

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 Sections
5 2-3.62, 2-3.105, 3-0.01, 3-1, 3-2.5, 3-12, 3-14.2, 3-15.10, and
6 3A-6 and by adding Section 4-12 as follows:

7 (105 ILCS 5/2-3.62) (from Ch. 122, par. 2-3.62)

8 Sec. 2-3.62. Educational Service Centers.

9 (a) A regional network of educational service centers shall
10 be established by the State Board of Education to coordinate
11 and combine existing services in a manner which is practical
12 and efficient and to provide new services to schools as
13 provided in this Section. Services to be made available by such
14 centers shall include the planning, implementation and
15 evaluation of:

16 (1) (blank);

17 (2) computer technology education;

18 (3) mathematics, science and reading resources for
19 teachers including continuing education, inservice
20 training and staff development.

21 The centers may provide training, technical assistance,
22 coordination and planning in other program areas such as school
23 improvement, school accountability, financial planning,

1 consultation, and services, career guidance, early childhood
2 education, alcohol/drug education and prevention, family life
3 - sex education, electronic transmission of data from school
4 districts to the State, alternative education and regional
5 special education, and telecommunications systems that provide
6 distance learning. Such telecommunications systems may be
7 obtained through the Department of Central Management Services
8 pursuant to Section 405-270 of the Department of Central
9 Management Services Law (20 ILCS 405/405-270). The programs and
10 services of educational service centers may be offered to
11 private school teachers and private school students within each
12 service center area provided public schools have already been
13 afforded adequate access to such programs and services.

14 Upon the abolition of the office, removal from office,
15 disqualification for office, resignation from office, or
16 expiration of the current term of office of the regional
17 superintendent of schools, whichever is earlier, centers
18 servicing that portion of a Class II county school unit outside
19 of a city of 500,000 or more inhabitants shall have and
20 exercise, in and with respect to each educational service
21 region having a population of 2,000,000 or more inhabitants and
22 in and with respect to each school district located in any such
23 educational service region, all of the rights, powers, duties,
24 and responsibilities theretofore vested by law in and exercised
25 and performed by the regional superintendent of schools for
26 that area under the provisions of this Code or any other laws

1 of this State.

2 The State Board of Education shall promulgate rules and
3 regulations necessary to implement this Section. The rules
4 shall include detailed standards which delineate the scope and
5 specific content of programs to be provided by each Educational
6 Service Center, as well as the specific planning,
7 implementation and evaluation services to be provided by each
8 Center relative to its programs. The Board shall also provide
9 the standards by which it will evaluate the programs provided
10 by each Center.

11 (b) Centers serving Class 1 county school units shall be
12 governed by an 11-member board, 3 members of which shall be
13 public school teachers nominated by the local bargaining
14 representatives to the appropriate regional superintendent for
15 appointment and no more than 3 members of which shall be from
16 each of the following categories, including but not limited to
17 superintendents, regional superintendents, school board
18 members and a representative of an institution of higher
19 education. The members of the board shall be appointed by the
20 regional superintendents whose school districts are served by
21 the educational service center. The composition of the board
22 will reflect the revisions of this amendatory Act of 1989 as
23 the terms of office of current members expire.

24 (c) The centers shall be of sufficient size and number to
25 assure delivery of services to all local school districts in
26 the State.

1 (d) From monies appropriated for this program the State
2 Board of Education shall provide grants to qualifying
3 Educational Service Centers applying for such grants in
4 accordance with rules and regulations promulgated by the State
5 Board of Education to implement this Section.

6 (e) The governing authority of each of the 18 regional
7 educational service centers shall appoint a family life - sex
8 education advisory board consisting of 2 parents, 2 teachers, 2
9 school administrators, 2 school board members, 2 health care
10 professionals, one library system representative, and the
11 director of the regional educational service center who shall
12 serve as chairperson of the advisory board so appointed.
13 Members of the family life - sex education advisory boards
14 shall serve without compensation. Each of the advisory boards
15 appointed pursuant to this subsection shall develop a plan for
16 regional teacher-parent family life - sex education training
17 sessions and shall file a written report of such plan with the
18 governing board of their regional educational service center.
19 The directors of each of the regional educational service
20 centers shall thereupon meet, review each of the reports
21 submitted by the advisory boards and combine those reports into
22 a single written report which they shall file with the Citizens
23 Council on School Problems prior to the end of the regular
24 school term of the 1987-1988 school year.

