**Section 1130.35 Notification and Public Posting Procedures**

a) This Section applies only to *collective bargaining between a public school district or a combination of public school districts, including, but not limited to, joint cooperatives, that is not organized under Article 34 of the School Code and an exclusive representative of its employees.* [115 ILCS 5/12(a-5)] This Section does not apply to other educational employers as defined in Section 2(a) of the Act, specifically, public community college districts, State colleges or universities, any State agency whose major function is providing educational services, School Finance Authorities created under Article 1E or 1F of the School Code [105 ILCS 5/Art. IE or Art. IF], or school districts organized under Article 34 of the School Code.

b) *At any time more than 15 days after mediation has commenced, either party may initiate the public posting process* set forth in Section 12(a-5) of the Act. [115 ILCS 5/12(a-5)] For the purposes of this subsection (b), the date that mediation has commenced shall be the date upon which the parties first meet with a mediator. *The mediator may initiate the public posting process at any time 15 days after mediation has commenced during the mediation process*. [115 ILCS 5/12(a-5)]

c) Initiation of the public posting process must be filed with the Board. Copies of the filing with the Board must be served on the parties in such a manner that the parties will receive the filing on the same date the Board receives it. The filing shall be in writing and shall include:

1) if a party is initiating the public posting process, the name, affiliation, if any, and address of the party initiating the public posting process and the name, affiliation, if any, and address of the other party to collective bargaining;

2) if the mediator is initiating the public posting process, the name of the mediator and the names, affiliations, if any, and addresses of the parties to collective bargaining;

3) the expiration date of the existing collective bargaining agreement, if any; and

4) the date of the scheduled start of the forthcoming school year.

d) The initiation of the public posting process will be considered to have occurred on the date the Board receives the filing.

e) Within seven days after the initiation of the public posting process, each party shall submit, both electronically and in hard copy, to the mediator, the Board and the other party, a document that includes:

1) the most recent offer of the party;

2) a cost summary dealing with those issues on which the parties have failed to reach agreement;

3) the date of the expiration of the existing collective bargaining agreement, if any; and

4) the date of the scheduled start of the forthcoming school year.

f) The employees of the public school district, or combination of public school districts, shall not engage in a strike until at least 14 days have elapsed after the Board has made the most recent offers and cost summaries public on its website (www.illinois.gov/elrb).

g) Once an agreement has been ratified, the parties shall jointly notify the Board unless the mediator notifies the Board. Notification that an agreement has been ratified shall be in writing. Notification may be made by telephone to the Board's Chicago office, but a written notification must follow as soon as possible, and in no event later than two business days after the notification by telephone.

h) On the date the most recent offers and cost summaries are posted on the Board's website, the school district or combination of public school districts shall, at a minimum, provide notification that the offers and cost summaries are available on the Board's website to all news media that have filed an annual request for notices from the school district or combination of school districts pursuant to Section 2.02 of the Open Meetings Act [5 ILCS 120/2.02].

i) After the Board has received written notification from both parties that an agreement has been ratified, the Board shall remove from its website the parties' submissions, including the offers, cost summaries, date of expiration of any existing collective bargaining agreement, and date of the scheduled start of the forthcoming school year.

(Source: Added at 38 Ill. Reg. 8379, effective April 1, 2014)