

1 AN ACT regarding school boards.

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
5 Section 10-10 as follows:

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

7 Sec. 10-10. Board of education; Term; Vacancy. All
8 school districts having a population of not fewer than 1,000
9 and not more than 500,000 inhabitants, as ascertained by any
10 special or general census, and not governed by special Acts,
11 shall be governed by a board of education consisting of 7
12 members, serving without compensation except as herein
13 provided. Each member shall be elected for a term of 4 years
14 except as otherwise provided in subsection (a-5) of Section
15 11B-7 for the initial members of the board of education of a
16 combined school district to which that subsection applies. If
17 5 members are elected in 1983 pursuant to the extension of
18 terms provided by law for transition to the consolidated
19 election schedule under the general election law, 2 of those
20 members shall be elected to serve terms of 2 years and 3
21 shall be elected to serve terms of 4 years; their successors
22 shall serve for a 4 year term. When the voters of a district
23 have voted to elect members of the board of education for 6
24 year terms, as provided in Section 9-5, the terms of office
25 of members of the board of education of that district expire
26 when their successors assume office but not later than 7 days
27 after such election. If at the regular school election held
28 in the first odd-numbered year after the determination to
29 elect members for 6 year terms 2 members are elected, they
30 shall serve for a 6 year term; and of the members elected at
31 the next regular school election 3 shall serve for a term of

1 6 years and 2 shall serve a term of 2 years. Thereafter
2 members elected in such districts shall be elected to a 6
3 year term. If at the regular school election held in the
4 first odd-numbered year after the determination to elect
5 members for 6 year terms 3 members are elected, they shall
6 serve for a 6 year term; and of the members elected at the
7 next regular school election 2 shall serve for a term of 2
8 years and 2 shall serve for a term of 6 years. Thereafter
9 members elected in such districts shall be elected to a 6
10 year term. If at the regular school election held in the
11 first odd-numbered year after the determination to elect
12 members for 6 year terms 4 members are elected, 3 shall serve
13 for a term of 6 years and one shall serve for a term of 2
14 years; and of the members elected at the next regular school
15 election 2 shall serve for terms of 6 years and 2 shall serve
16 for terms of 2 years. Thereafter members elected in such
17 districts shall be elected to a 6 year term. If at the
18 regular school election held in the first odd-numbered year
19 after the determination to elect members for a 6 year term 5
20 members are elected, 3 shall serve for a term of 6 years and
21 2 shall serve for a term of 2 years; and of the members
22 elected at the next regular school election 2 shall serve for
23 terms of 6 years and 2 shall serve for terms of 2 years.
24 Thereafter members elected in such districts shall be elected
25 to a 6 year term. An election for board members shall not be
26 held in school districts which by consolidation, annexation
27 or otherwise shall cease to exist as a school district within
28 6 months after the election date, and the term of all board
29 members which would otherwise terminate shall be continued
30 until such district shall cease to exist. Each member shall,
31 on the date of his election, be a citizen of the United
32 States of the age of 18 years or over, a resident of the
33 State and the territory of the district for at least one year
34 immediately preceding his election, a registered voter as

1 provided in the general election law, and shall not be a
2 school trustee or a school treasurer. When the board of
3 education is the successor of the school directors, all
4 rights of property, and all rights regarding causes of action
5 existing or vested in such directors, shall vest in it as
6 fully as they were vested in the school directors. Terms of
7 members are subject to Section 2A-54 of the Election Code.

8 Nomination papers filed under this Section are not valid
9 unless the candidate named therein files with the secretary
10 of the board of education or with a person designated by the
11 board to receive nominating petitions a receipt from the
12 county clerk showing that the candidate has filed a statement
13 of economic interests as required by the Illinois
14 Governmental Ethics Act. Such receipt shall be so filed
15 either previously during the calendar year in which his
16 nomination papers were filed or within the period for the
17 filing of nomination papers in accordance with the general
18 election law.

19 A board of education may choose to have board members
20 elected by cumulative voting, in which case each elector may
21 cast a specified number of votes, equal to the number of
22 members to be elected at that election, for one candidate or
23 distribute them equally among no more than the number of
24 candidates that equals the number of members to be elected,
25 and the candidates highest in votes shall be declared
26 elected.

27 Whenever a vacancy occurs, the remaining members shall
28 notify the regional superintendent of that vacancy within 5
29 days after its occurrence and shall proceed to fill the
30 vacancy until the next regular school election, at which
31 election a successor shall be elected to serve the remainder
32 of the unexpired term. However, if the vacancy occurs with
33 less than 868 days remaining in the term, or if the vacancy
34 occurs less than 88 days before the next regularly scheduled

1 election for this office then the person so appointed shall
2 serve the remainder of the unexpired term, and no election to
3 fill the vacancy shall be held. Should they fail so to act,
4 within 45 days after the vacancy occurs, the regional
5 superintendent of schools under whose supervision and control
6 the district is operating, as defined in Section 3-14.2 of
7 this Act, shall within 30 days after the remaining members
8 have failed to fill the vacancy, fill the vacancy as provided
9 for herein. Upon the regional superintendent's failure to
10 fill the vacancy, the vacancy shall be filled at the next
11 regularly scheduled election. Whether elected or appointed
12 by the remaining members or regional superintendent, the
13 successor shall be an inhabitant of the particular area from
14 which his or her predecessor was elected if the residential
15 requirements contained in Section 11A-8, 11B-7, or 12-2 of
16 this Act apply.

17 (Source: P.A. 89-129, eff. 7-14-95; 89-579, eff. 7-30-96;
18 90-358, eff. 1-1-98; 90-459, eff. 8-17-97; 90-655, eff.
19 7-30-98.)