



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

SB0669

Introduced 2/3/2015, by Sen. Thomas Cullerton

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/2A-1.2	from Ch. 46, par. 2A-1.2
10 ILCS 5/2A-48	from Ch. 46, par. 2A-48
10 ILCS 5/2A-49	from Ch. 46, par. 2A-49
10 ILCS 5/2A-54	from Ch. 46, par. 2A-54
105 ILCS 5/9-5	from Ch. 122, par. 9-5
105 ILCS 5/10-4	from Ch. 122, par. 10-4
105 ILCS 5/10-10	from Ch. 122, par. 10-10
105 ILCS 5/10-16	from Ch. 122, par. 10-16
105 ILCS 5/11E-55	
105 ILCS 5/32-1.1	from Ch. 122, par. 32-1.1
105 ILCS 5/32-2.12	from Ch. 122, par. 32-2.12

Amends the Election Code and the School Code. Changes the election of members of a board of school directors, board of education, or board of school inspectors from the consolidated election to the general election. Makes related changes.

LRB099 04293 NHT 24318 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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 Election Code is amended by changing  
5 Sections 2A-1.2, 2A-48, 2A-49, and 2A-54 as follows:

6 (10 ILCS 5/2A-1.2) (from Ch. 46, par. 2A-1.2)

7 Sec. 2A-1.2. Consolidated Schedule of Elections - Offices  
8 Designated.

9 (a) At the general election in the appropriate  
10 even-numbered years, the following offices shall be filled or  
11 shall be on the ballot as otherwise required by this Code:

12 (1) Elector of President and Vice President of the  
13 United States;

14 (2) United States Senator and United States  
15 Representative;

16 (3) State Executive Branch elected officers;

17 (4) State Senator and State Representative;

18 (5) County elected officers, including State's  
19 Attorney, County Board member, County Commissioners, and  
20 elected President of the County Board or County Chief  
21 Executive;

22 (6) Circuit Court Clerk;

23 (7) Regional Superintendent of Schools, except in

1 counties or educational service regions in which that  
2 office has been abolished;

3 (7.5) Elected members of school boards, directors of  
4 boards of school directors, and members of boards of school  
5 inspectors, except school boards in school districts that  
6 adopt Article 33 of the School Code;

7 (8) Judges of the Supreme, Appellate and Circuit  
8 Courts, on the question of retention, to fill vacancies and  
9 newly created judicial offices;

10 (9) (Blank);

11 (10) Trustee of the Metropolitan Sanitary District of  
12 Chicago, and elected Trustee of other Sanitary Districts;

13 (11) Special District elected officers, not otherwise  
14 designated in this Section, where the statute creating or  
15 authorizing the creation of the district requires an annual  
16 election and permits or requires election of candidates of  
17 political parties.

18 (b) At the general primary election:

19 (1) in each even-numbered year candidates of political  
20 parties shall be nominated for those offices to be filled  
21 at the general election in that year, except where pursuant  
22 to law nomination of candidates of political parties is  
23 made by caucus and except for those offices listed in  
24 paragraph (7.5) of subsection (a) of this Section.

25 (2) in the appropriate even-numbered years the  
26 political party offices of State central committeeman,

1 township committeeman, ward committeeman, and precinct  
2 committeeman shall be filled and delegates and alternate  
3 delegates to the National nominating conventions shall be  
4 elected as may be required pursuant to this Code. In the  
5 even-numbered years in which a Presidential election is to  
6 be held, candidates in the Presidential preference primary  
7 shall also be on the ballot.

8 (3) in each even-numbered year, where the municipality  
9 has provided for annual elections to elect municipal  
10 officers pursuant to Section 6(f) or Section 7 of Article  
11 VII of the Constitution, pursuant to the Illinois Municipal  
12 Code or pursuant to the municipal charter, the offices of  
13 such municipal officers shall be filled at an election held  
14 on the date of the general primary election, provided that  
15 the municipal election shall be a nonpartisan election  
16 where required by the Illinois Municipal Code. For partisan  
17 municipal elections in even-numbered years, a primary to  
18 nominate candidates for municipal office to be elected at  
19 the general primary election shall be held on the Tuesday 6  
20 weeks preceding that election.

21 (4) in each school district which has adopted the  
22 provisions of Article 33 of the School Code, successors to  
23 the members of the board of education whose terms expire in  
24 the year in which the general primary is held shall be  
25 elected.

