



Sen. Kimberly A. Lightford

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10200SB0827sam001

LRB102 04625 CMG 25320 a

1 AMENDMENT TO SENATE BILL 827

2 AMENDMENT NO. _____. Amend Senate Bill 827 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing
5 Sections 34-3, 34-3.2, 34-4, and 34-13.1 and by adding
6 Sections 34-4.1 and 34-21.9 as follows:

7 (105 ILCS 5/34-3) (from Ch. 122, par. 34-3)

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

1 its members shall serve until, and the terms of all members of
2 the Chicago School Reform Board of Trustees shall expire on,
3 June 30, 1999 or upon the appointment of a new Chicago Board of
4 Education as provided in subsection (b), whichever is later.
5 Any vacancy in the membership of the Trustees shall be filled
6 through appointment by the Mayor, without the consent or
7 approval of the City Council, for the unexpired term. One of
8 the members appointed by the Mayor to the Trustees shall be
9 designated by the Mayor to serve as President of the Trustees.
10 The Mayor shall appoint a full-time, compensated chief
11 executive officer, and his or her compensation as such chief
12 executive officer shall be determined by the Mayor. The Mayor,
13 at his or her discretion, may appoint the President to serve
14 simultaneously as the chief executive officer.

15 (b) Within 30 days before the expiration of the terms of
16 the members of the Chicago Reform Board of Trustees as
17 provided in subsection (a), a new Chicago Board of Education
18 consisting of 7 members shall be appointed by the Mayor to take
19 office on the later of July 1, 1999 or the appointment of the
20 seventh member. Three of the members initially so appointed
21 under this subsection shall serve for terms ending June 30,
22 2002, 4 of the members initially so appointed under this
23 subsection shall serve for terms ending June 30, 2003, and
24 each member initially so appointed shall continue to hold
25 office until his or her successor is appointed and qualified.
26 Three members appointed for a term commencing on July 1, 2022

1 shall serve for terms ending on June 30, 2026. Two members
2 appointed for terms commencing on July 1, 2023 shall serve for
3 terms ending on June 30, 2026. Two members appointed for terms
4 commencing on July 1, 2023 shall serve for terms ending on June
5 30, 2028. After the 2026 election, the Chicago Board of
6 Education shall be comprised initially of a 7-member board, of
7 which 5 members shall be appointed and 2 members shall be
8 elected pursuant to subsection (b-10). The Mayor shall appoint
9 3 more members to the Chicago Board of Education to hold office
10 and serve terms of 4 years, from terms commencing on July 1,
11 2026, to serve along with the appointed members whose terms
12 run through June 30, 2028 and the members elected in 2026.
13 Beginning with the 2028 election, the Chicago Board of
14 Education shall transition to an 11-member board, of which 8
15 members shall be appointed and 3 members shall be elected
16 pursuant to subsection (b-10). The Mayor shall appoint 5 more
17 members to the Chicago Board of Education to hold office and
18 serve terms of 4 years, from terms commencing on July 1, 2028,
19 to serve along with the members appointed in 2026 and the
20 elected members. Thereafter at the expiration of the term of
21 any member a successor shall be appointed by the Mayor and
22 shall hold office for a term of 4 years, from July 1 of the
23 year in which the term commences ~~and until a successor is~~
24 ~~appointed and qualified.~~ In making an appointment pursuant to
25 this subsection, the Mayor shall strive to achieve
26 representation that reflects the diversity of the City of

1 Chicago and the school district. Any vacancy in the membership
2 of the Chicago Board of Education shall be filled through
3 appointment by the Mayor for the unexpired term. For a vacancy
4 of an elected member, the Mayor shall fill the vacancy with an
5 appointee from the same subdistrict who fulfills all of the
6 eligibility qualifications set forth in Section 34-4. No
7 appointment to membership on the Chicago Board of Education
8 that is made by the Mayor under this subsection shall require
9 the approval of the City Council, whether the appointment is
10 made for a full term or to fill a vacancy for an unexpired term
11 on the Board.

12 (b-5) A vacancy occurs on the happening of any of the
13 following events before the expiration of the member's term:

14 (1) The death of the member.

15 (2) The member submits the member's resignation in
16 writing.