25 (f) The 14 educational service centers serving Class I
26 county school units shall be disbanded on the first Monday of

1 August, 1995, and their statutory responsibilities and
2 programs shall be assumed by the regional offices of education,
3 subject to rules and regulations developed by the State Board
4 of Education. The regional superintendents of schools elected
5 by the voters residing in all Class I counties shall serve as
6 the chief administrators for these programs and services. By
7 rule of the State Board of Education, the 10 educational
8 service regions of lowest population shall provide such
9 services under cooperative agreements with larger regions.

10 (Source: P.A. 93-21, eff. 7-1-03; 94-1105, eff. 6-1-07.)

11 (105 ILCS 5/2-3.105) (from Ch. 122, par. 2-3.105)

12 Sec. 2-3.105. Services to educational service regions and
13 school districts. Commencing July 1, 1994 and thereafter, the
14 State Board of Education through the office of the State
15 Superintendent of Education shall have and exercise, in and
16 with respect to an each educational service region located in a
17 city of 500,000 ~~having a population of 2,000,000~~ or more
18 inhabitants, and in and with respect to each school district
19 located in any such educational service region, all rights,
20 powers, duties and responsibilities theretofore vested in and
21 exercised and performed by the regional superintendent of
22 schools in that educational service region under the provisions
23 of this Act or any other law of this State.

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

1 (105 ILCS 5/3-0.01) (from Ch. 122, par. 3-0.01)

2 Sec. 3-0.01. "County superintendent of schools" and
3 "regional superintendent of schools" defined - Application of
4 Article.

5 (a) Except as otherwise provided by subsection (b), after
6 the effective date of this amendatory Act of 1975, the chief
7 administrative officer of an educational service region shall
8 be designated and referred to as the "regional superintendent
9 of schools" or the "regional superintendent" and after the
10 effective date of this amendatory Act of 1993 the office held
11 by the chief administrative officer shall be designated and
12 referred to as the "regional office of education". For purposes
13 of the School Code and except as otherwise provided by
14 subsection (b), any reference to "county superintendent of
15 schools" or "county superintendent" means the regional
16 superintendent of schools.

17 (b) Notwithstanding any other provisions of this Article,
18 but subject ~~Subject~~ to subsection (b-1), in educational service
19 regions containing 2,000,000 or more inhabitants, the office of
20 regional superintendent of schools is abolished ~~on July 1,~~
21 ~~1994.~~ Subject to Section 2-3.105 of this Code, beginning on the
22 effective date of this amendatory Act of the 96th General
23 Assembly, ~~On and after that date in each educational service~~
24 ~~region in which the office of regional superintendent of~~
25 ~~schools is so abolished~~ all rights, powers, duties and
26 responsibilities theretofore vested by law in, and exercised

1 and performed by the regional superintendent of schools and by
2 any assistant regional superintendents or other assistants or
3 employees in the office of the regional superintendent of
4 schools being ~~so~~ abolished shall be vested in, exercised and
5 performed by educational service centers established pursuant
6 to Section 2-3.62 of this Code for any educational service
7 region containing 2,000,000 or more inhabitants. Beginning on
8 the effective date of this amendatory Act of the 96th General
9 Assembly, ~~the State Board of Education through the office of~~
10 ~~the State Superintendent of Education. Upon abolition of the~~
11 ~~office of regional superintendent of schools~~ in an educational
12 service region containing 2,000,000 or more inhabitants: (i)
13 all books, records, maps, papers and other documents belonging
14 to or subject to the control or disposition of the former
15 regional superintendent of schools by virtue of his office
16 shall be transferred and delivered to the State Board of
17 Education; (ii) possession or control over all moneys, deposits
18 and accounts in the possession or subject to the control or
19 disposition of the former regional superintendent of schools by
20 virtue of his office, including but not limited to
21 undistributed or unexpended moneys drawn from, and all amounts
22 on deposit in, the county, institute and supervisory expense
23 funds, shall be transferred to and placed under the control and
24 disposition of the State Board of Education, excepting only
25 those moneys or accounts, if any, the source of which is the
26 county treasury, for proper redistribution to the educational