26 (c) At the consolidated election in the appropriate

1 odd-numbered years, the following offices shall be filled:

2 (1) Municipal officers, provided that in  
3 municipalities in which candidates for alderman or other  
4 municipal office are not permitted by law to be candidates  
5 of political parties, the runoff election where required by  
6 law, or the nonpartisan election where required by law,  
7 shall be held on the date of the consolidated election; and  
8 provided further, in the case of municipal officers  
9 provided for by an ordinance providing the form of  
10 government of the municipality pursuant to Section 7 of  
11 Article VII of the Constitution, such offices shall be  
12 filled by election or by runoff election as may be provided  
13 by such ordinance;

14 (2) Village and incorporated town library directors;

15 (3) City boards of stadium commissioners;

16 (4) Commissioners of park districts;

17 (5) Trustees of public library districts;

18 (6) Special District elected officers, not otherwise  
19 designated in this section, where the statute creating or  
20 authorizing the creation of the district permits or  
21 requires election of candidates of political parties;

22 (7) Township officers, including township park  
23 commissioners, township library directors, and boards of  
24 managers of community buildings, and Multi-Township  
25 Assessors;

26 (8) Highway commissioners and road district clerks;

1           (9) Members of school boards in school districts which  
2           adopt Article 33 of the School Code;

3           (10) The directors and chairman of the Chain O Lakes -  
4           Fox River Waterway Management Agency;

5           (11) Forest preserve district commissioners elected  
6           under Section 3.5 of the Downstate Forest Preserve District  
7           Act;

8           (12) School ~~Elected members of school boards, school~~  
9           trustees and, ~~directors of boards of school directors,~~  
10          trustees of county boards of school trustees (except in  
11          counties or educational service regions having a  
12          population of 2,000,000 or more inhabitants) ~~and members of~~  
13          ~~boards of school inspectors, except school boards in school~~  
14          ~~districts that adopt Article 33 of the School Code;~~

15          (13) Members of Community College district boards;

16          (14) Trustees of Fire Protection Districts;

17          (15) Commissioners of the Springfield Metropolitan  
18          Exposition and Auditorium Authority;

19          (16) Elected Trustees of Tuberculosis Sanitarium  
20          Districts;

21          (17) Elected Officers of special districts not  
22          otherwise designated in this Section for which the law  
23          governing those districts does not permit candidates of  
24          political parties.

25          (d) At the consolidated primary election in each  
26          odd-numbered year, candidates of political parties shall be

1 nominated for those offices to be filled at the consolidated  
2 election in that year, except where pursuant to law nomination  
3 of candidates of political parties is made by caucus, and  
4 except those offices listed in paragraphs (12) through (17) of  
5 subsection (c).

6 At the consolidated primary election in the appropriate  
7 odd-numbered years, the mayor, clerk, treasurer, and aldermen  
8 shall be elected in municipalities in which candidates for  
9 mayor, clerk, treasurer, or alderman are not permitted by law  
10 to be candidates of political parties, subject to runoff  
11 elections to be held at the consolidated election as may be  
12 required by law, and municipal officers shall be nominated in a  
13 nonpartisan election in municipalities in which pursuant to law  
14 candidates for such office are not permitted to be candidates  
15 of political parties.

16 At the consolidated primary election in the appropriate  
17 odd-numbered years, municipal officers shall be nominated or  
18 elected, or elected subject to a runoff, as may be provided by  
19 an ordinance providing a form of government of the municipality  
20 pursuant to Section 7 of Article VII of the Constitution.

21 (e) (Blank).

22 (f) At any election established in Section 2A-1.1, public  
23 questions may be submitted to voters pursuant to this Code and  
24 any special election otherwise required or authorized by law or  
25 by court order may be conducted pursuant to this Code.

26 Notwithstanding the regular dates for election of officers

1 established in this Article, whenever a referendum is held for  
2 the establishment of a political subdivision whose officers are  
3 to be elected, the initial officers shall be elected at the  
4 election at which such referendum is held if otherwise so  
5 provided by law. In such cases, the election of the initial  
6 officers shall be subject to the referendum.

7 Notwithstanding the regular dates for election of  
8 officials established in this Article, any community college  
9 district which becomes effective by operation of law pursuant  
10 to Section 6-6.1 of the Public Community College Act, as now or  
11 hereafter amended, shall elect the initial district board  
12 members at the next regularly scheduled election following the  
13 effective date of the new district.

14 (g) At any election established in Section 2A-1.1, if in  
15 any precinct there are no offices or public questions required  
16 to be on the ballot under this Code then no election shall be  
17 held in the precinct on that date.

18 (h) There may be conducted a referendum in accordance with  
19 the provisions of Division 6-4 of the Counties Code.

20 (Source: P.A. 89-5, eff. 1-1-96; 89-95, eff. 1-1-96; 89-626,  
21 eff. 8-9-96; 90-358, eff. 1-1-98.)

22 (10 ILCS 5/2A-48) (from Ch. 46, par. 2A-48)

23 Sec. 2A-48. Board of School Directors - Member - Time of  
24 Election. A member of a Board of School Directors or a member  
25 of an elected Board of Education, as the case may be, shall be



1 elected at each general ~~consolidated~~ election to succeed each  
2 incumbent member whose term ends before the following general  
3 ~~consolidated~~ election.

4 (Source: P.A. 90-358, eff. 1-1-98.)

5 (10 ILCS 5/2A-49) (from Ch. 46, par. 2A-49)

6 Sec. 2A-49. Board of School Inspectors - Member - Time of  
7 Election. A member of a Board of School Inspectors shall be  
8 elected at the general ~~consolidated~~ election which immediately  
9 precedes the expiration of the term of any incumbent school  
10 inspector, to succeed each incumbent school inspector whose  
11 term ends before the following general ~~consolidated~~ election.

