



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5815

Introduced 11/16/2022, by Rep. La Shawn K. Ford

SYNOPSIS AS INTRODUCED:

105 ILCS 5/34-3

from Ch. 122, par. 34-3

Amends the Chicago School District Article of the School Code. Provides that each member of the Chicago Board of Education shall select a constituent service coordinator, who shall be an employee of the Board but whose employment shall be at the will of the respective Board member.

LRB102 28295 RJT 40166 b

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section
5 34-3 as follows:

6 (105 ILCS 5/34-3) (from Ch. 122, par. 34-3)

7 (Text of Section before amendment by P.A. 102-177)

8 Sec. 34-3. Chicago School Reform Board of Trustees; new
9 Chicago Board of Education; members; term; vacancies.

10 (a) Within 30 days after the effective date of this
11 amendatory Act of 1995, the terms of all members of the Chicago
12 Board of Education holding office on that date are abolished
13 and the Mayor shall appoint, without the consent or approval
14 of the City Council, a 5 member Chicago School Reform Board of
15 Trustees which shall take office upon the appointment of the
16 fifth member. The Chicago School Reform Board of Trustees and
17 its members shall serve until, and the terms of all members of
18 the Chicago School Reform Board of Trustees shall expire on,
19 June 30, 1999 or upon the appointment of a new Chicago Board of
20 Education as provided in subsection (b), whichever is later.
21 Any vacancy in the membership of the Trustees shall be filled
22 through appointment by the Mayor, without the consent or
23 approval of the City Council, for the unexpired term. One of

1 the members appointed by the Mayor to the Trustees shall be
2 designated by the Mayor to serve as President of the Trustees.
3 The Mayor shall appoint a full-time, compensated chief
4 executive officer, and his or her compensation as such chief
5 executive officer shall be determined by the Mayor. The Mayor,
6 at his or her discretion, may appoint the President to serve
7 simultaneously as the chief executive officer.

8 (b) Within 30 days before the expiration of the terms of
9 the members of the Chicago Reform Board of Trustees as
10 provided in subsection (a), a new Chicago Board of Education
11 consisting of 7 members shall be appointed by the Mayor to take
12 office on the later of July 1, 1999 or the appointment of the
13 seventh member. Three of the members initially so appointed
14 under this subsection shall serve for terms ending June 30,
15 2002, 4 of the members initially so appointed under this
16 subsection shall serve for terms ending June 30, 2003, and
17 each member initially so appointed shall continue to hold
18 office until his or her successor is appointed and qualified.
19 Thereafter at the expiration of the term of any member a
20 successor shall be appointed by the Mayor and shall hold
21 office for a term of 4 years, from July 1 of the year in which
22 the term commences and until a successor is appointed and
23 qualified. Any vacancy in the membership of the Chicago Board
24 of Education shall be filled through appointment by the Mayor
25 for the unexpired term. No appointment to membership on the
26 Chicago Board of Education that is made by the Mayor under this

1 subsection shall require the approval of the City Council,
2 whether the appointment is made for a full term or to fill a
3 vacancy for an unexpired term on the Board. The board shall
4 elect annually from its number a president and vice-president,
5 in such manner and at such time as the board determines by its
6 rules. The officers so elected shall each perform the duties
7 imposed upon their respective office by the rules of the
8 board, provided that (i) the president shall preside at
9 meetings of the board and vote as any other member but have no
10 power of veto, and (ii) the vice president shall perform the
11 duties of the president if that office is vacant or the
12 president is absent or unable to act. The secretary of the
13 Board shall be selected by the Board and shall be an employee
14 of the Board rather than a member of the Board,
15 notwithstanding subsection (d) of Section 34-3.3. The duties
16 of the secretary shall be imposed by the rules of the Board.
17 Each member of the Board shall select a constituent service
18 coordinator, who shall report to that respective member of the
19 Board and shall be an employee of the Board but whose
20 employment shall be at the will of the Board member.

21 (c) The board may appoint a student to the board to serve
22 in an advisory capacity. The student member shall serve for a
23 term as determined by the board. The board may not grant the
24 student member any voting privileges, but shall consider the
25 student member as an advisor. The student member may not
26 participate in or attend any executive session of the board.

1 (Source: P.A. 94-231, eff. 7-14-05.)

2 (Text of Section after amendment by P.A. 102-177)

3 Sec. 34-3. Chicago School Reform Board of Trustees; new
4 Chicago Board of Education; members; term; vacancies.

5 (a) Within 30 days after the effective date of this
6 amendatory Act of 1995, the terms of all members of the Chicago
7 Board of Education holding office on that date are abolished
8 and the Mayor shall appoint, without the consent or approval
9 of the City Council, a 5 member Chicago School Reform Board of
10 Trustees which shall take office upon the appointment of the
11 fifth member. The Chicago School Reform Board of Trustees and
12 its members shall serve until, and the terms of all members of
13 the Chicago School Reform Board of Trustees shall expire on,
14 June 30, 1999 or upon the appointment of a new Chicago Board of
15 Education as provided in subsection (b), whichever is later.
16 Any vacancy in the membership of the Trustees shall be filled
17 through appointment by the Mayor, without the consent or
18 approval of the City Council, for the unexpired term. One of
19 the members appointed by the Mayor to the Trustees shall be
20 designated by the Mayor to serve as President of the Trustees.
21 The Mayor shall appoint a full-time, compensated chief
22 executive officer, and his or her compensation as such chief
23 executive officer shall be determined by the Mayor. The Mayor,
24 at his or her discretion, may appoint the President to serve
25 simultaneously as the chief executive officer.