17 (3) The member becomes a person under legal
18 disability.

19 (4) The member is convicted of an infamous crime or of
20 any of the offenses enumerated in Section 34-18.5.

21 (5) The member is removed from office.

22 (6) A decision of a competent tribunal declares the
23 elected member's election void.

24 (7) The member becomes employed by the board.

25 (b-10) Beginning with the election in 2026, 2 members of
26 the board shall be elected by the electors of the school

1 district as provided in this subsection for a term beginning
2 on July 1, 2026. These elected members shall serve along with
3 the appointed members as provided for in subsection (b).
4 Beginning with the election in 2028, one more member of the
5 board shall be elected by the electors of the school district
6 as provided in this subsection. Each member shall be elected
7 for a term of 4 years. Thereafter, elections for members of the
8 board shall take place in even-numbered years at the
9 expiration of the 4-year terms.

10 For purposes of the elections conducted under this
11 subsection, the City of Chicago shall be subdivided into 3
12 electoral subdistricts pursuant to Section 34-21.9. Each
13 electoral subdistrict shall be represented by an elected
14 member.

15 Elections conducted pursuant to this Section shall be
16 scheduled and conducted by the board at the same time as the
17 election for local school council pursuant to Section 34-2.1
18 and as provided in this Section and in accordance with rules
19 established by the board.

20 Beginning in 2026, the election of these members shall be
21 conducted by ranked-choice voting as set forth in subsection
22 (b-15).

23 (b-15) The determination of a winner in an election for
24 office shall be by ranked-choice voting. Except as provided in
25 subsections (b-20) and (b-25), the following procedures shall
26 be used to determine the winner of an election determined by

1 ranked-choice voting. The ranked-choice voting count must
2 proceed in rounds. In each round, the number of votes for each
3 continuing candidate must be counted. Each continuing ballot
4 counts as one vote for its highest-ranked continuing candidate
5 for that round. If exhausted ballots are not counted for any
6 continuing candidate, the round ends with one of the following
7 2 potential outcomes:

8 (1) If there are 2 or fewer continuing candidates, the
9 candidate with the most votes is declared the winner of
10 the election.

11 (2) If there are more than 2 continuing candidates,
12 the last-place candidate is defeated and a new round
13 begins.

14 (b-20) A tie under this Section between last-place
15 candidates in any round must be decided by lot and the
16 candidate chosen by lot is defeated. The result of the tie
17 resolution must be recorded and reused in the event of a
18 recount. A tie between candidates for the most votes in the
19 final round must be decided by lot as provided for in the rules
20 established by the board.

21 (b-25) The board shall adopt rules for the proper and
22 efficient administration of elections determined by
23 ranked-choice voting. At a minimum, the rules shall include
24 procedures for requesting and conducting recounts of the
25 results as determined in the rounds of counting described in
26 subsection (b-15).

1 (b-30) Within 28 days after the elected and appointed
2 members take office and every 2 years thereafter, the Mayor
3 ~~The board~~ shall appoint ~~elect annually~~ from its number a
4 president and vice-president, ~~in such manner and at such time~~
5 ~~as the board determines by its rules.~~ The officers so
6 appointed ~~elected~~ shall each perform the duties imposed upon
7 their respective office by the rules of the board, provided
8 that (i) the president shall preside at meetings of the board
9 and vote as any other member but have no power of veto, and
10 (ii) the vice president shall perform the duties of the
11 president if that office is vacant or the president is absent
12 or unable to act. The secretary of the Board shall be selected
13 by the Board and shall be an employee of the Board rather than
14 a member of the Board, notwithstanding subsection (d) of
15 Section 34-3.3. The duties of the secretary shall be imposed
16 by the rules of the Board.