12 (Source: P.A. 90-358, eff. 1-1-98.)

13 (10 ILCS 5/2A-54) (from Ch. 46, par. 2A-54)

14 Sec. 2A-54. (a) In those cases in which the election to an  
15 office is changed by the consolidation of elections to an  
16 earlier or later month in the same year or to a different year,  
17 the term of any incumbent serving on December 1, 1980 is  
18 extended to the first Monday in the first month following the  
19 election of his successor and until the successor has  
20 qualified, and the term of the successor in office shall  
21 commence on that first Monday.

22 The term of office of a person elected at a nonpartisan  
23 election whose term begins before the effective date of this  
24 amendatory Act of 1997 shall expire on the date that his or her

1 term would have expired had this amendatory Act of 1997 not  
2 been enacted. The term of office of a person elected at a  
3 consolidated election held on or after the effective date of  
4 this amendatory Act of 1997 to succeed to a term of office of a  
5 person elected at a nonpartisan election shall begin upon the  
6 termination of the predecessor's term of office. The term of  
7 office of a person elected to succeed to a term of office of a  
8 person elected at a nonpartisan election shall end after the  
9 next consolidated election at which a successor is elected and  
10 at the regularly scheduled time for the ending of terms of  
11 office as provided in the Act or Acts creating or governing  
12 that unit of local government or school district.

13 However, this general provision for the transition of terms  
14 of office in relation to the adoption of a uniform schedule of  
15 elections shall be subject to the specific provisions for the  
16 transition of terms of office in the several Acts creating or  
17 governing the creation of various units of local government and  
18 school districts, as amended.

19 (b) With respect to the election of members of a board of  
20 school directors, board of education, or board of school  
21 inspectors being changed from the consolidated election to the  
22 general election under this amendatory Act of the 99th General  
23 Assembly, the term of any incumbent serving on January 1, 2016  
24 is extended until his or her successor is elected and has  
25 qualified.

26 (Source: P.A. 90-358, eff. 1-1-98.)

1 Section 10. The School Code is amended by changing Sections  
2 9-5, 10-4, 10-10, 10-16, 11E-55, 32-1.1, and 32-2.12 as  
3 follows:

4 (105 ILCS 5/9-5) (from Ch. 122, par. 9-5)

5 Sec. 9-5. Election dates and terms of offices.

6 (a) The dates upon which school officer elections shall be  
7 held are as established in the general election law. Members of  
8 boards of education shall unless otherwise provided serve terms  
9 of 4 years.

10 (b) If, at a regularly scheduled election, a proposition is  
11 submitted to the voters of a district, as provided by a  
12 resolution of the board, on the question of whether board  
13 members should serve for 6 year terms and the proposition  
14 receives the affirmative vote of those voting thereon, members  
15 of the board of education shall thereafter serve for terms of 6  
16 years.

17 (c) The term of any incumbent serving on a school board on  
18 January 1, 2016 is extended until his or her successor is  
19 elected and has qualified as provided under subsection (b) of  
20 Section 2A-54 of the Election Code.

21 (Source: P.A. 82-1014.)

22 (105 ILCS 5/10-4) (from Ch. 122, par. 10-4)

23 Sec. 10-4. Election of directors.

1           (a) In all districts, directors shall be elected in each  
2 even-numbered ~~odd-numbered~~ year, each for a term of 4 years.

3           (b) In consolidated districts where 5 directors are elected  
4 in 1981 pursuant to the extension of terms provided by law for  
5 transition to the consolidated election schedule under the  
6 general election law, those directors elected shall, by lot,  
7 determine 2 of their number to serve 2 years and 3 to serve 4  
8 years; their successors shall serve for a 4 year term.

9           (c) If a proposition to increase the membership of a school  
10 district's board of school directors to 7 directors and to  
11 elect a new 7-member board of school directors to replace the  
12 district's existing board of 3 school directors is approved by  
13 the electors of the district at a regular scheduled election as  
14 provided in subsection (b) of Section 10-1, 7 members shall be  
15 elected at the next regular school election, in the manner  
16 provided by Article 9, to serve as the board of school  
17 directors of that district. The terms of office of the 3  
18 members of the board of school directors serving at the time of  
19 the election of the initial 7-member board of school directors  
20 shall expire when the 7 newly elected members of the initial  
21 7-member board of school directors assume office and are  
22 organized as provided in Section 10-5. At their organizational  
23 meeting, the initial members of the 7-member board of school  
24 directors shall by lot determine 4 of their number to serve 4  
25 year terms and 3 of their number to serve 2 year terms. Their  
26 successors shall serve for a 4 year term.

1 (d) In all other districts, one school director shall be  
2 elected in each district every other even-numbered  
3 ~~odd-numbered~~ year, and 2 ~~two~~ school directors shall be elected  
4 in the intervening even-numbered ~~odd-numbered~~ years.

5 (e) When a vacancy occurs in the membership of any board of  
6 school directors the remaining members shall, within 30 days,  
7 fill the vacancy by appointment until the next regular school  
8 election, or, upon their failure so to do, the regional  
9 superintendent shall make such appointment within the next 30  
10 days to fill the vacancy as herein provided. Upon the regional  
11 superintendent's failure to fill the vacancy, the vacancy shall  
12 be filled at the next regularly scheduled election.