1 (b) This subsection applies until January 15, 2025. Within
2 30 days before the expiration of the terms of the members of
3 the Chicago Reform Board of Trustees as provided in subsection
4 (a), a new Chicago Board of Education consisting of 7 members
5 shall be appointed by the Mayor to take office on the later of
6 July 1, 1999 or the appointment of the seventh member. Three of
7 the members initially so appointed under this subsection shall
8 serve for terms ending June 30, 2002, 4 of the members
9 initially so appointed under this subsection shall serve for
10 terms ending June 30, 2003, and each member initially so
11 appointed shall continue to hold office until his or her
12 successor is appointed and qualified.

13 (b-5) On January 15, 2025, the terms of all members of the
14 Chicago Board of Education appointed under subsection (b) are
15 abolished when the new board, consisting of 21 members, is
16 appointed by the Mayor and elected by the electors of the
17 school district as provided under subsections (b-10) and
18 (b-15) and takes office.

19 (b-10) By December 16, 2024 for a term of office beginning
20 on January 15, 2025, the Mayor shall appoint 10 Chicago Board
21 of Education members to serve terms of 2 years. All appointed
22 members shall serve until a successor is appointed or elected
23 and qualified. Thereafter at the expiration of the term of any
24 member a successor shall be elected and shall hold office for a
25 term of 4 years, from January 15 of the year in which the term
26 commences and until a successor is appointed or elected and

1 qualified. Any vacancy in the appointed membership of the
2 Chicago Board of Education shall be filled through appointment
3 by the Mayor for the unexpired term. The terms of the 10
4 appointed members under this subsection shall end on January
5 14, 2027. By December 16, 2024 for a term of office beginning
6 on January 15, 2025, the Mayor shall appoint a President of the
7 Board for a term of 2 years. The board shall elect annually
8 from its number a vice-president, in such manner and at such
9 time as the board determines by its rules. The president
10 appointed by the Mayor and vice-president elected by the board
11 shall each perform the duties imposed upon their respective
12 office by the rules of the board, provided that (i) the
13 president shall preside at meetings of the board and shall
14 only have voting rights to break a voting tie of the other
15 Chicago Board of Education elected and appointed members and
16 (ii) the vice president shall perform the duties of the
17 president if that office is vacant or the president is absent
18 or unable to act. Beginning with the 2026 general election,
19 one member shall be elected at large and serve as the president
20 of the board. After January 15, 2027, the president shall
21 preside at meetings of the board and vote as any other member
22 but have no power of veto. The secretary of the Board shall be
23 selected by the Board and shall be an employee of the Board
24 rather than a member of the Board, notwithstanding subsection
25 (d) of Section 34-3.3. The duties of the secretary shall be
26 imposed by the rules of the Board. Each member of the Board

1 shall select a constituent service coordinator, who shall
2 report to that respective member of the Board and shall be an
3 employee of the Board but whose employment shall be at the will
4 of the Board member.

5 (b-15) Beginning with the 2024 general election, 10
6 members of the Chicago Board of Education shall be elected to
7 serve a term of 4 years in office beginning on January 15,
8 2025. Beginning with the 2026 general election, 10 members of
9 the Chicago Board of Education shall be elected to serve a term
10 of 4 years in office beginning on January 15, 2027. Whenever a
11 vacancy of a Chicago Board of Education elected board member
12 occurs, the President of the Board shall notify the Mayor of
13 the vacancy within 7 days after its occurrence and shall,
14 within 30 days, fill the vacancy for the remainder of the
15 unexpired term by majority vote of the remaining board
16 members. The successor shall have the same qualifications as
17 his or her predecessor.

18 For purposes of elections conducted under this subsection,
19 the City of Chicago shall be subdivided into electoral
20 districts as provided under subsection (a) of Section
21 34-21.10. From January 15, 2025 to January 14, 2027, each
22 district shall be represented by one elected member and one
23 appointed member. After January 15, 2027, each district shall
24 be represented by one elected member.

25 (b-30) No member shall have, or be an employee or owner of
26 a company that has, a contract with the school district. No

1 former officer, member, or employee of the board shall, within
2 a period of one year immediately after termination of service
3 on the board, knowingly accept employment or receive
4 compensation or fees for services from a person or entity if
5 the officer, member, or employee, during the year immediately
6 preceding termination of service on the board, participated
7 personally and substantially in the award of contracts with
8 the board or the school district, or the issuance of contract
9 change orders with the board or the school district, with a
10 cumulative value of \$25,000 or more to the person or entity, or
11 its parent or subsidiary.

12 (c) The board may appoint a student to the board to serve
13 in an advisory capacity. The student member shall serve for a
14 term as determined by the board. The board may not grant the
15 student member any voting privileges, but shall consider the
16 student member as an advisor. The student member may not
17 participate in or attend any executive session of the board.

18 (Source: P.A. 102-177, eff. 6-1-22; 102-691, eff. 12-17-21.)

19 Section 95. No acceleration or delay. Where this Act makes
20 changes in a statute that is represented in this Act by text
21 that is not yet or no longer in effect (for example, a Section
22 represented by multiple versions), the use of that text does
23 not accelerate or delay the taking effect of (i) the changes
24 made by this Act or (ii) provisions derived from any other
25 Public Act.