

1 AMENDMENT TO HOUSE BILL 751

2 AMENDMENT NO. _____. Amend House Bill 751 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing
5 Sections 2-3.105, 3-0.01, 3-1, 3-2, 3-2.5, 3-3, 3-15.6,
6 3-15.9, 3-15.10, 3A-2, and 3A-6 as follows:

7 (105 ILCS 5/2-3.105) (from Ch. 122, par. 2-3.105)
8 Sec. 2-3.105. Services to educational service regions
9 and school districts.

10 (a) Commencing July 1, 1994 and thereafter, the State
11 Board of Education through the office of the State
12 Superintendent of Education shall have and exercise, in and
13 with respect to each educational service region having a
14 population of 2,000,000 or more inhabitants, and in and with
15 respect to each school district located in any such
16 educational service region, all rights, powers, duties and
17 responsibilities theretofore vested in and exercised and
18 performed by the regional superintendent of schools in that
19 educational service region under the provisions of this Act
20 or any other law of this State.

21 (b) Beginning July 1, 2007, the State Board of Education
22 through the office of the State Superintendent of Education

1 shall have and exercise, in and with respect to an
 2 educational service region serving that portion of a Class II
 3 county outside a city of 500,000 or more population and in
 4 and with respect to each school district located in that
 5 educational service region, all rights, powers, duties, and
 6 responsibilities theretofore vested in and exercised and
 7 performed by the regional superintendent of schools in that
 8 educational service region under the provisions of this Code
 9 or any other law of this State.

10 (Source: P.A. 87-654; 87-895; 87-1251.)

11 (105 ILCS 5/3-0.01) (from Ch. 122, par. 3-0.01)

12 Sec. 3-0.01. "County superintendent of schools" and
 13 "regional superintendent of schools" defined - Application of
 14 Article.

15 (a) Except as otherwise provided by subsection (b) or
 16 (b-1), after the effective date of this amendatory Act of
 17 1975, the chief administrative officer of an educational
 18 service region shall be designated and referred to as the
 19 "regional superintendent of schools" or the "regional
 20 superintendent" and after the effective date of this
 21 amendatory Act of 1993 the office held by the chief
 22 administrative officer shall be designated and referred to as
 23 the "regional office of education". For purposes of the
 24 School Code and except as otherwise provided by subsection
 25 (b) or (b-1), any reference to "county superintendent of
 26 schools" or "county superintendent" means the regional
 27 superintendent of schools.

28 (b) Subject to subsection (b-1), in educational service
 29 regions containing 2,000,000 or more inhabitants, the office
 30 of regional superintendent of schools is abolished on July 1,
 31 1994. On and after that date in each educational service
 32 region in which the office of regional superintendent of
 33 schools is so abolished all rights, powers, duties and

1 responsibilities theretofore vested by law in, and exercised
2 and performed by the regional superintendent of schools and
3 by any assistant regional superintendents or other assistants
4 or employees in the office of the regional superintendent of
5 schools so abolished shall be vested in, exercised and
6 performed by the State Board of Education through the office
7 of the State Superintendent of Education. Upon abolition of
8 the office of regional superintendent of schools in an
9 educational service region containing 2,000,000 or more
10 inhabitants: (i) all books, records, maps, papers and other
11 documents belonging to or subject to the control or
12 disposition of the former regional superintendent of schools
13 by virtue of his office shall be transferred and delivered to
14 the State Board of Education; (ii) possession or control over
15 all moneys, deposits and accounts in the possession or
16 subject to the control or disposition of the former regional
17 superintendent of schools by virtue of his office, including
18 but not limited to undistributed or unexpended moneys drawn
19 from, and all amounts on deposit in, the county, institute
20 and supervisory expense funds, shall be transferred to and
21 placed under the control and disposition of the State Board
22 of Education, excepting only those moneys or accounts, if
23 any, the source of which is the county treasury; and (iii)
24 all other equipment, furnishings, supplies and other personal
25 property belonging to or subject to the control or
26 disposition of the former regional superintendent of schools
27 by virtue of his office, excepting only those items which
28 were provided by the county board, shall be transferred and
29 delivered to the State Board of Education. From and after
30 July 1, 1994, any reference in the School Code or any other
31 law of this State to "regional superintendent of schools" or
32 "regional superintendent", or "county superintendent of
33 schools" or "county superintendent" shall mean, with respect
34 to any educational service region containing 2,000,000 or