1 service centers; and (iii) all other equipment, furnishings,
2 supplies and other personal property belonging to or subject to
3 the control or disposition of the former regional
4 superintendent of schools by virtue of his office, excepting
5 only those items which were provided by the county board, shall
6 be transferred and delivered to the State Board of Education.
7 Beginning on the effective date of this amendatory Act of the
8 96th General Assembly ~~From and after July 1, 1994,~~ any
9 reference in this ~~the School Code or any other law of this~~
10 ~~State~~ to "regional superintendent of schools" or "regional
11 superintendent", or "county superintendent of schools" or
12 "county superintendent" shall mean, with respect to any
13 educational service region containing 2,000,000 or more
14 inhabitants in which the office of regional superintendent of
15 schools is abolished, the educational service centers
16 established pursuant to Section 2-3.62 of this Code for the
17 educational service region ~~State Board of Education serving~~
18 ~~through the office of the State Superintendent of Education as~~
19 ~~the chief administrative entity of an educational service~~
20 ~~region~~. Upon and after the first Monday of August 1995,
21 references in this Code and elsewhere to educational service
22 regions of 2,000,000 or fewer inhabitants shall exclude any
23 educational service region containing a city of 500,000 or more
24 inhabitants and references in this Code and elsewhere to
25 educational service regions of 2,000,000 or more inhabitants
26 shall mean an educational service region containing a city of

1 500,000 or more inhabitants regardless of the actual population
2 of the region.

3 (b-1) References to "regional superintendent" shall also
4 include the educational service centers established under
5 Section 2-3.62 of this Code and ~~regional superintendent of~~
6 ~~schools in regions~~ serving that portion of a Class II county
7 outside a city of 500,000 or more population elected at the
8 general election in 1994 and every 4 years thereafter.

9 (c) This Article applies to the regional superintendent of
10 a multicounty educational service region formed under Article
11 3A as well as to a single county or partial county region,
12 except that in case of conflict between the provisions of this
13 Article and of Article 3A in the case of a multicounty region,
14 the provisions of Article 3A shall apply. Any reference to
15 "county" or to "educational service region" in this Article
16 means a regional office of education.

17 (Source: P.A. 87-654; 87-895; 87-1251; 88-89.)

18 (105 ILCS 5/3-1) (from Ch. 122, par. 3-1)

19 Sec. 3-1. Election; eligibility. Quadrennially there shall
20 be elected in every county, except those which have been
21 consolidated into a multicounty educational service region
22 under Article 3A and except those having a population of
23 2,000,000 or more inhabitants, ~~and beginning in 1994 in that~~
24 ~~portion of a Class II county outside a city of 500,000 or more~~
25 ~~inhabitants and constituting an educational service region, a~~

1 regional superintendent of schools, who shall enter upon the
2 discharge of his duties on the first Monday of August next
3 after his election; provided, however, that the term of office
4 of each regional superintendent of schools in office on June
5 30, 2003 is terminated on July 1, 2003, except that an
6 incumbent regional superintendent of schools shall continue to
7 serve until his successor is elected and qualified, and each
8 regional superintendent of schools elected at the general
9 election in 2002 and every four years thereafter shall assume
10 office on the first day of July next after his election. No one
11 is eligible to file his petition at any primary election for
12 the nomination as candidate for the office of regional
13 superintendent of schools nor to enter upon the duties of such
14 office either by election or appointment unless he possesses
15 the following qualifications: (1) he is of good character, (2)
16 he has a master's degree, (3) he has earned at least 20
17 semester hours of credit in professional education at the
18 graduate level, (4) he holds a valid all grade supervisory
19 certificate or a valid state limited supervisory certificate,
20 or a valid state life supervisory certificate, or a valid
21 administrative certificate, (5) he has had at least 4 years
22 experience in teaching, and (6) he was engaged for at least 2
23 years of the 4 previous years in full time teaching or
24 supervising in the common public schools or serving as a county
25 superintendent of schools or regional superintendent of
26 schools for an educational service region in the State of

1 Illinois.

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

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

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

22 On and after July 1, 1994, the provisions of this Section
23 shall have no application in any educational service region
24 having a population of 2,000,000 or more inhabitants; provided
25 further that no election shall be held in November of 1994 or
26 at any other time after July 1, 1992 for the office of regional

1 superintendent of schools in any county or educational service
2 region having a population of 2,000,000 or more inhabitants.
3 (Source: P.A. 89-383, eff. 8-18-95; 90-280, eff. 7-31-97.)

