



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
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December 15, 2025

Via electronic mail



Via electronic mail

The Honorable Heather Maschhoff
President, Board of Education
Nashville Community High School District No. 99
1300 South Mills Street
Nashville, Illinois 62263
hmaschho@nashville-k12.org

RE: OMA Request for Review – 2025 PAC 89570

Dear [REDACTED] and President Maschhoff:

This determination is issued pursuant to section 3.5(e) of the Open Meetings Act (OMA) (5 ILCS 120/3.5(e) (West 2024)). For the reasons discussed below, the Public Access Bureau concludes that the Nashville Community High School District No. 99 (District) Board of Education (Board) violated OMA in connection with its August 20, 2025, and September 17, 2025, meetings.

On September 28, 2025, [REDACTED] submitted this Request for Review alleging that the Board improperly took final action on items during its above-referenced regular meetings without having provided the general subject matter of two action items on each of the respective meeting agendas. On October 14, 2025, this office forwarded a copy of the Request for Review to the Board and asked it to provide a written response to the allegations, together with copies of the notice, agenda, and minutes for the meetings in question. On October 20, 2025, the Board's legal counsel provided a written response and the supporting materials on behalf of the Board. On October 24, 2025, [REDACTED] submitted a reply alleging additional notice violations for similar action items from the September 17, 2025, meeting.

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DETERMINATION

"The Open Meetings Act provides that public agencies exist to aid in the conduct of the people's business, and that the intent of the Act is to assure that agency actions be taken openly and that their deliberations be conducted openly." *Gosnell v. Hogan*, 179 Ill. App. 3d 161, 171 (5th Dist. 1989).

Section 2.02(c) of OMA (5 ILCS 120/2.02(c) (West 2024)) requires an agenda to "set forth the general subject matter of any resolution or ordinance that will be the subject of final action at the meeting." OMA does not define the term "general subject matter." However, the Senate debate on House Bill No. 4687, which, as Public Act 97-827, effective January 1, 2013, added section 2.02(c) of OMA, indicates that the General Assembly intended this provision to ensure that agendas provide sufficiently descriptive advance notice of the matters upon which a public body anticipates taking final action:

[T]here was just no real requirement as to how specific they needed to be to the public of what they were going to discuss that would be final action. And this just says that you have to have a * * * general notice if you're going to have and take final action, as to generally what's going to be discussed so that – that people who follow their units of local government know what they're going to be acting upon. Remarks of Sen. Dillard, May 16, 2012, Senate Debate on House Bill No. 4687, at 47.

[REDACTED] Request for Review alleged that the Board's August 20, 2025, and September 17, 2025, meeting agendas failed to properly identify final action the Board took with respect to "Resignation(s)" and "Employment" following closed session discussion. Specifically, [REDACTED] stated that the single-word action items failed to notify the public of either the general category of employee at issue or the type of personnel action under consideration. In its response to this office, the Board asserted that it believed in good faith that its references to "Resignations" and "Employment" complied with section 2.02(c) of OMA. However, the Board also stated that, going forward, it would include the general category of employee and the general type of personnel transaction being considered.

The Public Access Bureau has previously determined that overly-generic agenda items pertaining to personnel do not meet the requirements of section 2.02(c) of OMA. *See, e.g.*, Ill. Att'y Gen. PAC Req. Rev. Ltr. 42948, 42969, issued May 25, 2017, at 4-5 (agenda item "Employment of Personnel" did not provide general subject matter of vote to approve administrators' salaries). Further, this office has explained:

to comply with section 2.02(c), an agenda item for personnel actions must at least reference the category or categories of employees at issue, such as teachers, bus drivers, social workers, etc. Absent such general information concerning the positions subject to Board actions, members of the public who follow the activities of the Board will have little knowledge of what it will be acting upon. Ill. Att'y Gen. PAC Req. Rev. Ltr. 53265, issued August 28, 2018, at 5.

Although the Board provided sufficient notice that it might take final action following closed session, the agenda items in question did not sufficiently set forth the general subject matter of the potential actions. Although "Resignation(s)" inarguably demonstrated that the Board may entertain resignations of certain District staff, it failed to identify the category or categories of individuals who had ostensibly submitted their resignations prior to the respective meeting. Additionally, "Employment" could encompass virtually any matter relating to the employment of District personnel and similarly fails to identify general information concerning the positions subject to Board actions. Although section 2.02(c) does not require that meeting agendas identify the subject of possible final action by name or the specific action being contemplated, the Board's agenda items were simply too vague and imprecise to provide any meaningful notice to the public of the type of action the Board planned to take with respect to "Resignation(s)" or "Employment[.]" See Ill. Att'y Gen. PAC Req. Rev. Ltr. 13540, issued June 22, 2011, at 4 (agenda item for "personnel matters" did not provide sufficient advance notice of public body's vote to approve an employment contract). Accordingly, this office concludes that the Board violated section 2.02(c) of OMA with respect to those agenda items. Because the Board has indicated that it will include greater detail in future meeting agendas, no further remedial action is necessary at this time.

This file is closed. If you have any questions, please contact me at the Springfield address listed on the bottom of the first page of this letter.

Very truly yours,



CHRISTOPHER R. BOGGS
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Public Access Bureau

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The Honorable Heather Maschhoff

December 15, 2025

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cc: *Via electronic mail*

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