1 more inhabitants in which the office of regional
2 superintendent of schools is abolished, the State Board of
3 Education serving through the office of the State
4 Superintendent of Education as the chief administrative
5 entity of an educational service region. Upon and after the
6 first Monday of August 1995, references in this Code and
7 elsewhere to educational service regions of 2,000,000 or
8 fewer inhabitants shall exclude any educational service
9 region containing a city of 500,000 or more inhabitants and
10 references in this Code and elsewhere to educational service
11 regions of 2,000,000 or more inhabitants shall mean an
12 educational service region containing a city of 500,000 or
13 more inhabitants regardless of the actual population of the
14 region.

15 (b-1) Until July 1, 2007, references to "regional
16 superintendent" shall also include the regional
17 superintendent of schools in regions serving that portion of
18 a Class II county outside a city of 500,000 or more
19 population elected at the general election in 1994 and every
20 4 years thereafter.

21 In an educational service region serving that portion of
22 a Class II county outside a city of 500,000 or more
23 population, the office of regional superintendent of schools
24 is abolished on July 1, 2007. On and after that date all
25 rights, powers, duties, and responsibilities theretofore
26 vested by law in and exercised and performed by the regional
27 superintendent of schools and by any assistant regional
28 superintendents or other assistants or employees in the
29 office of the regional superintendent of schools so abolished
30 shall be vested in, exercised, and performed by the State
31 Board of Education through the office of the State
32 Superintendent of Education. Upon abolition of the office of
33 regional superintendent of schools: (i) all books, records,
34 maps, papers, and other documents belonging to or subject to

1 the control or disposition of the former regional
2 superintendent of schools by virtue of his or her office
3 shall be transferred and delivered to the State Board of
4 Education; (ii) possession or control over all moneys,
5 deposits, and accounts in the possession or subject to the
6 control or disposition of the former regional superintendent
7 of schools by virtue of his or her office, including but not
8 limited to undistributed or unexpended moneys drawn from and
9 all amounts on deposit in the county, institute, and
10 supervisory expense funds, shall be transferred to and placed
11 under the control and disposition of the State Board of
12 Education, excepting only those moneys or accounts, if any,
13 the source of which is the county treasury; and (iii) all
14 other equipment, furnishings, supplies, and other personal
15 property belonging to or subject to the control or
16 disposition of the former regional superintendent of schools
17 by virtue of his or her office, excepting only those items
18 that were provided by the county board, shall be transferred
19 and delivered to the State Board of Education.

20 Beginning July 1, 2007, any reference in this Code or any
21 other law of this State to "regional superintendent of
22 schools", "regional superintendent", "county superintendent
23 of schools", or "county superintendent" shall mean, with
24 respect to an educational service region serving that portion
25 of a Class II county outside a city of 500,000 or more
26 population, the State Board of Education serving through the
27 office of the State Superintendent of Education as the chief
28 administrative entity of an educational service region.

29 (c) This Article applies to the regional superintendent
30 of a multicounty educational service region formed under
31 Article 3A as well as to a single county or partial county
32 region, except that in case of conflict between the
33 provisions of this Article and of Article 3A in the case of a
34 multicounty region, the provisions of Article 3A shall apply.

1 Any reference to "county" or to "educational service region"
2 in this Article means a regional office of education.
3 (Source: P.A. 87-654; 87-895; 87-1251; 88-89.)