4 (105 ILCS 5/3-2.5)

5 Sec. 3-2.5. Salaries.

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

11 SALARIES OF REGIONAL SUPERINTENDENTS OF
12 SCHOOLS

13 POPULATION OF REGION	ANNUAL SALARY
14 Less than 48,000	\$73,500
15 48,000 to 99,999	\$78,000
16 100,000 to 999,999	\$81,500
17 1,000,000 and over	\$83,500

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

24 The changes made by Public Act 89-225 in the annual salary
25 that regional superintendents of schools shall receive for

1 their services shall apply to the annual salary received by the
2 regional superintendents of schools during their elected terms
3 of office that commence after August 4, 1995 and end on August
4 1, 1999.

5 The changes made by this amendatory Act of the 91st General
6 Assembly in the annual salary that the regional superintendents
7 of schools shall receive for their services shall apply to the
8 annual salary received by the regional superintendents of
9 schools during each of their elected terms of office that
10 commence on or after August 2, 1999.

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

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

1 SALARIES OF ASSISTANT REGIONAL
 2 SUPERINTENDENTS

3 QUALIFICATIONS OF	PERCENTAGE OF SALARY
4 ASSISTANT REGIONAL	OF REGIONAL
5 SUPERINTENDENT	SUPERINTENDENT

6 No Bachelor's degree, but State	
7 certificate valid for teaching	
8 and supervising.	70%

9 Bachelor's degree plus	
10 State certificate valid	
11 for supervising.	75%

12 Master's degree plus	
13 State certificate valid	
14 for supervising.	90%

15 However, in any region in which the appointment of more
 16 than one assistant regional superintendent is authorized,
 17 whether by Section 3-15.10 of this Code or otherwise, not more
 18 than one assistant may be compensated at the 90% rate and any
 19 other assistant shall be paid at not exceeding the 75% rate, in
 20 each case depending on the qualifications of the assistant.

21 The salaries provided in this Section for regional
 22 superintendents and assistant regional superintendents are
 23 payable monthly from the Common School Fund. The State
 24 Comptroller in making his or her warrant to any county for the
 25 amount due it from the Common School Fund shall deduct from it
 26 the several amounts for which warrants have been issued to the

1 regional superintendent, and any assistant regional
2 superintendent, of the educational service region encompassing
3 the county since the preceding apportionment of the Common
4 School Fund.

5 County boards may provide for additional compensation for
6 the regional superintendent or the assistant regional
7 superintendents, or for each of them, to be paid quarterly from
8 the county treasury.

9 (b) Upon abolition ~~on July 1, 1994,~~ of the office of
10 regional superintendent of schools in educational service
11 regions containing 2,000,000 or more inhabitants as provided in
12 Section 3-0.01 of this Code, the funds provided under
13 ~~provisions of~~ subsection (a) of this Section shall continue to
14 be appropriated and reallocated, as provided for pursuant to
15 subsection (b) of Section 3-0.01 of this Code, to the
16 educational service centers established pursuant to Section
17 2-3.62 of this Code for an educational service region
18 containing 2,000,000 or more inhabitants ~~shall no longer apply~~
19 ~~in any educational service region in which the office of~~
20 ~~regional superintendent of schools is so abolished, and no~~
21 ~~salary or other compensation shall be payable under that~~
22 ~~subsection (a) or under any other provision of this Section~~
23 ~~with respect to the office so abolished or with respect to any~~
24 ~~assistant position to the office so abolished.~~

25 (c) If the State pays all or any portion of the employee
26 contributions required under Section 16-152 of the Illinois

1 Pension Code for employees of the State Board of Education, it
2 shall also pay the employee contributions required of regional
3 superintendents of schools and assistant regional
4 superintendents of schools on the same basis, but excluding any
5 contributions based on compensation that is paid by the county
6 rather than the State.