17 (b-35) No later than June 30, 2030, the General Assembly
18 must review the election of members of the Chicago Board of
19 Education pursuant to the changes made to this Section by this
20 amendatory Act of the 102nd General Assembly. If the General
21 Assembly has not reauthorized the election of members of the
22 Chicago Board of Education under the changes made to this
23 Section by this amendatory Act of the 102nd General Assembly
24 by June 30, 2030, then, on June 30, 2032, the terms of all
25 members elected in 2028 and 2030 under the changes made to this
26 Section by this amendatory Act of the 102nd General Assembly

1 shall end, and a new Chicago Board of Education consisting of 7
2 members shall be appointed by the Mayor. Three of the members
3 initially so appointed under this subsection shall serve for
4 terms ending June 30, 2034, 4 of the members initially so
5 appointed under this subsection shall serve for terms ending
6 June 30, 2036, and each member initially so appointed shall
7 continue to hold office until the member's successor is
8 appointed and qualified. After the expiration of the term of
9 any member, a successor shall be appointed by the Mayor and
10 shall hold office for a term of 4 years, from July 1 of the
11 year in which the term commences and until a successor is
12 appointed and qualified.

13 (b-40) On July 1, 2028, the board shall commence an
14 independent review process of the current board governance
15 structure and outcomes as of July 1, 2028 that shall include,
16 but is not be limited to, the financial stability of the school
17 district, the academic growth and progress of students, the
18 development of sound academic and administrative policy, the
19 adherence by the board to sound and ethical governing
20 principles, and other metrics that the board identifies to
21 assess the current governance structure. A report shall
22 include this review along with recommendations regarding the
23 future board governance structure. The board shall commission
24 an independent research entity to conduct the review and
25 provide the report. The report shall be provided to the board
26 and the General Assembly on or before June 30, 2029. The report

1 shall be used by the General Assembly in consideration of the
2 reauthorization set forth in subsection (b-35).

3 (c) The board may appoint a student to the board to serve
4 in an advisory capacity. The student member shall serve for a
5 term as determined by the board. The board may not grant the
6 student member any voting privileges, but shall consider the
7 student member as an advisor. The student member may not
8 participate in or attend any executive session of the board.

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

10 (105 ILCS 5/34-3.2) (from Ch. 122, par. 34-3.2)

11 Sec. 34-3.2. Board training. After January 1, 1990 all
12 board members shall participate in training provided by board
13 employees or not-for-profit organizations, including without
14 limitation the following:

- 15 1. finance, accounting, budget, and revenue review;
- 16 2. education theory and board governance;
- 17 3. governmental relations;
- 18 4. school-based management operations and leadership
19 training; and
- 20 5. State and federal education law and regulations;~~;~~
- 21 6. risk management; and
- 22 7. community and stakeholder engagement.

23 (Source: P.A. 85-1418; 86-1477.)

24 (105 ILCS 5/34-4) (from Ch. 122, par. 34-4)

1 Sec. 34-4. Eligibility. To be eligible for election or
2 appointment to the board, a person ~~shall be a citizen of the~~
3 ~~United States, shall be a registered voter as provided in the~~
4 ~~Election Code,~~ shall have been a resident of the city and, if
5 applicable, the electoral subdistrict, for at least 3 years
6 immediately preceding his or her election or appointment, and
7 shall not be an employee of the board or a child sex offender
8 as defined in Section 11-9.3 of the Criminal Code of 2012. No
9 member of the board may be a board member or an officer or
10 director of a contractor or organization, or have contracting
11 authority for such a contractor or organization, with whom the
12 board has a contract or is negotiating a contract. Board
13 members may only serve 2 4-year terms.

14 In addition to the eligibility requirements for all
15 members of the board, all candidates for the elected seats
16 must have served on a local school council, the governing
17 board of a charter school or contract school, or the board of
18 governors of a military academy for at least 2 cumulative
19 years during the 10 years preceding the date of the member's
20 election and must not have been removed as a member on a
21 previous council or board. For the board members elected under
22 subsection (b-10) of Section 34-3, all persons eligible for
23 election shall be nominated by a petition signed by no less
24 than 500 voters residing within the electoral subdistrict on
25 the petition in order to be placed on the ballot, the form of
26 the petition to be determined by the board.