4 (105 ILCS 5/3-1) (from Ch. 122, par. 3-1)

5 Sec. 3-1. Election; eligibility. Quadrennially there
6 shall be elected in every county, except those which have
7 been consolidated into a multicounty educational service
8 region under Article 3A and except those having a population
9 of 2,000,000 or more inhabitants, and beginning in 1994 until
10 2006 in that portion of a Class II county outside a city of
11 500,000 or more inhabitants and constituting an educational
12 service region, a regional superintendent of schools, who
13 shall enter upon the discharge of his duties on the first
14 Monday of August next after his election; provided, however,
15 that the term of office of each regional superintendent of
16 schools in office on June 30, 2003 is terminated on July 1,
17 2003, except that an incumbent regional superintendent of
18 schools shall continue to serve until his successor is
19 elected and qualified, and each regional superintendent of
20 schools elected at the general election in 2002 and every
21 four years thereafter shall assume office on the first day of
22 July next after his election. No one is eligible to file his
23 petition at any primary election for the nomination as
24 candidate for the office of regional superintendent of
25 schools nor to enter upon the duties of such office either by
26 election or appointment unless he possesses the following
27 qualifications: (1) he is of good character, (2) he has a
28 master's degree, (3) he has earned at least 20 semester hours
29 of credit in professional education at the graduate level,
30 (4) he holds a valid all grade supervisory certificate or a
31 valid state limited supervisory certificate, or a valid state
32 life supervisory certificate, or a valid administrative
33 certificate, (5) he has had at least 4 years experience in

1 teaching, and (6) he was engaged for at least 2 years of the
2 4 previous years in full time teaching or supervising in the
3 common public schools or serving as a county superintendent
4 of schools or regional superintendent of schools for an
5 educational service region in the State of Illinois.

6 No petition of any candidate for nomination for the
7 office of regional superintendent of schools may be filed and
8 no such candidate's name may be placed on a primary or
9 general election ballot, unless such candidate files as part
10 of his petition a certificate from the State Board of
11 Education certifying that from the records of its office such
12 candidate has the qualifications required by this Section;
13 however, any incumbent filing his petition for nomination for
14 a succeeding term of office shall not be required to attach
15 such certificate to his petition of candidacy.

16 Nomination papers filed under this Section are not valid
17 unless the candidate named therein files with the county
18 clerk or State Board of Elections a statement of economic
19 interests as required by the Illinois Governmental Ethics
20 Act. Such receipt shall be so filed either previously during
21 the calendar year in which his nomination papers were filed
22 or within the period for the filing of nomination papers in
23 accordance with the general election law.

24 The changes in qualifications made by Public Act 76-1563
25 do not affect the right of an incumbent to seek reelection.

26 On and after July 1, 1994, the provisions of this Section
27 shall have no application in any educational service region
28 having a population of 2,000,000 or more inhabitants;
29 provided further that no election shall be held in November
30 of 1994 or at any other time after July 1, 1992 for the
31 office of regional superintendent of schools in any county or
32 educational service region having a population of 2,000,000
33 or more inhabitants.

34 Beginning July 1, 2007, this Section shall have no

1 application in an educational service region serving that
2 portion of a Class II county outside a city of 500,000 or
3 more population, and no election shall be held in 2006 or
4 thereafter for the office of regional superintendent of
5 schools in an educational service region serving that portion
6 of a Class II county outside a city of 500,000 or more
7 population.

8 (Source: P.A. 89-383, eff. 8-18-95; 90-280, eff. 7-31-97.)

9 (105 ILCS 5/3-2) (from Ch. 122, par. 3-2)

10 Sec. 3-2. Oath of office - Bond - Salary. Before
11 entering upon his or her duties a regional superintendent of
12 schools shall take and subscribe the oath prescribed by the
13 Constitution and execute a bond payable to the People of the
14 State of Illinois with 2 or more responsible persons having
15 an interest in real estate as sureties (or, if the county is
16 self-insured, the county through its self-insurance program
17 may provide bonding), to be approved by the county board in a
18 penalty of not less than \$100,000, conditioned upon the
19 faithful discharge of his or her duties and upon the delivery
20 to his or her successor in office of all monies, books,
21 papers and property in his or her custody as such regional
22 superintendent of schools.