7 This subsection (c) applies to contributions based on
8 payments of salary earned after the effective date of this
9 amendatory Act of the 91st General Assembly, except that in the
10 case of an elected regional superintendent of schools, this
11 subsection does not apply to contributions based on payments of
12 salary earned during a term of office that commenced before the
13 effective date of this amendatory Act.

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

15 (105 ILCS 5/3-12) (from Ch. 122, par. 3-12)

16 Sec. 3-12. Institute fund.

17 (a) All certificate registration fees and a portion of
18 renewal and duplicate fees shall be kept by the regional
19 superintendent as described in Section 21-16 of this Code,
20 together with a record of the names of the persons paying them.
21 Such fees shall be deposited into the institute fund and shall
22 be used by the regional superintendent to defray expenses
23 associated with the work of the regional professional
24 development review committees established pursuant to
25 paragraph (2) of subsection (g) of Section 21-14 of this Code

1 to advise the regional superintendent, upon his or her request,
2 and to hear appeals relating to the renewal of teaching
3 certificates, in accordance with Section 21-14 of this Code; to
4 defray expenses connected with improving the technology
5 necessary for the efficient processing of certificates; to
6 defray all costs associated with the administration of teaching
7 certificates; to defray expenses incidental to teachers'
8 institutes, workshops or meetings of a professional nature that
9 are designed to promote the professional growth of teachers or
10 for the purpose of defraying the expense of any general or
11 special meeting of teachers or school personnel of the region,
12 which has been approved by the regional superintendent.

13 (b) In addition to the use of moneys in the institute fund
14 to defray expenses under subsection (a) of this Section, the
15 State Superintendent of Education, as authorized under Section
16 2-3.105 of this Code, shall use moneys in the institute fund to
17 defray all costs associated with the administration of teaching
18 certificates within a city having a population exceeding
19 500,000.

20 (c) The regional superintendent shall on or before January
21 1 of each year publish in a newspaper of general circulation
22 published in the region or shall post in each school building
23 under his jurisdiction an accounting of (1) the balance on hand
24 in the Institute fund at the beginning of the previous year;
25 (2) all receipts within the previous year deposited in the
26 fund, with the sources from which they were derived; (3) the

1 amount distributed from the fund and the purposes for which
2 such distributions were made; and (4) the balance on hand in
3 the fund.

4 (Source: P.A. 94-839, eff. 6-6-06.)

5 (105 ILCS 5/3-14.2) (from Ch. 122, par. 3-14.2)

6 Sec. 3-14.2. Supervision and control of school districts.

7 Except in regions established within that portion of a Class II

8 county school unit outside of a city of 500,000 or more

9 inhabitants, the ~~The~~ county superintendent of schools shall

10 exercise supervision and control over all school districts

11 within the county. If a district is divided by a county line or

12 lines the county superintendent in the county where the

13 majority of the children attend school at the time the district

14 is organized shall exercise supervision and control over all

15 aspects of supervision, reports, and financial accounting of

16 the district until it has been determined by the State

17 Superintendent of Education that 60 per cent of the children

18 attend school in another county or that a majority of the

19 children have attended a school in another county for three

20 consecutive years and the school board has adopted a resolution

21 requesting the supervision and control be transferred to the

22 county superintendent in the county in which the majority of

23 children attend school. The county superintendent under whose

24 direction a school district has been established shall retain

25 supervision and control until July 1 following the date of the

1 election establishing the district. Whenever a change in
2 supervision and control shall result from a change in school
3 district boundaries, population shifts, or other cause, such
4 change in supervision and control shall not be effective until
5 July 1 following the date of its determination. All references
6 to the county superintendent of schools, in relation to school
7 districts, in this Act shall be interpreted to mean the county
8 superintendent of schools having supervision and control of the
9 district or districts as defined in this Section.

10 (Source: P.A. 81-1146.)