13 (Source: P.A. 90-757, eff. 8-14-98.)

14 (105 ILCS 5/10-10) (from Ch. 122, par. 10-10)

15 Sec. 10-10. Board of education; term; vacancy. All school  
16 districts having a population of not fewer than 1,000 and not  
17 more than 500,000 inhabitants, as ascertained by any special or  
18 general census, and not governed by special Acts, shall be  
19 governed by a board of education consisting of 7 members,  
20 serving without compensation except as herein provided. Each  
21 member shall be elected for a term of 4 years for the initial  
22 members of the board of education of a combined school district  
23 to which that subsection applies. If 5 members are elected in  
24 1983 pursuant to the extension of terms provided by law for  
25 transition to the consolidated election schedule under the

1 general election law, 2 of those members shall be elected to  
2 serve terms of 2 years and 3 shall be elected to serve terms of  
3 4 years; their successors shall serve for a 4 year term. When  
4 the voters of a district have voted to elect members of the  
5 board of education for 6 year terms, as provided in Section  
6 9-5, the terms of office of members of the board of education  
7 of that district expire when their successors assume office but  
8 not later than 7 days after such election. If at the regular  
9 school election held in the first even-numbered ~~odd-numbered~~  
10 year after the determination to elect members for 6 year terms  
11 2 members are elected, they shall serve for a 6 year term; and  
12 of the members elected at the next regular school election 3  
13 shall serve for a term of 6 years and 2 shall serve a term of 2  
14 years. Thereafter members elected in such districts shall be  
15 elected to a 6 year term. If at the regular school election  
16 held in the first even-numbered ~~odd-numbered~~ year after the  
17 determination to elect members for 6 year terms 3 members are  
18 elected, they shall serve for a 6 year term; and of the members  
19 elected at the next regular school election 2 shall serve for a  
20 term of 2 years and 2 shall serve for a term of 6 years.  
21 Thereafter members elected in such districts shall be elected  
22 to a 6 year term. If at the regular school election held in the  
23 first even-numbered ~~odd-numbered~~ year after the determination  
24 to elect members for 6 year terms 4 members are elected, 3  
25 shall serve for a term of 6 years and one shall serve for a term  
26 of 2 years; and of the members elected at the next regular

1 school election 2 shall serve for terms of 6 years and 2 shall  
2 serve for terms of 2 years. Thereafter members elected in such  
3 districts shall be elected to a 6 year term. If at the regular  
4 school election held in the first even-numbered ~~odd-numbered~~  
5 year after the determination to elect members for a 6 year term  
6 5 members are elected, 3 shall serve for a term of 6 years and 2  
7 shall serve for a term of 2 years; and of the members elected  
8 at the next regular school election 2 shall serve for terms of  
9 6 years and 2 shall serve for terms of 2 years. Thereafter  
10 members elected in such districts shall be elected to a 6 year  
11 term. An election for board members shall not be held in school  
12 districts which by consolidation, annexation or otherwise  
13 shall cease to exist as a school district within 6 months after  
14 the election date, and the term of all board members which  
15 would otherwise terminate shall be continued until such  
16 district shall cease to exist. Each member, on the date of his  
17 or her election, shall be a citizen of the United States of the  
18 age of 18 years or over, shall be a resident of the State and  
19 the territory of the district for at least one year immediately  
20 preceding his or her election, shall be a registered voter as  
21 provided in the general election law, shall not be a school  
22 trustee, and shall not be a child sex offender as defined in  
23 Section 11-9.3 of the Criminal Code of 2012. When the board of  
24 education is the successor of the school directors, all rights  
25 of property, and all rights regarding causes of action existing  
26 or vested in such directors, shall vest in it as fully as they

1 were vested in the school directors. Terms of members are  
2 subject to Section 2A-54 of the Election Code.

3 Nomination papers filed under this Section are not valid  
4 unless the candidate named therein files with the county clerk  
5 or the county board of election commissioners, as the case may  
6 be, of the county in which the principal office of the school  
7 district is located a receipt from the county clerk showing  
8 that the candidate has filed a statement of economic interests  
9 as required by the Illinois Governmental Ethics Act. Such  
10 receipt shall be so filed either previously during the calendar  
11 year in which his nomination papers were filed or within the  
12 period for the filing of nomination papers in accordance with  
13 the general election law.

