



Elementary Secondary Education Committee

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LRB096 18664 NHT 38238 a

1 AMENDMENT TO HOUSE BILL 5450

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5450 by replacing  
3 everything after the enacting clause with the following:

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,  
6 3A-6, 4-2, 4-4, 4-6, 4-7, 4-8, 4-9, and 4-10 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);

1 (2) computer technology education;

2 (3) mathematics, science and reading resources for  
3 teachers including continuing education, inservice  
4 training and staff development.

5 The centers may provide training, technical assistance,  
6 coordination and planning in other program areas such as school  
7 improvement, school accountability, financial planning,  
8 consultation, and services, career guidance, early childhood  
9 education, alcohol/drug education and prevention, family life  
10 - sex education, electronic transmission of data from school  
11 districts to the State, alternative education and regional  
12 special education, and telecommunications systems that provide  
13 distance learning. Such telecommunications systems may be  
14 obtained through the Department of Central Management Services  
15 pursuant to Section 405-270 of the Department of Central  
16 Management Services Law (20 ILCS 405/405-270). The programs and  
17 services of educational service centers may be offered to  
18 private school teachers and private school students within each  
19 service center area provided public schools have already been  
20 afforded adequate access to such programs and services.

21 Upon the abolition of the office, removal from office,  
22 disqualification for office, resignation from office, or  
23 expiration of the current term of office of the regional  
24 superintendent of schools, whichever is earlier, centers  
25 servicing that portion of a Class II county school unit outside  
26 of a city of 500,000 or more inhabitants shall have and

1 exercise, in and with respect to each educational service  
2 region having a population of 2,000,000 or more inhabitants and  
3 in and with respect to each school district located in any such  
4 educational service region, all of the rights, powers, duties,  
5 and responsibilities theretofore vested by law in and exercised  
6 and performed by the regional superintendent of schools for  
7 that area under the provisions of this Code or any other laws  
8 of this State.

9 The State Board of Education shall promulgate rules and  
10 regulations necessary to implement this Section. The rules  
11 shall include detailed standards which delineate the scope and  
12 specific content of programs to be provided by each Educational  
13 Service Center, as well as the specific planning,  
14 implementation and evaluation services to be provided by each  
15 Center relative to its programs. The Board shall also provide  
16 the standards by which it will evaluate the programs provided  
17 by each Center.

18 (b) Centers serving Class 1 county school units shall be  
19 governed by an 11-member board, 3 members of which shall be  
20 public school teachers nominated by the local bargaining  
21 representatives to the appropriate regional superintendent for  
22 appointment and no more than 3 members of which shall be from  
23 each of the following categories, including but not limited to  
24 superintendents, regional superintendents, school board  
25 members and a representative of an institution of higher  
26 education. The members of the board shall be appointed by the

1 regional superintendents whose school districts are served by  
2 the educational service center. The composition of the board  
3 will reflect the revisions of this amendatory Act of 1989 as  
4 the terms of office of current members expire.

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

8 (d) From monies appropriated for this program the State  
9 Board of Education shall provide grants to qualifying  
10 Educational Service Centers applying for such grants in  
11 accordance with rules and regulations promulgated by the State  
12 Board of Education to implement this Section.

13 (e) The governing authority of each of the 18 regional  
14 educational service centers shall appoint a family life - sex  
15 education advisory board consisting of 2 parents, 2 teachers, 2  
16 school administrators, 2 school board members, 2 health care  
17 professionals, one library system representative, and the  
18 director of the regional educational service center who shall  
19 serve as chairperson of the advisory board so appointed.  
20 Members of the family life - sex education advisory boards  
21 shall serve without compensation. Each of the advisory boards  
22 appointed pursuant to this subsection shall develop a plan for  
23 regional teacher-parent family life - sex education training  
24 sessions and shall file a written report of such plan with the  
25 governing board of their regional educational service center.  
26 The directors of each of the regional educational service

1 centers shall thereupon meet, review each of the reports  
2 submitted by the advisory boards and combine those reports into  
3 a single written report which they shall file with the Citizens  
4 Council on School Problems prior to the end of the regular  
5 school term of the 1987-1988 school year.

6 (f) The 14 educational service centers serving Class I  
7 county school units shall be disbanded on the first Monday of  
8 August, 1995, and their statutory responsibilities and  
9 programs shall be assumed by the regional offices of education,  
10 subject to rules and regulations developed by the State Board  
11 of Education. The regional superintendents of schools elected  
12 by the voters residing in all Class I counties shall serve as  
13 the chief administrators for these programs and services. By  
14 rule of the State Board of Education, the 10 educational  
15 service regions of lowest population shall provide such  
16 services under cooperative agreements with larger regions.

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

18 (105 ILCS 5/2-3.105) (from Ch. 122, par. 2-3.105)

19 Sec. 2-3.105. Services to educational service regions and  
20 school districts. Commencing July 1, 1994 and thereafter, the  
21 State Board of Education through the office of the State  
22 Superintendent of Education shall have and exercise, in and  
23 with respect to an each educational service region located in a  
24 city of 500,000 ~~having a population of 2,000,000~~ or more  
25 inhabitants, and in and with respect to each school district

1 located in any such educational service region, all rights,  
2 powers, duties and responsibilities theretofore vested in and  
3 exercised and performed by the regional superintendent of  
4 schools in that educational service region under the provisions  
5 of this Act or any other law of this State.

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

7 (105 ILCS 5/3-0.01) (from Ch. 122, par. 3-0.01)

8 Sec. 3-0.01. "County superintendent of schools" and  
9 "regional superintendent of schools" defined - Application of  
10 Article.