11 (105 ILCS 5/3-15.10) (from Ch. 122, par. 3-15.10)

12 Sec. 3-15.10. Assistant Regional Superintendent. To
13 employ, in counties or regions of 2,000,000 inhabitants or
14 less, in addition to any assistants authorized to be employed
15 with the approval of the county board, an assistant regional
16 superintendent of schools who shall be a person of good
17 attainment, versed in the principles and methods of education,
18 and qualified to teach and supervise schools under Article 21
19 of this Act; to fix the term of such assistant and direct his
20 work and define his duties. On the effective date of this
21 amendatory Act of the 96th General Assembly, in ~~in~~ regions
22 established within that portion of a Class II county school
23 unit outside of a city of 500,000 or more inhabitants, the
24 employment of all persons serving as assistant county or
25 regional superintendents of schools is terminated, the

1 position of assistant regional superintendent of schools in
2 each such region is abolished, and this Section shall,
3 beginning on the effective date of this amendatory Act of the
4 96th General Assembly, have no further application in the
5 educational service region ~~the regional superintendent may~~
6 ~~employ, in addition to any assistants authorized to be employed~~
7 ~~with the approval of the county board, 3 assistant regional~~
8 ~~superintendents of schools. Until July 1, 1994, in counties or~~
9 ~~regions having a population of more than 2,000,000 inhabitants~~
10 ~~the regional superintendent may employ, in addition to any~~
11 ~~assistants authorized to be employed with the approval of the~~
12 ~~county board, 11 assistant regional superintendents of~~
13 ~~schools.~~ Assistant regional superintendents shall each be a
14 person of good attainment, versed in the principles and methods
15 of education, and qualified to teach and supervise schools
16 under Article 21 of this Act. The work of such assistant
17 regional superintendent shall be so arranged and directed that
18 the county or regional superintendent and assistant
19 superintendent, together, shall devote an amount of time during
20 the school year, equal to at least the full time of one
21 individual, to the supervision of schools and of teaching in
22 the schools of the county.

23 ~~Notwithstanding any of the provisions of this Section, any~~
24 ~~person who, on July 1, 1955, was employed as an assistant~~
25 ~~county superintendent of schools shall be qualified for that~~
26 ~~position if he holds a state certificate valid for teaching and~~

1 ~~supervising.~~

2 ~~On July 1, 1994, the employment of all persons serving as~~
3 ~~assistant county or regional superintendents in any county or~~
4 ~~educational service region having a population of more than~~
5 ~~2,000,000 inhabitants is terminated, the office of assistant~~
6 ~~county or regional superintendent in each such county or~~
7 ~~educational service region is abolished, and this Section~~
8 ~~shall, from and after July 1, 1994, have no further application~~
9 ~~in any such county or educational service region.~~

10 A regional superintendent of schools shall not employ his
11 or her spouse, child, stepchild, or relative as an assistant
12 regional superintendent of schools. By September 1 each year, a
13 regional superintendent shall certify to the State Board of
14 Education that he or she has complied with this paragraph. If
15 the State Board of Education becomes aware of the fact that a
16 regional superintendent is employing his or her spouse, child,
17 stepchild, or relative as an assistant regional
18 superintendent, the State Board of Education shall not request
19 for payment from the State Comptroller any warrants for the
20 payment of the assistant regional superintendent's salary. In
21 this paragraph, "relative" means a grandparent, parent, aunt,
22 uncle, sibling, first cousin, nephew, niece, grandchild, or
23 spouse of one of these persons. This paragraph applies only to
24 contracts for employment entered into on or after the effective
25 date of this amendatory Act of the 91st General Assembly.

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

1 (105 ILCS 5/3A-6) (from Ch. 122, par. 3A-6)

2 Sec. 3A-6. Election of Superintendent for consolidated
3 region - Bond - Vacancies in any educational service region.

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

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

13 (c) When a vacancy occurs in the office of regional
14 superintendent of schools of any educational service region
15 which is not located in a county which is a home rule unit,
16 such vacancy shall be filled within 60 days (i) by appointment
17 of the chairman of the county board, with the advice and
18 consent of the county board, when such vacancy occurs in a
19 single county educational service region; or (ii) by
20 appointment of a committee composed of the chairmen of the
21 county boards of those counties comprising the affected
22 educational service region when such vacancy occurs in a
23 multicounty educational service region, each committeeman to
24 be entitled to one vote for each vote that was received in the
25 county represented by such committeeman on the committee by the

