



1 advice and consent of the county board, when such vacancy  
2 occurs in a single county educational service region; or (ii)  
3 by appointment of a committee composed of the chairmen of the  
4 county boards of those counties comprising the affected  
5 educational service region when such vacancy occurs in a  
6 multicounty educational service region, each committeeman to  
7 be entitled to one vote for each vote that was received in  
8 the county represented by such committeeman on the committee  
9 by the regional superintendent of schools whose office is  
10 vacant at the last election at which a regional  
11 superintendent was elected to such office, and the person  
12 receiving the highest number of affirmative votes from the  
13 committeemen for such vacant office to be deemed the person  
14 appointed by such committee to fill the vacancy. The  
15 appointee shall be a member of the same political party as  
16 the regional superintendent of schools the appointee succeeds  
17 was at the time such regional superintendent of schools last  
18 was elected. The appointee shall serve until the next  
19 general election when a successor shall be elected in  
20 accordance with the general election law for the unexpired  
21 term or for a full term, as the case may require.

22 Except as otherwise provided by applicable county  
23 ordinance or by law, if a vacancy occurs in the office of  
24 regional superintendent of schools of an educational service  
25 region that is located in a county that is a home rule unit  
26 and that has a population of less than 2,000,000 inhabitants,  
27 that vacancy shall be filled by the county board of such home  
28 rule county.

29 However, on or after August 7, 1995, if a vacancy occurs  
30 in the office of regional superintendent of schools of an  
31 educational service region that is located in a county that  
32 is a home rule unit and that has a population of 2,000,000 or  
33 more inhabitants, then the vacancy shall be filled by  
34 appointment of the township committeemen of the same

1 political party as the incumbent in that educational service  
2 region. The township committeemen shall have one vote for  
3 each ballot voted in each precinct of the township cast by  
4 the primary electors of his or her party at the general  
5 primary election immediately preceding the meeting to fill  
6 the vacancy in the office of regional superintendent of  
7 schools. The person appointed to fill the vacancy shall be a  
8 member of the same political party as the person he or she  
9 succeeds and shall be otherwise eligible to serve as  
10 superintendent of schools. The appointee shall serve for the  
11 remainder of the term. However, if more than 28 months  
12 remain in that term, the appointment shall be until the next  
13 general election, at which time the vacated office shall be  
14 filled by election for the remainder of the term.  
15 Nominations shall be made and any vacancy in nomination shall  
16 be filled as follows:

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

25 (2) If the vacancy in office occurs during the time  
26 provided in Section 7-12 of the Election Code for filing  
27 nomination papers for county offices for the primary in  
28 the next even-numbered year following commencement of the  
29 term of office in which the vacancy occurs, the time for  
30 filing nomination papers for the primary shall not be  
31 more than 91 days nor less than 85 days prior to the date  
32 of the primary.

33 (3) If the vacancy in office occurs after the last  
34 day provided in Section 7-12 of the Election Code for

1 filing nomination papers for county offices for the  
2 primary in the next even-numbered year following  
3 commencement of the term of office in which the vacancy  
4 occurs, a vacancy in nomination shall be deemed to have  
5 occurred and the township committeemen of each  
6 established political party shall nominate, by  
7 resolution, a candidate to fill the vacancy in nomination  
8 for election to the office at the general election. In  
9 the nomination proceedings to fill the vacancy in  
10 nomination, each township committeeman shall have the  
11 voting strength as set forth in Section 7-8 or 7-8.02 of  
12 the Election Code, respectively. The name of the  
13 candidate so nominated shall not appear on the ballot at  
14 the general primary election. The vacancy in nomination  
15 shall be filled prior to the date of certification of  
16 candidates for the general election.

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

32 The provisions of Sections 10-8 through 10-10.1 of the  
33 Election Code relating to objections to nominations papers,  
34 hearings on objections, and judicial review shall also apply

1 to and govern objections to nomination papers and resolutions  
 2 for filling vacancies in nomination filed pursuant to this  
 3 Section. Unless otherwise specified in this Section, the  
 4 nomination and election provided for in this Section is  
 5 governed by the general election law. ~~until-the-next--general~~  
 6 ~~election-when-a-successor-shall-be-elected-in-accordance-with~~  
 7 ~~the-general-election-law-for-the-unexpired-term-or-for-a-full~~  
 8 ~~term,--as--the--case--may--require. Until-July-17-1994,--if-a~~  
 9 ~~vacancy-occurs-in-the-office-of--regional--superintendent--of~~  
 10 ~~schools-of-an-educational-service-region-that-is-located-in-a~~  
 11 ~~county--that-is-a-home-rule-unit-and-that-has-a-population-of~~  
 12 ~~2,000,000-or-more-inhabitants,--that-vacancy-shall--be--filled~~  
 13 ~~by-the-county-board-of-that-home-rule-county-unless-otherwise~~  
 14 ~~provided--by--applicable--county--ordinance-or-by-law. On-and~~  
 15 ~~after-July-17-1994,--the-provisions-of-this-Section-shall-have~~  
 16 ~~no-application-in-any--educational--service--region--that--is~~  
 17 ~~located-in-any-county,--including-a-county-that-is-a-home-rule~~  
 18 ~~unit,--if-that-educational-service-region-has-a-population-of~~  
 19 ~~2,000,000-or-more-inhabitants.~~

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

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

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

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

9 Section 99. Effective date. This Act takes effect upon  
10 becoming law."