



MERIDIAN
SCHOOL DISTRICT #223

Meridian Community Unit School District 223

Phone: (815) 645-2230 • Fax: (815) 645-4325

www.meridian223.org

February 16, 2023

At the February 2, 2023 Board of Education meeting, the District was accused of violating the Open Meetings Act ("OMA") by not posting the agenda in an area visible from the outside of the building during the 48 hours preceding the meeting. Please be advised that the Illinois Appellate Court has stated that this is not a requirement of the law. See In Re Foxfield Subdivision, 396 Ill. App. 3d 989, 994 (2d Dist. 2009) ("posting the agenda on Monday and Tuesday from 9 a.m. to 4 p.m. during Village Hall business hours certainly passes muster."). In addition, as we explained, the agenda was continuously available on the District's website during the 48 hour period preceding the meeting. See 5 ILCS 120/2.02(c) ("Posting of the notice and agenda on a website that is maintained by the public body satisfies the requirement for continuous posting under this subsection (c)."). Nonetheless, in the interests of transparency, we will consider posting agendas physically closer to the exterior of the building so they will be more visible during hours when the building is not open.

The District was also accused of violating OMA by not labeling certain agenda items as "action" items. Please be advised that any "action" labels are merely for the Board's and public's convenience, and failure to include them is no violation of the law. Specifically, OMA does not require agenda items to be labeled as "discussion" versus "action." Neither does Board Policy. Moreover, there's no evidence anyone was misled. Finally, OMA contains the following language: "[T]he 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." 5 ILCS 120/2.02(a). Indeed, you do not claim that the failure to include the word "action" caused you to stay at home or to fail to understand the importance of these items.

The District prides itself on its commitment to transparent governance. We hope we have fully addressed your concerns.

John Smith III,

MCUSD #223 Board of Education President



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