1 regional superintendent of schools whose office is vacant at
2 the last election at which a regional superintendent was
3 elected to such office, and the person receiving the highest
4 number of affirmative votes from the committeemen for such
5 vacant office to be deemed the person appointed by such
6 committee to fill the vacancy. The appointee shall be a member
7 of the same political party as the regional superintendent of
8 schools the appointee succeeds was at the time such regional
9 superintendent of schools last was elected. The appointee shall
10 serve for the remainder of the term. However, if more than 28
11 months remain in that term, the appointment shall be until the
12 next general election, at which time the vacated office shall
13 be filled by election for the remainder of the term.
14 Nominations shall be made and any vacancy in nomination shall
15 be filled as follows:

16 (1) If the vacancy in office occurs before the first
17 date provided in Section 7-12 of the Election Code for
18 filing nomination papers for county offices for the primary
19 in the next even-numbered year following commencement of
20 the term of office in which the vacancy occurs, nominations
21 for the election for filling the vacancy shall be made
22 pursuant to Article 7 of the Election Code.

23 (2) If the vacancy in office occurs during the time
24 provided in Section 7-12 of the Election Code for filing
25 nomination papers for county offices for the primary in the
26 next even-numbered year following commencement of the term

1 of office in which the vacancy occurs, the time for filing
2 nomination papers for the primary shall not be more than 91
3 days nor less than 85 days prior to the date of the
4 primary.

5 (3) If the vacancy in office occurs after the last day
6 provided in Section 7-12 of the Election Code for filing
7 nomination papers for county offices for the primary in the
8 next even-numbered year following commencement of the term
9 of office in which the vacancy occurs, a vacancy in
10 nomination shall be deemed to have occurred and the county
11 central committee of each established political party (if
12 the vacancy occurs in a single county educational service
13 region) or the multi-county educational service region
14 committee of each established political party (if the
15 vacancy occurs in a multi-county educational service
16 region) shall nominate, by resolution, a candidate to fill
17 the vacancy in nomination for election to the office at the
18 general election. In the nomination proceedings to fill the
19 vacancy in nomination, each member of the county central
20 committee or the multi-county educational service region
21 committee, whichever applies, shall have the voting
22 strength as set forth in Section 7-8 or 7-8.02 of the
23 Election Code, respectively. The name of the candidate so
24 nominated shall not appear on the ballot at the general
25 primary election. The vacancy in nomination shall be filled
26 prior to the date of certification of candidates for the

1 general election.

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

17 The provisions of Sections 10-8 through 10-10.1 of the Election
18 Code relating to objections to nomination papers, hearings on
19 objections, and judicial review shall also apply to and govern
20 objections to nomination papers and resolutions for filling
21 vacancies in nomination filed pursuant to this Section. Unless
22 otherwise specified in this Section, the nomination and
23 election provided for in this Section is governed by the
24 general election law.

25 Except as otherwise provided by applicable county
26 ordinance or by law, if a vacancy occurs in the office of

1 regional superintendent of schools of an educational service
2 region that is located in a county that is a home rule unit and
3 that has a population of less than 2,000,000 inhabitants, that
4 vacancy shall be filled by the county board of such home rule
5 county.

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

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

23 If the regional superintendent of schools is called into
24 the active military service of the United States, his office
25 shall not be deemed to be vacant, but a temporary appointment
26 shall be made as in the case of a vacancy. The appointee shall

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

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

11 (105 ILCS 5/4-12 new)

12 Sec. 4-12. Educational service center support.
13 Notwithstanding Sections 4-2, 4-4, 4-6, 4-7, 4-8, 4-9, and 4-10
14 of this Code, a county having a population of 2,000,000 or more
15 inhabitants may provide financial or in-kind support to the
16 educational service centers serving that county.

17 (105 ILCS 5/3A-17 rep.)

18 Section 10. The School Code is amended by repealing Section
19 3A-17.

20 Section 99. Effective date. This Act takes effect July 1,
21 2010.