14 Whenever a vacancy occurs, the remaining members shall  
15 notify the regional superintendent of that vacancy within 5  
16 days after its occurrence and shall proceed to fill the vacancy  
17 until the next regular school election, at which election a  
18 successor shall be elected to serve the remainder of the  
19 unexpired term. However, if the vacancy occurs with less than  
20 868 days remaining in the term, or if the vacancy occurs less  
21 than 88 days before the next regularly scheduled election for  
22 this office then the person so appointed shall serve the  
23 remainder of the unexpired term, and no election to fill the  
24 vacancy shall be held. Should they fail so to act, within 45  
25 days after the vacancy occurs, the regional superintendent of  
26 schools under whose supervision and control the district is



1 operating, as defined in Section 3-14.2 of this Act, shall  
2 within 30 days after the remaining members have failed to fill  
3 the vacancy, fill the vacancy as provided for herein. Upon the  
4 regional superintendent's failure to fill the vacancy, the  
5 vacancy shall be filled at the next regularly scheduled  
6 election. Whether elected or appointed by the remaining members  
7 or regional superintendent, the successor shall be an  
8 inhabitant of the particular area from which his or her  
9 predecessor was elected if the residential requirements  
10 contained in Section 10-10.5 or 12-2 of this Code apply.

11 A board of education may appoint a student to the board to  
12 serve in an advisory capacity. The student member shall serve  
13 for a term as determined by the board. The board may not grant  
14 the student member any voting privileges, but shall consider  
15 the student member as an advisor. The student member may not  
16 participate in or attend any executive session of the board.

17 (Source: P.A. 97-1150, eff. 1-25-13; 98-115, eff. 7-29-13.)

18 (105 ILCS 5/10-16) (from Ch. 122, par. 10-16)

19 Sec. 10-16. Organization of Board. Within 28 days after the  
20 general ~~consolidated~~ election, ~~other than the consolidated~~  
21 ~~elections in 1999 and 2001,~~ the board shall organize by  
22 electing its officers and fixing a time and place for the  
23 regular meetings. However, when school board members are  
24 elected at the consolidated elections held in April of 1999 and  
25 April of 2001, the board shall organize within 7 days after the

1 first Tuesday after the first Monday of November in each such  
2 year by electing officers and setting the time and place of the  
3 regular meetings. Upon organizing itself as provided in this  
4 paragraph, the board shall enter upon the discharge of its  
5 duties.

6 The regional superintendent of schools having supervision  
7 and control, as provided in Section 3-14.2, of a new school  
8 district that is governed by this ~~the School~~ Code and formed on  
9 or after the effective date of this amendatory Act of 1998  
10 shall convene the newly elected board within 7 days after the  
11 election of the board of education of that district, whereupon  
12 the board shall proceed to organize by electing one of their  
13 number as president and electing a secretary, who may or may  
14 not be a member. At such meeting the length of term of each of  
15 the members shall be determined by lot so that 4 shall serve  
16 for 4 years, and 3 for 2 years from the commencement of their  
17 terms; provided, however, if such members were not elected at  
18 the general consolidated election ~~in an odd numbered year~~, such  
19 initial terms shall be extended to the general consolidated  
20 election for school board members immediately following the  
21 expiration of the initial 4 or 2 year terms. The provisions of  
22 this paragraph that relate to the determination of terms by lot  
23 shall not apply to the initial members of the board of  
24 education of a combined school district who are to be elected  
25 to unstagged terms.

26 The terms of the officers of a board of education shall be

1 for 2 years, except that the terms of the officers elected at  
2 the organization meeting in November, 2001 shall expire at the  
3 organization meeting in April, 2003; provided that the board by  
4 resolution may establish a policy for the terms of office to be  
5 one year, and provide for the election of officers.

6 Special meetings of the board of education may be called by  
7 the president or by any 3 members of the board by giving notice  
8 thereof in writing, stating the time, place and purpose of the  
9 meeting. Such notice may be served by mail 48 hours before such  
10 meeting or by personal service 24 hours before such meeting.  
11 Public notice of meetings must also be given as prescribed in  
12 Sections 2.02 and 2.03 of the Open Meetings Act, as now or  
13 hereafter amended.

14 At each regular and special meeting which is open to the  
15 public, members of the public and employees of the district  
16 shall be afforded time, subject to reasonable constraints, to  
17 comment to or ask questions of the board.

18 The president or district superintendent shall, at each  
19 regular board meeting, report any requests made of the district  
20 under provisions of the ~~The~~ Freedom of Information Act and  
21 shall report the status of the district's response.

22 (Source: P.A. 93-847, eff. 7-30-04; 94-1019, eff. 7-10-06.)

23 (105 ILCS 5/11E-55)

24 Sec. 11E-55. Holding of elections.

25 (a) Elections provided by this Article shall be conducted

1 in accordance with the general election law. The regional  
2 superintendent of schools shall perform the election duties  
3 assigned by law to the secretary of a school board for the  
4 election and shall certify the officers and candidates  
5 therefore pursuant to the general election law.

6 (b) Nomination papers filed under this Article are not  
7 valid unless the candidate named therein files with the  
8 regional superintendent of schools a receipt from the county  
9 clerk showing that the candidate has filed a statement of  
10 economic interests as required by the Illinois Governmental  
11 Ethics Act. This receipt shall be so filed either previously  
12 during the calendar year in which his or her nomination papers  
13 were filed or within the period for the filing of nomination  
14 papers in accordance with the general election law.

