further recommended that the following Executive Session be released and made part of the public record: June 2, 2015, February 5, 2016, February 6, 2017, March 14, 2017, June 13, 2017, October 31, 2017, and December 12, 2017.

Pursuant to Section 2.06(c) of the Open Meetings Act, a verbatim record of an Executive Session may be destroyed no less than 18 months after the completion of the meeting recorded if (1) the public body approves the destruction of a particular recording, and (2) the public body has approved minutes of the executive session covered by the verbatim record. That the following verbatim tapes of closed sessions be discarded in accordance with the provisions of 5 ILCS 120/2.06(c) as the minutes of said meetings having been previously approved by the Board: June 13, 2017 and October 31, 2017, be approved in accordance with Section 2.06(c) of the Open Meetings Act pursuant to the recommendation of Outside Counsel.

Action Requested: That the Illinois Board of Higher Education determines that the minutes of the Executive Sessions on June 5, 2018, August 2, 2018, September 18, 2018, and December 4, 2018 continue to remain confidential and that the Executive Session minutes for June 2, 2015, February 5, 2016, February 6, 2017, March 14, 2017, June 13, 2017, October 31, 2017 and December 12, 2017 be opened for review and made part of the public record.

That the destruction of any verbatim recordings for the Executive Session held June 13, 2017 and October 31, 2017, be approved in accordance with Section 2.06(c) of the Open Meetings Act pursuant to the recommendation of Outside Counsel.

STATE OF ILLINOIS
BOARD OF HIGHER EDUCATION

**SEMI-ANNUAL REVIEW OF
EXECUTIVE SESSION MINUTES AND VERBATIM RECORDINGS
PURSUANT TO SECTION 2.06(d) OF THE OPEN MEETINGS ACT**

The Illinois Open Meetings Act (5 ILCS 120 et seq.) requires that minutes of all closed meetings (Executive Sessions) of public bodies which have not been made available to the public be reviewed periodically to determine whether those minutes should continue to remain confidential.

Based upon the recommendation of Outside Counsel, the Illinois Board of Higher Education (IBHE) has determined that the minutes of the IBHE Executive Sessions of June 5, 2018, August 2, 2018, September 18, 2018, and December 4, 2018, should remain confidential. Upon review, it has been suggested that need for confidentiality still exists for each of these meetings. It is further recommended that the following Executive Sessions of June 2, 2015, February 5, 2016, February 6, 2017, March 14, 2017, June 13, 2017, October 31, 2017, and December 12, 2017 be released. All have been previously approved by the Board to be opened for review as the need for confidentiality no longer exists.

Also, pursuant to Section 2.06 of the Open Meetings Act, the IBHE has the right to destroy the verbatim records of Executive Sessions that occurred 18 months or more prior to such authorization provided that the IBHE has approved the destruction of the recordings and further approved minutes of the subject closed sessions that meet the requirements of Section 2.06(a) of the Open Meetings Act. It is recommended that the destruction of verbatim recordings that exist for any Executive Session held June 13, 2017 and October 31, 2017, be approved in accordance with Section 2.06(c) of the Open Meetings Act pursuant to the recommendation of Outside Counsel.

The adoption of the following resolutions is recommended:

The Illinois Board of Higher Education hereby resolves:

Resolved, that the Illinois Board of Higher Education finds that the need for confidentiality exists for the minutes of the IBHE Executive Sessions of June 5, 2018, August 2, 2018, September 18, 2018, and December 4, 2018, and that such minutes shall continue to remain confidential pursuant to the recommendation of Outside Counsel; and further recommends that the following Executive Sessions of June 2, 2015, February 5, 2016, February 6, 2017, March 14, 2017, June 13, 2017, October 31, 2017 and December 12, 2017 be released. All have been previously approved by the Board to be opened for review as the need for confidentiality no longer exists.

Resolved that the destruction of verbatim recordings for Executive Session held June 13, 2017 and October 31, 2017, be approved in accordance with Section 2.06(c) of the Open Meetings Act pursuant to the recommendation of Outside Counsel.