



Sen. Jil Tracy

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LRB100 09200 MLM 22890 a

1 AMENDMENT TO SENATE BILL 1945

2 AMENDMENT NO. _____. Amend Senate Bill 1945 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections
5 10-5, 10-13, 10-13.1, 10-14, and 10-16 as follows:

6 (105 ILCS 5/10-5) (from Ch. 122, par. 10-5)

7 Sec. 10-5. Organization of board - Report to treasurer and
8 regional superintendent of schools. Within 28 days after the
9 regular election of directors, the directors shall meet and
10 organize by appointing one of their number president and
11 another as clerk, except that when directors are elected at the
12 consolidated elections in April of 1999 and April of 2001, the
13 directors shall meet and organize, in the manner provided by
14 this Section, within 7 days after the first Tuesday after the
15 first Monday of November in each of those 2 years. The clerk
16 shall at once report to the treasurer and regional

1 superintendent of schools the names of the president and clerk
2 so appointed. The president and clerk are subject to removal by
3 a majority vote of all the directors and, in case of removal or
4 where a vacancy otherwise occurs in either of the offices, the
5 board of school directors shall appoint a successor to fill the
6 vacancy. Upon organizing itself as provided in this Section,
7 the board of school directors shall enter upon the discharge of
8 its duties. Terms of members are subject to Section 2A-54 of
9 the Election Code, except as otherwise limited by subsection
10 (c) of Section 10-4.

11 (Source: P.A. 93-847, eff. 7-30-04.)

12 (105 ILCS 5/10-13) (from Ch. 122, par. 10-13)

13 Sec. 10-13. President of board of education. The president
14 of the board of education shall be elected by the members
15 thereof from among their number and serve for 2 years, except
16 that the board by resolution may establish a policy for the
17 term of office to be one year. The president is subject to
18 removal by a majority vote of all the members.

19 He shall preside at all meetings and shall perform such
20 duties as are imposed upon him by law or by action of the board
21 of education. If he is absent from any meeting or refuses to
22 perform his duties, a president pro tempore shall be appointed.
23 The vice-president of the board, if the board elects such
24 officer, shall be appointed the president pro tempore.

25 (Source: P.A. 84-497.)

1 (105 ILCS 5/10-13.1) (from Ch. 122, par. 10-13.1)

2 Sec. 10-13.1. Vice-President of the board of education. A
3 vice-president of the board of education shall be elected by
4 the members thereof from among their number and serve for 2
5 years, except that the board by resolution may establish a
6 policy for the term of office to be one year. The
7 vice-president is subject to removal by a majority vote of all
8 the members and, in case of removal or where a vacancy
9 otherwise occurs in the office, the board shall elect a
10 successor to fill the vacancy.

11 The vice-president shall perform the duties of the
12 president if there is a vacancy in the office of president or
13 in case of the president's absence or inability to act, and
14 other duties imposed upon him by the rules of the board.
15 However, in the event of a permanent vacancy in the office of
16 president, the board shall elect a successor to fill the
17 vacancy of president.

18 (Source: P.A. 85-839.)

19 (105 ILCS 5/10-14) (from Ch. 122, par. 10-14)

20 Sec. 10-14. Secretary of board of education. The secretary
21 of the board of education shall be elected by the board of
22 education and may be a member thereof, who shall serve for 2
23 years, except that the board by resolution may establish a
24 policy for the term of office to be one year. The secretary is

1 subject to removal by a majority vote of all the members and,
2 in case of removal or where a vacancy otherwise occurs in the
3 office, the board shall elect a successor to fill the vacancy.

4 The secretary, if not a member of the board, may receive such
5 compensation as shall be fixed by the board of education prior
6 to the election of the secretary. If the secretary is a member
7 of the board, he or she may receive such compensation not to
8 exceed \$500 per year as shall be fixed by the board and may
9 vote on all questions coming before the board.

10 He shall perform the duties usually pertaining to his
11 office, or to the clerk of a board of directors, and such as
12 are imposed on him by law, or by action of the board of
13 education. If he is absent from any meeting or refuses to
14 perform his duties, a secretary pro tempore who may but need
15 not be a member of the board shall be appointed.

16 (Source: P.A. 86-682.)

17 (105 ILCS 5/10-16) (from Ch. 122, par. 10-16)

18 Sec. 10-16. Organization of Board. Within 28 days after the
19 consolidated election, other than the consolidated elections
20 in 1999 and 2001, the board shall organize by electing its
21 officers and fixing a time and place for the regular meetings.
22 However, when school board members are elected at the
23 consolidated elections held in April of 1999 and April of 2001,
24 the board shall organize within 7 days after the first Tuesday
25 after the first Monday of November in each such year by

1 electing officers and setting the time and place of the regular
2 meetings. Upon organizing itself as provided in this paragraph,
3 the board shall enter upon the discharge of its duties.

4 The regional superintendent of schools having supervision
5 and control, as provided in Section 3-14.2, of a new school
6 district that is governed by the School Code and formed on or
7 after the effective date of this amendatory Act of 1998 shall
8 convene the newly elected board within 7 days after the
9 election of the board of education of that district, whereupon
10 the board shall proceed to organize by electing one of their
11 number as president and electing a secretary, who may or may
12 not be a member. At such meeting the length of term of each of
13 the members shall be determined by lot so that 4 shall serve
14 for 4 years, and 3 for 2 years from the commencement of their
15 terms; provided, however, if such members were not elected at
16 the consolidated election in an odd-numbered year, such initial
17 terms shall be extended to the consolidated election for school
18 board members immediately following the expiration of the
19 initial 4 or 2 year terms. The provisions of this paragraph
20 that relate to the determination of terms by lot shall not
21 apply to the initial members of the board of education of a
22 combined school district who are to be elected to unstagged
23 terms.

24 The terms of the officers of a board of education shall be
25 for 2 years, ~~except that the terms of the officers elected at~~
26 ~~the organization meeting in November, 2001 shall expire at the~~

1 ~~organization meeting in April, 2003;~~ provided that the board by
2 resolution may establish a policy for the terms of office to be
3 one year, and provide for the election of officers. Officers
4 are subject to removal by a majority vote of all the members
5 and, in case of removal or where a vacancy otherwise occurs in
6 any of the offices, the board shall elect a successor to fill
7 the vacancy, except as otherwise provided in Section 10-13.1 of
8 this Code.

9 Special meetings of the board of education may be called by
10 the president or by any 3 members of the board by giving notice
11 thereof in writing, stating the time, place and purpose of the
12 meeting. Such notice may be served by mail 48 hours before such
13 meeting or by personal service 24 hours before such meeting.
14 Public notice of meetings must also be given as prescribed in
15 Sections 2.02 and 2.03 of the Open Meetings Act, as now or
16 hereafter amended.

17 At each regular and special meeting which is open to the
18 public, members of the public and employees of the district
19 shall be afforded time, subject to reasonable constraints, to
20 comment to or ask questions of the board.

21 The president or district superintendent shall, at each
22 regular board meeting, report any requests made of the district
23 under provisions of the Freedom of Information Act and shall
24 report the status of the district's response.

25 (Source: P.A. 93-847, eff. 7-30-04; 94-1019, eff. 7-10-06.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".