

AN ACT relating to schools.

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

Section 5. The School Code is amended by changing
Sections 10-3, 10-10, 33-2, and 34-4 as follows:

(105 ILCS 5/10-3) (from Ch. 122, par. 10-3)

Sec. 10-3. Eligibility of directors. Any person who, on
the date of his or her election, is a citizen of the United
States, of the age of 18 years or over, is a resident of the
State and of the territory of the district for at least one
year immediately preceding his or her election, is a
registered voter as provided in the general election law, and
is not a school trustee or a school treasurer, and is not a
child sex offender as defined in Section 11-9.3 of the
Criminal Code of 1961, shall be eligible to the office of
school director.

(Source: P.A. 81-1490.)

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

Sec. 10-10. Board of education; Term; Vacancy. All
school districts having a population of not fewer than 1,000
and not more than 500,000 inhabitants, as ascertained by any
special or general census, and not governed by special Acts,
shall be governed by a board of education consisting of 7
members, serving without compensation except as herein
provided. Each member shall be elected for a term of 4 years
except as otherwise provided in subsection (a-5) of Section
11B-7 for the initial members of the board of education of a
combined school district to which that subsection applies. If
5 members are elected in 1983 pursuant to the extension of
terms provided by law for transition to the consolidated

election schedule under the general election law, 2 of those members shall be elected to serve terms of 2 years and 3 shall be elected to serve terms of 4 years; their successors shall serve for a 4 year term. When the voters of a district have voted to elect members of the board of education for 6 year terms, as provided in Section 9-5, the terms of office of members of the board of education of that district expire when their successors assume office but not later than 7 days after such election. If at the regular school election held in the first odd-numbered year after the determination to elect members for 6 year terms 2 members are elected, they shall serve for a 6 year term; and of the members elected at the next regular school election 3 shall serve for a term of 6 years and 2 shall serve a term of 2 years. Thereafter members elected in such districts shall be elected to a 6 year term. If at the regular school election held in the first odd-numbered year after the determination to elect members for 6 year terms 3 members are elected, they shall serve for a 6 year term; and of the members elected at the next regular school election 2 shall serve for a term of 2 years and 2 shall serve for a term of 6 years. Thereafter members elected in such districts shall be elected to a 6 year term. If at the regular school election held in the first odd-numbered year after the determination to elect members for 6 year terms 4 members are elected, 3 shall serve for a term of 6 years and one shall serve for a term of 2 years; and of the members elected at the next regular school election 2 shall serve for terms of 6 years and 2 shall serve for terms of 2 years. Thereafter members elected in such districts shall be elected to a 6 year term. If at the regular school election held in the first odd-numbered year after the determination to elect members for a 6 year term 5 members are elected, 3 shall serve for a term of 6 years and 2 shall serve for a term of 2 years; and of the members

electd at the next regular school election 2 shall serve for terms of 6 years and 2 shall serve for terms of 2 years. Thereafter members elected in such districts shall be elected to a 6 year term. An election for board members shall not be held in school districts which by consolidation, annexation or otherwise shall cease to exist as a school district within 6 months after the election date, and the term of all board members which would otherwise terminate shall be continued until such district shall cease to exist. Each member shall, on the date of his or her election, shall be a citizen of the United States of the age of 18 years or over, shall be a resident of the State and the territory of the district for at least one year immediately preceding his or her election, shall be a registered voter as provided in the general election law, and shall not be a school trustee or a school treasurer, and shall not be a child sex offender as defined in Section 11-9.3 of the Criminal Code of 1961. When the board of education is the successor of the school directors, all rights of property, and all rights regarding causes of action existing or vested in such directors, shall vest in it as fully as they were vested in the school directors. Terms of members are subject to Section 2A-54 of the Election Code.

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

Whenever a vacancy occurs, the remaining members shall

notify the regional superintendent of that vacancy within 5 days after its occurrence and shall proceed to fill the vacancy until the next regular school election, at which election a successor shall be elected to serve the remainder of the unexpired term. However, if the vacancy occurs with less than 868 days remaining in the term, or if the vacancy occurs less than 88 days before the next regularly scheduled election for this office then the person so appointed shall serve the remainder of the unexpired term, and no election to fill the vacancy shall be held. Should they fail so to act, within 45 days after the vacancy occurs, the regional superintendent of schools under whose supervision and control the district is operating, as defined in Section 3-14.2 of this Act, shall within 30 days after the remaining members have failed to fill the vacancy, fill the vacancy as provided for herein. Upon the regional superintendent's failure to fill the vacancy, the vacancy shall be filled at the next regularly scheduled election. Whether elected or appointed by the remaining members or regional superintendent, the successor shall be an inhabitant of the particular area from which his or her predecessor was elected if the residential requirements contained in Section 11A-8, 11B-7, or 12-2 of this Act apply.

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

(105 ILCS 5/33-2) (from Ch. 122, par. 33-2)

Sec. 33-2. Eligibility. To be eligible for election to the board, a person shall be a citizen of the United States, and shall have been a resident of the district for at least one ± year immediately preceding his or her election, and shall not be a child sex offender as defined in Section 11-9.3 of the Criminal Code of 1961. Permanent removal from

the district by any member constitutes a resignation from and creates a vacancy in the board. Board members shall serve without compensation.

Notwithstanding any provisions to the contrary in any special charter, petitions nominating candidates for the board of education shall be signed by at least 200 voters of the district; and the polls, whether they be located within a city lying in the district or outside of a city, shall remain open during the hours specified in the Election Code.

(Source: Laws 1961, p. 31.)

(105 ILCS 5/34-4) (from Ch. 122, par. 34-4)

Sec. 34-4. Eligibility. To be eligible for appointment to the board, a person shall be a citizen of the United States, shall be a registered voter as provided in the Election Code, ~~as heretofore or hereafter amended,~~ and shall have been a resident of the city for at least 3 years immediately preceding his or her appointment, and shall not be a child sex offender as defined in Section 11-9.3 of the Criminal Code of 1961. Permanent removal from the city by any member of the board during his term of office constitutes a resignation therefrom and creates a vacancy in the board. Except for the President of the Chicago School Reform Board of Trustees who may be paid compensation for his or her services as chief executive officer as determined by the Mayor as provided in subsection (a) of Section 34-3, board members shall serve without any compensation; provided, that board members shall be reimbursed for expenses incurred while in the performance of their duties upon submission of proper receipts or upon submission of a signed voucher in the case of an expense allowance evidencing the amount of such reimbursement or allowance to the president of the board for verification and approval. The board of education may continue to provide health care insurance coverage, employer

pension contributions, employee pension contributions, and life insurance premium payments for an employee required to resign from an administrative, teaching, or career service position in order to qualify as a member of the board of education. They shall not hold other public office under the Federal, State or any local government other than that of Director of the Regional Transportation Authority, member of the economic development commission of a city having a population exceeding 500,000, notary public or member of the National Guard, and by accepting any such office while members of the board, or by not resigning any such office held at the time of being appointed to the board within 30 days after such appointment, shall be deemed to have vacated their membership in the board.

(Source: P.A. 89-15, eff. 5-30-95.)