23 This bond shall be filed in the office of the county
24 clerk, and action upon it may be maintained by any corporate
25 body interested, for the benefit of any township or fund
26 injured by any breach of its condition.

27 If any vacancy in the office of regional superintendent
28 of schools occurs, such vacancy shall be filled in the manner
29 provided by Section 3A-6.

30 Regional Superintendents of Schools shall receive the
31 salary provided by Section 3-2.5.

32 On and after July 1, 1994, the provisions of this Section
33 shall have no application in any educational service region

1 having a population of 2,000,000 or more inhabitants.

2 Beginning July 1, 2007, this Section shall have no
3 application in an educational service region serving that
4 portion of a Class II county outside a city of 500,000 or
5 more population.

6 (Source: P.A. 88-387; 89-233, eff. 1-1-96.)

7 (105 ILCS 5/3-2.5)

8 Sec. 3-2.5. Salaries.

9 (a) Except as otherwise provided in this Section, the
10 regional superintendents of schools shall receive for their
11 services an annual salary according to the population, as
12 determined by the last preceding federal census, of the
13 region they serve, as set out in the following schedule:

14 SALARIES OF REGIONAL SUPERINTENDENTS OF
15 SCHOOLS

16 POPULATION OF REGION	ANNUAL SALARY
17 Less than 48,000	\$73,500
18 48,000 to 99,999	\$78,000
19 100,000 to 999,999	\$81,500
20 1,000,000 and over	\$83,500

21 The changes made by Public Act 86-98 in the annual salary
22 that the regional superintendents of schools shall receive
23 for their services shall apply to the annual salary received
24 by the regional superintendents of schools during each of
25 their elected terms of office that commence after July 26,
26 1989 and before the first Monday of August, 1995.

27 The changes made by Public Act 89-225 in the annual
28 salary that regional superintendents of schools shall receive
29 for their services shall apply to the annual salary received
30 by the regional superintendents of schools during their
31 elected terms of office that commence after August 4, 1995
32 and end on August 1, 1999.

33 The changes made by this amendatory Act of the 91st

1 General Assembly in the annual salary that the regional
 2 superintendents of schools shall receive for their services
 3 shall apply to the annual salary received by the regional
 4 superintendents of schools during each of their elected terms
 5 of office that commence on or after August 2, 1999.

6 Beginning July 1, 2000, the salary that the regional
 7 superintendent of schools receives for his or her services
 8 shall be adjusted annually to reflect the percentage
 9 increase, if any, in the most recent Consumer Price Index, as
 10 defined and officially reported by the United States
 11 Department of Labor, Bureau of Labor Statistics, except that
 12 no annual increment may exceed 2.9%. If the percentage of
 13 change in the Consumer Price Index is a percentage decrease,
 14 the salary that the regional superintendent of schools
 15 receives shall not be adjusted for that year.

16 When regional superintendents are authorized by the
 17 School Code to appoint assistant regional superintendents,
 18 the assistant regional superintendent shall receive an annual
 19 salary based on his or her qualifications and computed as a
 20 percentage of the salary of the regional superintendent to
 21 whom he or she is assistant, as set out in the following
 22 schedule:

23 SALARIES OF ASSISTANT REGIONAL SUPERINTENDENTS

24 QUALIFICATIONS OF	PERCENTAGE OF SALARY
25 ASSISTANT REGIONAL	OF REGIONAL
26 SUPERINTENDENT	SUPERINTENDENT
27 No Bachelor's degree, but State 28 certificate valid for teaching 29 and supervising.	70%
30 Bachelor's degree plus 31 State certificate valid 32 for supervising.	75%
33 Master's degree plus 34 State certificate valid	

1 for supervising. 90%

2 However, in any region in which the appointment of more
3 than one assistant regional superintendent is authorized,
4 whether by Section 3-15.10 of this Code or otherwise, not
5 more than one assistant may be compensated at the 90% rate
6 and any other assistant shall be paid at not exceeding the
7 75% rate, in each case depending on the qualifications of the
8 assistant.

