



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB0231

Introduced 1/13/2005, by Rep. Calvin L. Giles

SYNOPSIS AS INTRODUCED:

40 ILCS 5/17-137	from Ch. 108 1/2, par. 17-137
40 ILCS 5/17-138	from Ch. 108 1/2, par. 17-138
40 ILCS 5/17-139	from Ch. 108 1/2, par. 17-139

Amends the Chicago Teacher Article of the Illinois Pension Code. Provides that the trustee position currently held by a principal may be held by an assistant principal or administrator and makes corresponding changes. Effective immediately.

LRB094 05058 AMC 35094 b

PENSION IMPACT
NOTE ACT MAY
APPLY

1 AN ACT concerning public employee benefits.

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

4 Section 5. The Illinois Pension Code is amended by changing
5 Sections 17-137, 17-138, and 17-139 as follows:

6 (40 ILCS 5/17-137) (from Ch. 108 1/2, par. 17-137)

7 Sec. 17-137. Board created. There shall be elected a Board
8 of Trustees, herein also referred to as the "Board", to
9 administer and control the Fund created by this Article. The
10 Board shall consist of 12 members, 2 of whom shall be members
11 of the Board of Education, 6 of whom shall be contributors who
12 are not principals, assistant principals, or administrators,
13 one of whom shall be a contributor who is a principal,
14 assistant principal, or administrator, and 3 of whom shall be
15 pensioners, all to be chosen as provided in this Article.

16 (Source: P.A. 89-136, eff. 7-14-95; 90-566, eff. 1-2-98.)

17 (40 ILCS 5/17-138) (from Ch. 108 1/2, par. 17-138)

18 Sec. 17-138. Board membership. At the first meeting of the
19 Board of Education in November of each year, the Board of
20 Education shall appoint one of its members to serve, while a
21 member of the Board of Education, on the Board of Trustees for
22 a term of 2 years.

23 On the last school day of the 4th week of October of each
24 year there shall be elected 2 members of the Board from the
25 teachers other than principals, assistant principals, and
26 administrators, who shall hold office for terms of 3 years
27 while retaining their status as teachers other than principals,
28 assistant principals, and administrators, and other members to
29 fill unexpired terms. In the event that schools are not in
30 session on or during the week prior to the last Friday in
31 October, this election shall be held on the Friday of the first

1 subsequent full week of school. The election shall be by secret
2 ballot and shall be held in such manner as the Board by bylaws
3 or rules shall provide. Only teachers who are not principals,
4 assistant principals, or administrators shall be eligible to
5 vote in the election.

6 During the first week of November of 1995 and every third
7 year thereafter, one contributor who is a principal, assistant
8 principal, or administrator shall be elected a member of the
9 Board. This trustee shall hold office for a term of 3 years
10 while retaining his or her status as a principal, assistant
11 principal, or administrator. The election shall be by mail
12 ballot and only contributors who are principals, assistant
13 principals, or administrators shall be eligible to vote. The
14 election shall be held in the manner provided by the Board by
15 rule or bylaw.

16 During the first week of November of each odd-numbered year
17 there shall be elected 3 members of the Board from the
18 pensioners, who shall hold office for a term of 2 years while
19 retaining their status as pensioners. The election shall be by
20 mail ballot to all service and disability pensioners, and shall
21 be held in such manner as the Board by bylaws or rules shall
22 provide.

23 All trustees, while members of the Board of Education or
24 while (i) principals, assistant principals, administrators,
25 (ii) teachers other than principals, assistant principals, and
26 administrators, or (iii) pensioners, as the case may be, shall
27 hold their offices until their successors shall have been
28 appointed or elected and qualified by subscribing to the
29 constitutional oath of office at the immediately succeeding
30 regular meeting of the Board.

31 (Source: P.A. 89-136, eff. 7-14-95; 90-566, eff. 1-2-98.)

32 (40 ILCS 5/17-139) (from Ch. 108 1/2, par. 17-139)

33 Sec. 17-139. Board elections and vacancies.

34 (1) Contributors other than principals election. Every
35 member who is not a principal, assistant principal, or

1 administrator may vote at the election for as many persons as
2 there are trustees to be elected by the contributors who are
3 not principals, assistant principals, or administrators. The
4 name of a candidate shall not be printed upon the ballot unless
5 he or she has been assigned on a regular certificate for at
6 least 10 years in the Chicago public schools or charter schools
7 and nominated by a petition signed by not less than 200
8 contributors who are not principals, assistant principals, or
9 administrators.

10 Petitions shall be filed with the recording secretary of
11 the Fund on or after September 15 of each year and not later
12 than October 1st of that year. No more than one candidate may
13 be nominated by any one petition. If the nominations do not
14 exceed the number of candidates to be elected, the canvassing
15 board shall declare the nominated candidates elected.
16 Otherwise, candidates receiving the highest number of votes
17 cast for their respective terms shall be declared elected. The
18 location and number of polling places shall be designated by
19 the Board. The election shall be conducted by the teachers who
20 are not principals, assistant principals, or administrators,
21 and the judges of the election shall be selected from the
22 teachers who are not principals, assistant principals, or
23 administrators, in such manner as the board in its bylaws or
24 rules provides.

25 Elections to fill vacancies on the Board shall be held at
26 the next annual election.

27 (2) Pensioners election. The name of a candidate shall not
28 be printed on the ballot unless he or she has been nominated by
29 a petition signed by not less than 100 pensioners of the Fund.
30 Petitions shall be filed with the recording secretary of the
31 Fund on or before October 1 of the odd-numbered year. If the
32 nominations do not exceed 3, the mailing of ballots shall be
33 eliminated and the nominated candidates shall be declared
34 elected. Otherwise, the 3 candidates receiving the highest
35 number of votes cast shall be declared elected. The mailing and
36 counting of the ballots shall be conducted by the office of the

1 Fund with volunteer assistance from pensioners at the request
2 of the Board.

3 (3) Election of principal, assistant principal, or
4 administrator ~~Principals election~~. The name of a candidate
5 shall not be printed on the ballot unless he or she has been
6 nominated by a petition signed by at least 25 contributors who
7 are principals, assistant principals, or administrators.
8 Petitions shall be filed with the recording secretary of the
9 Fund on or before October 1 of the election year. If only one
10 eligible candidate is nominated, the election shall not be held
11 and the nominated candidate shall be declared elected.
12 Otherwise, the candidate receiving the highest number of votes
13 cast shall be declared elected. The mailing and counting of the
14 ballots shall be conducted by the office of the Fund.

15 (4) Vacancies. The Board may fill vacancies occurring in
16 the membership of the Board elected by the principals,
17 assistant principals, or administrators, the teachers other
18 than principals, assistant principals, or administrators, or
19 the pensioners at any regular meeting of the Board. The Board
20 of Education may fill vacancies occurring in the membership of
21 the Board appointed by the Board of Education at any regular
22 meeting of the Board of Education.

23 (Source: P.A. 89-136, eff. 7-14-95; 90-566, eff. 1-2-98.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.