15 (c)(1) If the petition requests the election of school  
16 board members of the school district proposed to be created at  
17 the same election at which the proposition to establish that  
18 district is to be submitted to voters or if the regional  
19 superintendent of schools finds it to be in the best interest  
20 of the districts involved to elect school board members of the  
21 school district proposed to be created at the same ~~a~~  
22 ~~consolidated election or general primary~~ election, then that  
23 fact shall be included in the notice of referendum.

24 (2) If the members of the school board of the school  
25 district proposed to be created are not to be elected at the  
26 same election at which the proposition to establish that

1 district is to be submitted to the voters, then the regional  
2 superintendent of schools shall order an election to be held on  
3 the next regularly scheduled election date for the purpose of  
4 electing a school board for that district.

5 (3) In either event, the school board elected for a new  
6 school district or districts created under this Article shall  
7 consist of 7 members who shall have the terms and the powers  
8 and duties of school boards as provided by statute.

9 (d) All notices regarding propositions for reorganization  
10 or creation of new school districts under this Article shall be  
11 given in accordance with the general election law in  
12 substantially the following form:

13 (1) Notice in high school - unit conversion or unit to  
14 dual conversion:

15 NOTICE OF REFERENDUM TO DISSOLVE  
16 CERTAIN SCHOOL DISTRICTS AND  
17 ESTABLISH CERTAIN NEW SCHOOL DISTRICTS

18 NOTICE is hereby given that on (insert date), a  
19 referendum will be held in part(s) of ..... county  
20 (counties) for the purpose of voting for or against the  
21 proposition to dissolve (here identify the school  
22 districts to be dissolved by name and number) and to  
23 establish new school districts for the following described  
24 territory: A new (here specify elementary, high school, or

1 unit) district shall be formed from (here describe the  
 2 territory, which, for territory currently included in an  
 3 entire school district, may be a general reference to all  
 4 of the territory included within that particular school  
 5 district). (Here repeat the territory information for each  
 6 new school district.)

7 The election is called and will be held pursuant to an  
 8 order of the Regional Superintendent dated on (insert  
 9 date), which order states that if a majority of the voters  
 10 in each of the affected districts voting on the proposition  
 11 at the referendum vote in favor thereof, the tax rates for  
 12 various purposes of the new districts shall be as follows:  
 13 For the new (here specify elementary, high school, or unit)  
 14 district formed from the territory of (here describe  
 15 territory, which, for territory currently included in an  
 16 entire school district, may be a general reference to all  
 17 of the territory included within that particular  
 18 district), the tax rates for various purposes shall be  
 19 (here specify the maximum tax rates for various purposes  
 20 the proposed school district is authorized to levy and, if  
 21 applicable, the specifications related to the Property Tax  
 22 Extension Limitation Law, in accordance with Section  
 23 11E-80 of this Code). (Here repeat the tax rate information  
 24 for each new school district.)

25 Dated (insert date).

26 Regional Superintendent of Schools .....

1 (2) Notice for combined school district formation:

2 NOTICE OF REFERENDUM  
3 TO ESTABLISH COMBINED SCHOOL DISTRICT

4 NOTICE is hereby given that on (insert date), a  
5 referendum will be held in part(s) of ..... county  
6 (counties) for the purpose of voting for or against the  
7 proposition to establish a combined (here insert  
8 elementary, high school, or unit) school district for the  
9 following described territory: (here describe the  
10 territory, which, for territory currently included in an  
11 entire school district, may be a general reference to all  
12 of the territory included within that particular school  
13 district). The election is called and will be held pursuant  
14 to an order of the Regional Superintendent dated on (insert  
15 date), which order states that if a majority of the voters  
16 in each of the affected school districts voting on the  
17 proposition at the referendum vote in favor thereof, the  
18 tax rates for various purposes of the proposed combined  
19 school district shall be (here specify the maximum tax  
20 rates for various purposes the proposed combined school  
21 district is authorized to levy and, if applicable, the  
22 specifications related to the Property Tax Extension  
23 Limitation Law, in accordance with Section 11E-80 of this

1 Code).  
 2 Dated (insert date).  
 3 Regional Superintendent of Schools .....

4 (3) Notice for unit district formation (other than a  
 5 partial elementary unit district):

6 NOTICE OF REFERENDUM TO ESTABLISH  
 7 A COMMUNITY UNIT DISTRICT

8 NOTICE is hereby given that on (insert date), a  
 9 referendum will be held in part(s) of ..... county  
 10 (counties) for the purpose of voting for or against the  
 11 proposition to establish a unit district for the following  
 12 described territory: (here describe the territory, which,  
 13 for territory currently included in an entire school  
 14 district, may be a general reference to all of the  
 15 territory included within that particular school  
 16 district). The election is called and will be held pursuant  
 17 to an order of the Regional Superintendent dated on (insert  
 18 date), which order states that if a majority of the voters  
 19 in each of the affected school districts voting on the  
 20 proposition at the referendum vote in favor thereof, the  
 21 tax rates for various purposes for the proposed unit  
 22 district shall be (here specify the maximum tax rates for  
 23 various purposes the proposed unit district shall be



1 authorized to levy and, if applicable, the specifications  
2 related to the Property Tax Extension Limitation Law, in  
3 accordance with Section 11E-80 of this Code).