9 The salaries provided in this Section for regional
10 superintendents and assistant regional superintendents are
11 payable monthly from the Common School Fund. The State
12 Comptroller in making his or her warrant to any county for
13 the amount due it from the Common School Fund shall deduct
14 from it the several amounts for which warrants have been
15 issued to the regional superintendent, and any assistant
16 regional superintendent, of the educational service region
17 encompassing the county since the preceding apportionment of
18 the Common School Fund.

19 County boards may provide for additional compensation for
20 the regional superintendent or the assistant regional
21 superintendents, or for each of them, to be paid quarterly
22 from the county treasury.

23 (b) Upon abolition on July 1, 1994, of the office of
24 regional superintendent of schools in educational service
25 regions containing 2,000,000 or more inhabitants as provided
26 in Section 3-0.01 of this Code, the provisions of subsection
27 (a) of this Section shall no longer apply in any educational
28 service region in which the office of regional superintendent
29 of schools is so abolished, and no salary or other
30 compensation shall be payable under that subsection (a) or
31 under any other provision of this Section with respect to the
32 office so abolished or with respect to any assistant position
33 to the office so abolished.

34 (b-5) Upon abolition on July 1, 2007 of the office of

1 regional superintendent of schools in an educational service
 2 region serving that portion of a Class II county outside a
 3 city of 500,000 or more population as provided in Section
 4 3-0.01 of this Code, subsection (a) of this Section shall no
 5 longer apply in the educational service region, and no salary
 6 or other compensation shall be payable under subsection (a)
 7 or any other provision of this Section with respect to the
 8 office so abolished or with respect to any assistant position
 9 to the office so abolished.

10 (c) If the State pays all or any portion of the employee
 11 contributions required under Section 16-152 of the Illinois
 12 Pension Code for employees of the State Board of Education,
 13 it shall also pay the employee contributions required of
 14 regional superintendents of schools and assistant regional
 15 superintendents of schools on the same basis, but excluding
 16 any contributions based on compensation that is paid by the
 17 county rather than the State.

18 This subsection (c) applies to contributions based on
 19 payments of salary earned after the effective date of this
 20 amendatory Act of the 91st General Assembly, except that in
 21 the case of an elected regional superintendent of schools,
 22 this subsection does not apply to contributions based on
 23 payments of salary earned during a term of office that
 24 commenced before the effective date of this amendatory Act.

25 (Source: P.A. 91-276, eff. 7-23-99.)

26 (105 ILCS 5/3-3) (from Ch. 122, par. 3-3)

27 Sec. 3-3. Practice of other profession. It is unlawful
 28 for any county superintendent of schools to practice or to
 29 hold himself out as practicing any other profession.
 30 Violation of this section shall be a cause of forfeiture of
 31 office.

32 On and after July 1, 1994, the provisions of this Section
 33 shall have no application in any educational service region

1 having a population of 2,000,000 or more inhabitants.

2 Beginning July 1, 2007, this Section shall have no
3 application in an educational service region serving that
4 portion of a Class II county outside a city of 500,000 or
5 more population.

6 (Source: P.A. 87-654; 87-1251.)

7 (105 ILCS 5/3-15.6) (from Ch. 122, par. 3-15.6)

8 Sec. 3-15.6. Additional employees. To employ, with the
9 approval of the county board, such additional employees as
10 are needed for the discharge of the duties of the office. The
11 non-clerical employees shall be persons versed in the
12 principles and methods of education, familiar with public
13 school work, competent to visit schools and certificated
14 pursuant to this Code if their duties are comparable to those
15 for which certification is required by this Code.

16 On and after July 1, 1994, the provisions of this Section
17 shall have no application in any educational service region
18 having a population of 2,000,000 or more inhabitants.

19 Beginning July 1, 2007, this Section shall have no
20 application in an educational service region serving that
21 portion of a Class II county outside a city of 500,000 or
22 more population.

23 (Source: P.A. 86-361; 87-654; 87-1251.)

