

OPERATIONAL SERVICES

4:40 Incurring Debt

The Cooperative may borrow up to 50% of any State categorical or grant payments due and payable to the Cooperative, if a hardship exists. Interest shall not be in excess of that provided for by the Bond Authorization Act. Principal and interest shall be repaid from the categorical or grant payments immediately upon receipt of those payments. The Executive Director shall notify the Ill. State Board of Education before the Cooperative 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 Executive Director shall be responsible for ensuring the Cooperative'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 15c2-12 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 income tax purposes, or which enable the Cooperative or bond holder to receive other federal tax benefits, the Board authorizes the Executive Director 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 outside professionals, such as bond counsel and/or a qualified financial consulting firm, to assist it in meeting the requirements of this subsection.

LEGAL REF.:

15 U.S.C. §77a et seq., Securities Act of 1933.

15 U.S.C. §78a et seq., Securities Exchange Act of 1934.

17 C.F.R. §240.15c2-12.

30 ILCS 305/2, Bond Authorization Act.

30 ILCS 352/, Bond Issue Notification Act.

30 ILCS 350/, Local Government Debt Reform Act.

50 ILCS 420/, Tax Anticipation Note Act.

Adopted: June 21, 2023

Proviso Area for Exceptional Children (P.A.E.C.)