4 Dated (insert date).

5 Regional Superintendent of Schools .....

6 (4) Notice for combined high school - unit district  
7 formation:

8 NOTICE OF REFERENDUM

9 TO ESTABLISH COMBINED HIGH SCHOOL - UNIT DISTRICT

10 NOTICE is hereby given that on (insert date), a  
11 referendum will be held in part(s) of ..... county  
12 (counties) for the purpose of voting for or against the  
13 proposition to establish a combined high school - unit  
14 district for the following described territory: (here  
15 describe the territory, which, for territory currently  
16 included in an entire school district, may be a general  
17 reference to all of the territory included within that  
18 particular school district). The following described  
19 territory shall be included in the combined high school -  
20 unit district for high school purposes only: (here describe  
21 the territory that will be included only for high school  
22 purposes, which, for territory currently included in an  
23 entire school district, may be a general reference to all

1 of the territory included within that particular school  
 2 district). The election is called and will be held pursuant  
 3 to an order of the Regional Superintendent dated on (insert  
 4 date), which order states that if a majority of the voters  
 5 in each of the affected school districts voting on the  
 6 proposition at the referendum vote in favor thereof, the  
 7 tax rates for various purposes for the proposed combined  
 8 high school - unit district shall be (here specify the  
 9 maximum tax rates for various purposes the proposed  
 10 combined high school - unit district shall be authorized to  
 11 levy and, if applicable, the specifications related to the  
 12 Property Tax Extension Limitation Law, in accordance with  
 13 Sections 11E-80 and 11E-90 of this Code).  
 14 Dated (insert date).  
 15 Regional Superintendent of Schools .....

16 (5) Notice for multi-unit conversion:

17 NOTICE OF REFERENDUM TO DISSOLVE CERTAIN  
 18 UNIT SCHOOL DISTRICTS AND ESTABLISH CERTAIN  
 19 NEW SCHOOL DISTRICTS

20 NOTICE is hereby given that on (insert date), a  
 21 referendum will be held in part(s) of ..... county  
 22 (counties) for the purpose of voting for or against the  
 23 proposition to dissolve (here identify the districts to be

1 dissolved by name and number) and to establish new school  
2 districts for the following described territory: A new  
3 (here specify elementary or combined high school - unit)  
4 district shall be formed from (here describe the territory,  
5 which, for territory currently included in an entire school  
6 district, may be a general reference to all of the  
7 territory included within that particular school  
8 district). (Here repeat the territory information for each  
9 new school district.) The following described territory  
10 shall be included in the proposed combined high school -  
11 unit district only for high school purposes: (here describe  
12 the territory that will only be included for high school  
13 purposes, which, for territory currently included in an  
14 entire school district, may be a general reference to all  
15 of the territory included within that particular school  
16 district).

17 The election is called and will be held pursuant to an  
18 order of the Regional Superintendent dated on (insert  
19 date), which order states that if a majority of the voters  
20 in each of the affected districts voting on the proposition  
21 at the referendum vote in favor thereof, the tax rates for  
22 various purposes of the new districts shall be as follows:  
23 For the new elementary district formed from the territory  
24 of (here identify the unit district by name and number) the  
25 tax rates for various purposes shall be (here specify the  
26 maximum tax rates for various purposes the proposed

1 elementary district is authorized to levy and, if  
 2 applicable, the specifications related to the Property Tax  
 3 Extension Limitation Law, in accordance with Section  
 4 11E-80 of this Code). (Here repeat the tax rate and  
 5 Property Tax Extension Limitation Law information for each  
 6 new elementary district.) For the new combined high school  
 7 - unit district, the tax rates for various purposes shall  
 8 be (here specify the maximum tax rates for various purposes  
 9 the proposed combined high school - unit district shall be  
 10 authorized to levy and, if applicable, the specifications  
 11 related to the Property Tax Extension Limitation Law, in  
 12 accordance with Sections 11E-80 and 11E-90 of this Code).

13 Dated (insert date).

14 Regional Superintendent of Schools .....

15 (6) Notice for optional elementary unit district  
 16 formation:

17 NOTICE OF REFERENDUM TO ESTABLISH  
 18 AN OPTIONAL ELEMENTARY UNIT DISTRICT

19 NOTICE is hereby given that on (insert date), a  
 20 referendum will be held in part(s) of ..... county  
 21 (counties) for the purpose of voting for or against the  
 22 proposition to establish an optional elementary unit  
 23 district for the following described territory: (here

1 describe the elementary and high school district territory  
2 by name and number). If a majority of the voters in one or  
3 more of the affected elementary districts and in the  
4 affected high school district voting on the proposition at  
5 the referendum vote in favor thereof, all of the territory  
6 included within the affected high school district shall be  
7 included in the optional elementary unit district for high  
8 school purposes. However, only the territory of elementary  
9 districts in which a majority of the voters voting in the  
10 proposition at the referendum vote in favor thereof shall  
11 be included in the optional elementary unit district for  
12 elementary purposes. The election is called and will be  
13 held pursuant to an order of the Regional Superintendent  
14 dated on (insert date), which order states that if a  
15 majority of the voters in one or more of the affected  
16 elementary districts and in the affected high school  
17 district voting on the proposition at the referendum vote  
18 in favor thereof, the tax rates for various purposes for  
19 the proposed optional elementary unit district shall be  
20 (here list the maximum tax rates for various purposes the  
21 proposed optional elementary unit district is authorized  
22 to levy and, if applicable, the specifications related to  
23 the Property Tax Extension Limitation Law, in accordance  
24 with Sections 11E-80 and 11E-95 of this Code).