24 (105 ILCS 5/3-15.9) (from Ch. 122, par. 3-15.9)

25 Sec. 3-15.9. Delivery of money, books, papers and
26 property to successor. Upon his removal or resignation, or at
27 the expiration of his term of office, or in case of his death
28 his representatives to deliver to his successor in office, on
29 demand, all moneys, books, papers and personal property
30 belonging to his office or subject to his control or
31 disposition.

32 On and after July 1, 1994, the provisions of this Section

1 shall have no application in any educational service region
2 having a population of 2,000,000 or more inhabitants.

3 Beginning July 1, 2007, this Section shall have no
4 application in an educational service region serving that
5 portion of a Class II county outside a city of 500,000 or
6 more population.

7 (Source: P.A. 87-654; 87-1251.)

8 (105 ILCS 5/3-15.10) (from Ch. 122, par. 3-15.10)

9 Sec. 3-15.10. Assistant Regional Superintendent. To
10 employ, in counties or regions of 2,000,000 inhabitants or
11 less, in addition to any assistants authorized to be employed
12 with the approval of the county board, an assistant regional
13 superintendent of schools who shall be a person of good
14 attainment, versed in the principles and methods of
15 education, and qualified to teach and supervise schools under
16 Article 21 of this Act; to fix the term of such assistant and
17 direct his work and define his duties. Until July 1, 2007, in
18 regions established within that portion of a Class II county
19 outside a city of 500,000 or more inhabitants, the regional
20 superintendent may employ, in addition to any assistants
21 authorized to be employed with the approval of the county
22 board, 3 assistant regional superintendents of schools.
23 Until July 1, 1994, in counties or regions having a
24 population of more than 2,000,000 inhabitants the regional
25 superintendent may employ, in addition to any assistants
26 authorized to be employed with the approval of the county
27 board, 11 assistant regional superintendents of schools.
28 Assistant regional superintendents shall each be a person of
29 good attainment, versed in the principles and methods of
30 education, and qualified to teach and supervise schools under
31 Article 21 of this Act. The work of such assistant regional
32 superintendent shall be so arranged and directed that the
33 county or regional superintendent and assistant

1 superintendent, together, shall devote an amount of time
2 during the school year, equal to at least the full time of
3 one individual, to the supervision of schools and of teaching
4 in the schools of the county.

5 Notwithstanding any of the provisions of this Section,
6 any person who, on July 1, 1955, was employed as an assistant
7 county superintendent of schools shall be qualified for that
8 position if he holds a state certificate valid for teaching
9 and supervising.

10 On July 1, 1994, the employment of all persons serving as
11 assistant county or regional superintendents in any county or
12 educational service region having a population of more than
13 2,000,000 inhabitants is terminated, the office of assistant
14 county or regional superintendent in each such county or
15 educational service region is abolished, and this Section
16 shall, from and after July 1, 1994, have no further
17 application in any such county or educational service region.

18 On July 1, 2007, the employment of all persons serving as
19 assistant county or regional superintendents in an
20 educational service region serving that portion of a Class II
21 county outside a city of 500,000 or more population is
22 terminated, the office of assistant county or regional
23 superintendent in that educational service region is
24 abolished, and this Section shall, beginning July 1, 2007,
25 have no further application in that educational service
26 region.

27 A regional superintendent of schools shall not employ his
28 or her spouse, child, stepchild, or relative as an assistant
29 regional superintendent of schools. By September 1 each year,
30 a regional superintendent shall certify to the State Board of
31 Education that he or she has complied with this paragraph. If
32 the State Board of Education becomes aware of the fact that a
33 regional superintendent is employing his or her spouse,
34 child, stepchild, or relative as an assistant regional

1 superintendent, the State Board of Education shall not
2 request for payment from the State Comptroller any warrants
3 for the payment of the assistant regional superintendent's
4 salary. In this paragraph, "relative" means a grandparent,
5 parent, aunt, uncle, sibling, first cousin, nephew, niece,
6 grandchild, or spouse of one of these persons. This paragraph
7 applies only to contracts for employment entered into on or
8 after the effective date of this amendatory Act of the 91st
9 General Assembly.

