

Illinois Community College Trustees Association Action Alert

August 29, 2007

Last week Illinois community colleges successfully defended local control issues by winning a lawsuit filed in DuPage County. In this decision, the 18th Judicial Circuit Court reaffirmed that community college districts are ***units of local government*** and not state agencies. This means that community colleges are subject to the local government provisions of the State Government Officials and Employees Ethics Act and not the state provisions enforced by the Office of the Executive Inspector General.

Attached is a copy of the court's ruling.

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STATE OF ILLINOIS

UNITED STATES OF AMERICA

COUNTY OF DU PAGE

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT

Board of Trustees of Comm
College Dist. No. 501 et al

CASE NUMBER

2006 MR 1394

-vs-

James Wright

File Stamp Here

ORDER

This matter coming on to be heard, the Court being fully advised in the premises and having jurisdiction of the subject matter, IT IS ORDERED HEREBY: _____

1. Plaintiff's Motion for Summary judgment is granted in that Community Colleges are Units of Local Government and not State Agencies under the State Officials and Employees Ethics Act ^(Act) and for additional reasons stated on the record.

2. Defendant is permanently enjoined from exercising any jurisdiction over ^{Plaintiff} Community colleges ^{parties to this action} by means of the Act

3. All ongoing investigations ~~conducted~~ ^{of Plaintiff Community Colleges} by Defendant shall cease as without jurisdiction.

4. Defendant's Motion to Stay this Court's decision is denied.

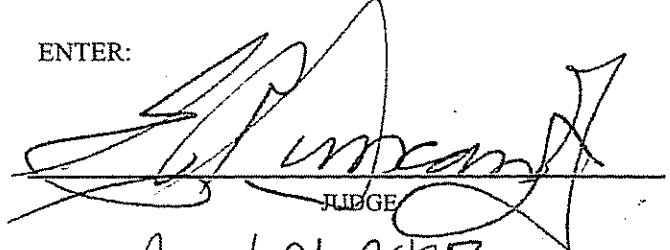
5. There is no just reason for delay in ~~en~~ enforcing this order. This is a final and appealable order.

6. Defendant's Motion for Summary Judgment is denied.

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ENTER:


JUDGE

DATE: August 21, 2007