25 Dated (insert date).

26 Regional Superintendent of Schools .....

1           (7) Notice for an elementary district to opt into a  
2 partial elementary unit district:

3                               NOTICE OF REFERENDUM TO JOIN  
4                               AN OPTIONAL ELEMENTARY UNIT DISTRICT

5           NOTICE is hereby given that on (insert date), a  
6 referendum will be held in part(s) of ..... county  
7 (counties) for the purpose of voting for or against the  
8 proposition to dissolve an elementary district and join an  
9 optional elementary unit district for kindergarten through  
10 12 grade-level purposes for all of the territory included  
11 within (here identify the elementary district by name and  
12 number). The election is called and will be held pursuant  
13 to an order of the Regional Superintendent dated on (insert  
14 date), which order states that if a majority of the voters  
15 in the elementary school district voting on the proposition  
16 at the referendum vote in favor thereof, the tax rates for  
17 various purposes for the optional elementary unit district  
18 shall be (here list the maximum tax rates for various  
19 purposes the optional elementary unit district is  
20 authorized to levy and, if applicable, the specifications  
21 related to the Property Tax Extension Limitation Law, in  
22 accordance with Sections 11E-80 and 11E-95 of this Code)  
23 and the elementary district, prior to dissolution, shall

1 issue funding bonds pursuant to Sections 19-8 and 19-9 of  
 2 the School Code to liquidate any operational deficit or  
 3 debt incurred or accumulated since the date of the election  
 4 in which the proposition to form the optional elementary  
 5 unit district passed.

6 Dated (insert date).

7 Regional Superintendent of Schools .....

8 (Source: P.A. 94-1019, eff. 7-10-06.)

9 (105 ILCS 5/32-1.1) (from Ch. 122, par. 32-1.1)

10 Sec. 32-1.1. Election and powers of board - No provision in  
 11 special act. In all special charter districts maintaining  
 12 schools under any general school laws, where there is no  
 13 provision in the special Acts creating such districts for the  
 14 election of boards of education as otherwise provided, there  
 15 shall be elected, in lieu of the school directors as now  
 16 provided, a board of education, to consist of 7 members to be  
 17 elected at the time and in the manner as provided by the  
 18 general election law for the election and qualification of  
 19 boards of education in other cases. In any district having a  
 20 population of more than 100,000 but less than 2,000,000 such  
 21 board may be increased in size to 11 members upon adoption by a  
 22 majority of electors residing in the district and voting on the  
 23 question in a referendum as provided in this Section. Such  
 24 question shall be submitted to the electors at an election upon  
 25 a resolution adopted by the Board. Members shall be elected

1 biennially in the school district, whose term of office shall  
2 be 4 years, and there shall also be elected in each  
3 even-numbered ~~odd-numbered~~ year a president of the board.  
4 Following the first such election, those members elected, other  
5 than the president, shall, by lot, determine 3 to serve 2 years  
6 and 3 to serve 4 years; thereafter, all terms shall be 4 years.  
7 In other cases, however, if 4 members, other than the  
8 president, are elected in 1983, then those elected shall, by  
9 lot, determine one to serve for 2 years and 3 to serve 4 years;  
10 thereafter all terms shall be 4 years. In neither case shall  
11 such determinations affect the biennial selection of the  
12 president. At the first regular school election after the  
13 adoption by the district electors of a question as provided in  
14 this Section increasing the size of the board in those  
15 districts entitled to exercise an option for and elect an 11  
16 member board, 4 additional members shall be elected and shall  
17 determine by lot 2 to serve for 2 years and 2 for 4 years. Their  
18 successors shall serve for a 4 year term. In case of an 11  
19 member board already in existence, if 7 members, other than the  
20 president, are elected in 1983 then those members elected  
21 shall, by lot determine one to serve 2 years and 6 to serve 4  
22 years. Terms thereafter shall be 4 years. The board of  
23 education shall have all the powers and duties of trustees of  
24 schools in school townships and the powers and duties of boards  
25 of education in districts having a population of not fewer than  
26 1,000 and not more than 500,000 as provided by this Act.



1           The day upon which the election provided for in this  
2 section is to be held is subject to the provisions of the  
3 general election law.

4           (Source: P.A. 86-225.)

5           (105 ILCS 5/32-2.12) (from Ch. 122, par. 32-2.12)

6           Sec. 32-2.12. Time for election of board members. In all  
7 special charter districts, the regular election of members of  
8 such boards shall hereafter be held on the date set for school  
9 elections as provided in the general election law ~~in odd~~  
10 ~~numbered years.~~

11          (Source: P.A. 81-1490.)