10 (Source: P.A. 91-764, eff. 6-9-00.)

11 (105 ILCS 5/3A-2) (from Ch. 122, par. 3A-2)

12 Sec. 3A-2. Regional superintendent-County superintendent
13 of schools. The chief administrative officer of an
14 educational service region shall be designated and referred
15 to as "Regional Superintendent of Schools" or "regional
16 superintendent."

17 Such person shall, in his region, have the powers and
18 duties and perform the functions required of or exercisable
19 by a county superintendent of schools, except as otherwise
20 provided by law.

21 Any reference to "county superintendent of schools" in
22 The School Code or any other Illinois statute means and
23 refers to the regional superintendent of schools for an
24 educational service region.

25 In an educational service region serving that portion of
26 a Class II county outside a city of 500,000 or more
27 population, the office of regional superintendent of schools
28 is abolished on July 1, 2007 as provided in Section 3-0.01 of
29 this Code.

30 (Source: P.A. 79-1057.)

31 (105 ILCS 5/3A-6) (from Ch. 122, par. 3A-6)

32 Sec. 3A-6. Election of Superintendent for consolidated

1 region - Bond - Vacancies in any educational service region.

2 (a) The regional superintendent to be elected under
3 Section 3A-5 shall be elected at the time provided in the
4 general election law and must possess the qualifications
5 described in Section 3-1 of this Act.

6 (b) The bond required under Section 3-2 shall be filed
7 in the office of the county clerk in the county where the
8 regional office is situated, and a certified copy of that
9 bond shall be filed in the office of the county clerk in each
10 of the other counties in the region.

11 (c) When a vacancy occurs in the office of regional
12 superintendent of schools of any educational service region
13 which is not located in a county which is a home rule unit,
14 such vacancy shall be filled within 60 days (i) by
15 appointment of the chairman of the county board, with the
16 advice and consent of the county board, when such vacancy
17 occurs in a single county educational service region; or (ii)
18 by appointment of a committee composed of the chairmen of the
19 county boards of those counties comprising the affected
20 educational service region when such vacancy occurs in a
21 multicounty educational service region, each committeeman to
22 be entitled to one vote for each vote that was received in
23 the county represented by such committeeman on the committee
24 by the regional superintendent of schools whose office is
25 vacant at the last election at which a regional
26 superintendent was elected to such office, and the person
27 receiving the highest number of affirmative votes from the
28 committeemen for such vacant office to be deemed the person
29 appointed by such committee to fill the vacancy. The
30 appointee shall be a member of the same political party as
31 the regional superintendent of schools the appointee succeeds
32 was at the time such regional superintendent of schools last
33 was elected. The appointee shall serve for the remainder of
34 the term. However, if more than 28 months remain in that

1 term, the appointment shall be until the next general
2 election, at which time the vacated office shall be filled by
3 election for the remainder of the term. Nominations shall be
4 made and any vacancy in nomination shall be filled as
5 follows:

6 (1) If the vacancy in office occurs before the
7 first date provided in Section 7-12 of the Election Code
8 for filing nomination papers for county offices for the
9 primary in the next even-numbered year following
10 commencement of the term of office in which the vacancy
11 occurs, nominations for the election for filling the
12 vacancy shall be made pursuant to Article 7 of the
13 Election Code.

14 (2) If the vacancy in office occurs during the time
15 provided in Section 7-12 of the Election Code for filing
16 nomination papers for county offices for the primary in
17 the next even-numbered year following commencement of the
18 term of office in which the vacancy occurs, the time for
19 filing nomination papers for the primary shall not be
20 more than 91 days nor less than 85 days prior to the date
21 of the primary.