1 Permanent removal ~~from the city~~ by any member of the board
2 during the member's ~~his~~ term of office constitutes a
3 resignation therefrom and creates a vacancy in the board. All
4 members of the board shall receive \$40,000 annually in
5 compensation and ~~Except for the President of the Chicago~~
6 ~~School Reform Board of Trustees who may be paid compensation~~
7 ~~for his or her services as chief executive officer as~~
8 ~~determined by the Mayor as provided in subsection (a) of~~
9 ~~Section 34-3, board members shall serve without any~~
10 ~~compensation; provided, that board members shall be reimbursed~~
11 for expenses incurred while in the performance of their duties
12 upon submission of proper receipts or upon submission of a
13 signed voucher in the case of an expense allowance evidencing
14 the amount of such reimbursement or allowance to the president
15 of the board for verification and approval. The board of
16 education may continue to provide health care insurance
17 coverage, employer pension contributions, employee pension
18 contributions, and life insurance premium payments for an
19 employee required to resign from an administrative, teaching,
20 or career service position in order to qualify as a member of
21 the board of education. They shall not hold other public
22 office under the Federal, State or any local government other
23 than that of Director of the Regional Transportation
24 Authority, member of the economic development commission of a
25 city having a population exceeding 500,000, notary public or
26 member of the National Guard, and by accepting any such office

1 while members of the board, or by not resigning any such office
2 held at the time of being elected or appointed to the board
3 within 30 days after such election or appointment, shall be
4 deemed to have vacated their membership in the board.

5 (Source: P.A. 97-1150, eff. 1-25-13.)

6 (105 ILCS 5/34-4.1 new)

7 Sec. 34-4.1. Campaign financing.

8 (a) In this Section:

9 "Affiliated entity" has the meaning ascribed to that term
10 in Section 50-37 of the Illinois Procurement Code.

11 "Business entity" has the meaning ascribed to that term in
12 Section 50-37 of the Illinois Procurement Code.

13 "Lobbyist" means any person or entity that is required to
14 register as a lobbyist under the Lobbyist Registration Act or
15 any lobbyist registration ordinance or policy adopted by the
16 City of Chicago or the board.

17 "Seeking to do business" means (i) any person taking any
18 action within the past 6 months to obtain a contract or
19 business from the board and, if such action were successful,
20 the action would result in the person doing business with the
21 board, but the contract or business sought has not been
22 awarded to any person or (ii) any matter that was pending
23 before the board in the 6 months prior to the date of the
24 contribution or any matter that will be pending before the
25 board in the 6 months after the date of the contribution, if

1 that matter involves the award of funds.

2 (b) All candidates for the board shall be considered
3 candidates for election to public office for the purpose of
4 Article 9 of the Election Code. All candidates shall comply
5 with the applicable requirements pursuant to Article 9 of the
6 Election Code, including making filings with the State Board
7 of Elections. The board shall be responsible for the
8 administration of elections for the board and shall adopt
9 rules for such elections that are substantially similar to the
10 laws governing the election of members of other school boards
11 under the Election Code, other than Article 9, except to the
12 extent inconsistent with the express provisions of this
13 Article and except that the board shall serve as the election
14 authority for such elections.

15 (c) No person or business entity who has done business
16 with the board within the preceding 4 reporting years or is
17 seeking to do business with the board, or affiliated entities
18 or affiliated persons of such business entity, may make
19 contributions to a candidate for the board or a candidate's
20 political committee. A lobbyist may not make contributions to
21 a candidate for the board or a candidate's political
22 committee. The contract of any person or business who
23 solicits, accepts, offers, or makes a financial contribution
24 that violates this Section shall be a voidable contract. If a
25 person or business entity violates this Section at least 3 or
26 more times within a 36-month period, all contracts between the

1 board and that person or business entity shall be void and that
2 business entity shall be prohibited from entering into any
3 contract with the board for 3 years after the date of the last
4 violation. Any lobbyist who violates this Section shall be
5 prohibited from lobbying the board for one year following the
6 date of the violation.

7 (d) All candidates for the board shall be subject to the
8 gift ban provisions set forth in Article 10 of the State
9 Officials and Employees Ethics Act and the board's Code of
10 Ethics.

