

Operational Services

Incurring Debt

Summary: The Superintendent shall notify the Board of Education of the District's need to borrow money and shall prepare all necessary documents and notices.

The Superintendent shall provide early notice to the Board of Education of the District's need to borrow money. The Superintendent or designee shall prepare all documents and notices necessary for the Board of Education, at its discretion, to: (1) issue State Aid Anticipation Certificates, tax anticipation warrants, working cash fund bonds, bonds, notes, and other evidence of indebtedness, or (2) establish a line of credit with a bank or other financial institution. The Superintendent or designee shall notify the State Board of Education before the District issues any form of long-term or short-term debt that will result in outstanding debt that exceeds 75% of the debt limit specified in State law.

Bond Issue Obligations

In connection with the Board's issuance of bonds, the Superintendent or designee shall be responsible for ensuring the District's compliance with federal securities laws, including the anti-fraud provisions of the Securities Act of 1933, as amended and, if applicable, the continuing disclosure obligations under Rule 12c2-12 of the Securities Exchange Act of 1934, as amended.

Additionally, in connection with the Board's issuance of bonds, the interest on which is excludable from *gross income* for federal tax benefits, the Board authorizes the Superintendent or designee to establish written procedures for post-issuance compliance monitoring for such bonds to protect their tax-exempt (or tax-advantaged) status.

The Board may contract with an outside professional, such as bond counsel and/or a qualified financial consulting firm, to assist it in meeting the requirements of the subsection.

LEGAL REF.: Securities Act of 1933, 15 U.S.C. §77a *et seq.*
 Securities Exchange Act of 1934, 15 U.S.C. §78a *et seq.*
 17 C.F.R. §240.15c2-12.
 Bond Authorization Act, 30 ILCS 305/2
 Bond Issue Notification Act, 30 ILCS 352
 Local Government Debt Reform Act, 30 ILCS 350/.
 Tax Anticipation Note Act 50 ILCS 420/.
 105 ILCS 5/17-16, 5/17-17, 5/18-18, and 5/19-1 *et seq.*

CROSS REF.: 4:10 (Fiscal and Business Management)

ADOPTED: July 25, 2007

REVISED: ~~December 16, 2014~~
 July 26, 2018