22 (3) If the vacancy in office occurs after the last
23 day provided in Section 7-12 of the Election Code for
24 filing nomination papers for county offices for the
25 primary in the next even-numbered year following
26 commencement of the term of office in which the vacancy
27 occurs, a vacancy in nomination shall be deemed to have
28 occurred and the county central committee of each
29 established political party (if the vacancy occurs in a
30 single county educational service region) or the
31 multi-county educational service region committee of each
32 established political party (if the vacancy occurs in a
33 multi-county educational service region) shall nominate,
34 by resolution, a candidate to fill the vacancy in

1 nomination for election to the office at the general
2 election. In the nomination proceedings to fill the
3 vacancy in nomination, each member of the county central
4 committee or the multi-county educational service region
5 committee, whichever applies, shall have the voting
6 strength as set forth in Section 7-8 or 7-8.02 of the
7 Election Code, respectively. The name of the candidate
8 so nominated shall not appear on the ballot at the
9 general primary election. The vacancy in nomination
10 shall be filled prior to the date of certification of
11 candidates for the general election.

12 (4) The resolution to fill the vacancy shall be
13 duly acknowledged before an officer qualified to take
14 acknowledgments of deeds and shall include, upon its
15 face, the following information: (A) the name of the
16 original nominee and the office vacated; (B) the date on
17 which the vacancy occurred; and (C) the name and address
18 of the nominee selected to fill the vacancy and the date
19 of selection. The resolution to fill the vacancy shall be
20 accompanied by a statement of candidacy, as prescribed in
21 Section 7-10 of the Election Code, completed by the
22 selected nominee, a certificate from the State Board of
23 Education, as prescribed in Section 3-1 of this Code, and
24 a receipt indicating that the nominee has filed a
25 statement of economic interests as required by the
26 Illinois Governmental Ethics Act.

27 The provisions of Sections 10-8 through 10-10.1 of the
28 Election Code relating to objections to nomination papers,
29 hearings on objections, and judicial review shall also apply
30 to and govern objections to nomination papers and resolutions
31 for filling vacancies in nomination filed pursuant to this
32 Section. Unless otherwise specified in this Section, the
33 nomination and election provided for in this Section is
34 governed by the general election law.

1 Except as otherwise provided by applicable county
2 ordinance or by law, if a vacancy occurs in the office of
3 regional superintendent of schools of an educational service
4 region that is located in a county that is a home rule unit
5 and that has a population of less than 2,000,000 inhabitants,
6 that vacancy shall be filled by the county board of such home
7 rule county.

8 Until July 1, 2003 or until the regional superintendent
9 of schools elected in 2002 takes office, whichever occurs
10 first, if a vacancy exists in the office of regional
11 superintendent of schools of an educational service region
12 that is located in a county that is a home rule unit and that
13 has a population of 2,000,000 or more inhabitants, then that
14 vacancy shall be filled by the first assistant
15 superintendent/deputy superintendent until the end of the
16 term to which the regional superintendent was elected.

17 Beginning July 1, 2007, this Section shall have no
18 application in an educational service region serving that
19 portion of a Class II county outside a city of 500,000 or
20 more population.

21 Any person appointed to fill a vacancy in the office of
22 regional superintendent of schools of any educational service
23 region must possess the qualifications required to be elected
24 to the position of regional superintendent of schools, and
25 shall obtain a certificate of eligibility from the State
26 Superintendent of Education and file same with the county
27 clerk of the county in which the regional superintendent's
28 office is located.

29 If the regional superintendent of schools is called into
30 the active military service of the United States, his office
31 shall not be deemed to be vacant, but a temporary appointment
32 shall be made as in the case of a vacancy. The appointee
33 shall perform all the duties of the regional superintendent
34 of schools during the time the regional superintendent of

1 schools is in the active military service of the United
2 States, and shall be paid the same compensation apportioned
3 as to the time of service, and such appointment and all
4 authority thereunder shall cease upon the discharge of the
5 regional superintendent of schools from such active military
6 service. The appointee shall give the same bond as is
7 required of a regularly elected regional superintendent of
8 schools.

9 (Source: P.A. 92-277, eff. 8-7-01; 92-869, eff. 1-3-03.)".