11 (105 ILCS 5/34-13.1)

12 Sec. 34-13.1. Inspector General.

13 (a) The Inspector General and his office in existence on
14 the effective date of this amendatory Act of 1995 shall be
15 transferred to the jurisdiction of the board upon appointment
16 of the Chicago School Reform Board of Trustees. The Inspector
17 General shall have the authority to conduct investigations
18 into allegations of or incidents of waste, fraud, and
19 financial mismanagement in public education within the
20 jurisdiction of the board by a local school council member or
21 an employee, contractor, or member of the board or involving
22 school projects managed or handled by the Public Building
23 Commission. The Inspector General shall make recommendations
24 to the board about the investigations. The Inspector General
25 in office on the effective date of this amendatory Act of 1996

1 shall serve for a term expiring on June 30, 1998. His or her
2 successors in office shall each be appointed by the Mayor,
3 without the consent or approval of the City Council, for 4 year
4 terms expiring on June 30th of an even numbered year; however,
5 beginning July 1, 2026, successors shall be appointed by the
6 board instead of the Mayor. If the Inspector General leaves
7 office or if a vacancy in that office otherwise occurs, the
8 Mayor shall appoint, without the consent or approval of the
9 City Council, a successor to serve under this Section for the
10 remainder of the unexpired term; however, beginning July 1,
11 2026, successors shall be appointed by the board instead of
12 the Mayor. The Inspector General shall be independent of the
13 operations of the board and the School Finance Authority, and
14 shall perform other duties requested by the board.

15 (b) The Inspector General shall have access to all
16 information and personnel necessary to perform the duties of
17 the office. If the Inspector General determines that a
18 possible criminal act has been committed or that special
19 expertise is required in the investigation, he or she shall
20 immediately notify the Chicago Police Department and the Cook
21 County State's Attorney. All investigations conducted by the
22 Inspector General shall be conducted in a manner that ensures
23 the preservation of evidence for use in criminal prosecutions.

24 (c) At all times the Inspector General shall be granted
25 access to any building or facility that is owned, operated, or
26 leased by the board, the Public Building Commission, or the

1 city in trust and for the use and benefit of the schools of the
2 district.

3 (d) The Inspector General shall have the power to subpoena
4 witnesses and compel the production of books and papers
5 pertinent to an investigation authorized by this Code. Any
6 person who (1) fails to appear in response to a subpoena; (2)
7 fails to answer any question; (3) fails to produce any books or
8 papers pertinent to an investigation under this Code; or (4)
9 knowingly gives false testimony during an investigation under
10 this Code, is guilty of a Class A misdemeanor.

11 (e) The Inspector General shall provide to the board and
12 the Illinois General Assembly a summary of reports and
13 investigations made under this Section for the previous fiscal
14 year no later than January 1 of each year, except that the
15 Inspector General shall provide the summary of reports and
16 investigations made under this Section for the period
17 commencing July 1, 1998 and ending April 30, 1999 no later than
18 May 1, 1999. The summaries shall detail the final disposition
19 of those recommendations. The summaries shall not contain any
20 confidential or identifying information concerning the
21 subjects of the reports and investigations. The summaries
22 shall also include detailed recommended administrative actions
23 and matters for consideration by the General Assembly.

24 (f) (Blank).

25 (g) (Blank).

26 (Source: P.A. 89-15, eff. 5-30-95; 89-698, eff. 1-14-97.)

1 (105 ILCS 5/34-21.9 new)

2 Sec. 34-21.9. Creation of electoral subdistricts.

3 (a) After the effective date of this amendatory Act of the
4 102nd General Assembly, for the purposes of an election
5 conducted under subsection (b-10) of Section 34-3 for seats on
6 the Chicago Board of Education, the City of Chicago shall be
7 divided into 3 electoral subdistricts. The electoral
8 subdistricts shall be drawn by a committee convened by the
9 board and comprised of the following members:

10 (1) one member appointed by the Mayor;

11 (2) the chairperson of the City of Chicago's City
12 Council Committee on Education and Child Development or a
13 successor committee;

14 (3) the President of the Chicago Board of Education;

15 (4) the Chief Executive Officer; and

16 (5) one parent member of a local school council
17 selected by the other members of the committee.

18 (b) Each subdistrict must be compact, contiguous, and
19 substantially equal in population.

20 (c) As provided in this Section, the committee shall be
21 convened to draw the electoral subdistricts as follows:

22 (1) on or before May 31, 2022; and

23 (2) on or before December 31, 2031 and each subsequent
24 10 years thereafter.

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