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

23 (b) Notwithstanding any other provisions of this Article,  
24 but subject ~~Subject~~ to subsection (b-1), in educational service  
25 regions containing 2,000,000 or more inhabitants, the office of

1 regional superintendent of schools is abolished ~~on July 1,~~  
2 ~~1994.~~ Subject to Section 2-3.105 of this Code, beginning on the  
3 effective date of this amendatory Act of the 96th General  
4 Assembly, ~~On and after that date in each educational service~~  
5 ~~region in which the office of regional superintendent of~~  
6 ~~schools is so abolished~~ all rights, powers, duties and  
7 responsibilities theretofore vested by law in, and exercised  
8 and performed by the regional superintendent of schools and by  
9 any assistant regional superintendents or other assistants or  
10 employees in the office of the regional superintendent of  
11 schools being ~~so~~ abolished shall be vested in, exercised and  
12 performed by educational service centers established pursuant  
13 to Section 2-3.62 of this Code for any educational service  
14 region containing 2,000,000 or more inhabitants. Beginning on  
15 the effective date of this amendatory Act of the 96th General  
16 Assembly, ~~the State Board of Education through the office of~~  
17 ~~the State Superintendent of Education. Upon abolition of the~~  
18 ~~office of regional superintendent of schools~~ in an educational  
19 service region containing 2,000,000 or more inhabitants: (i)  
20 all books, records, maps, papers and other documents belonging  
21 to or subject to the control or disposition of the former  
22 regional superintendent of schools by virtue of his office  
23 shall be transferred and delivered to the State Board of  
24 Education; (ii) possession or control over all moneys, deposits  
25 and accounts in the possession or subject to the control or  
26 disposition of the former regional superintendent of schools by

1 virtue of his office, including but not limited to  
2 undistributed or unexpended moneys drawn from, and all amounts  
3 on deposit in, the county, institute and supervisory expense  
4 funds, shall be transferred to and placed under the control and  
5 disposition of the State Board of Education, excepting only  
6 those moneys or accounts, if any, the source of which is the  
7 county treasury, for proper redistribution to the educational  
8 service centers; and (iii) all other equipment, furnishings,  
9 supplies and other personal property belonging to or subject to  
10 the control or disposition of the former regional  
11 superintendent of schools by virtue of his office, excepting  
12 only those items which were provided by the county board, shall  
13 be transferred and delivered to the State Board of Education.  
14 Beginning on the effective date of this amendatory Act of the  
15 96th General Assembly From and after July 1, 1994, any  
16 reference in this ~~the School Code or any other law of this~~  
17 ~~State~~ to "regional superintendent of schools" or "regional  
18 superintendent", or "county superintendent of schools" or  
19 "county superintendent" shall mean, with respect to any  
20 educational service region containing 2,000,000 or more  
21 inhabitants in which the office of regional superintendent of  
22 schools is abolished, the educational service centers  
23 established pursuant to Section 2-3.62 of this Code for the  
24 educational service region ~~State Board of Education serving~~  
25 ~~through the office of the State Superintendent of Education as~~  
26 ~~the chief administrative entity of an educational service~~



1 ~~region~~. Upon and after the first Monday of August 1995,  
2 references in this Code and elsewhere to educational service  
3 regions of 2,000,000 or fewer inhabitants shall exclude any  
4 educational service region containing a city of 500,000 or more  
5 inhabitants and references in this Code and elsewhere to  
6 educational service regions of 2,000,000 or more inhabitants  
7 shall mean an educational service region containing a city of  
8 500,000 or more inhabitants regardless of the actual population  
9 of the region.

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

16 (c) This Article applies to the regional superintendent of  
17 a multicounty educational service region formed under Article  
18 3A as well as to a single county or partial county region,  
19 except that in case of conflict between the provisions of this  
20 Article and of Article 3A in the case of a multicounty region,  
21 the provisions of Article 3A shall apply. Any reference to  
22 "county" or to "educational service region" in this Article  
23 means a regional office of education.

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

25 (105 ILCS 5/3-1) (from Ch. 122, par. 3-1)

1           Sec. 3-1. Election; eligibility. Quadrennially there shall  
2 be elected in every county, except those which have been  
3 consolidated into a multicounty educational service region  
4 under Article 3A and except those having a population of  
5 2,000,000 or more inhabitants, ~~and beginning in 1994 in that~~  
6 ~~portion of a Class II county outside a city of 500,000 or more~~  
7 ~~inhabitants and constituting an educational service region,~~ a  
8 regional superintendent of schools, who shall enter upon the  
9 discharge of his duties on the first Monday of August next  
10 after his election; provided, however, that the term of office  
11 of each regional superintendent of schools in office on June  
12 30, 2003 is terminated on July 1, 2003, except that an  
13 incumbent regional superintendent of schools shall continue to  
14 serve until his successor is elected and qualified, and each  
15 regional superintendent of schools elected at the general  
16 election in 2002 and every four years thereafter shall assume  
17 office on the first day of July next after his election. No one  
18 is eligible to file his petition at any primary election for  
19 the nomination as candidate for the office of regional  
20 superintendent of schools nor to enter upon the duties of such  
21 office either by election or appointment unless he possesses  
22 the following qualifications: (1) he is of good character, (2)  
23 he has a master's degree, (3) he has earned at least 20  
24 semester hours of credit in professional education at the  
25 graduate level, (4) he holds a valid all grade supervisory  
26 certificate or a valid state limited supervisory certificate,

1 or a valid state life supervisory certificate, or a valid  
2 administrative certificate, (5) he has had at least 4 years  
3 experience in teaching, and (6) he was engaged for at least 2  
4 years of the 4 previous years in full time teaching or  
5 supervising in the common public schools or serving as a county  
6 superintendent of schools or regional superintendent of  
7 schools for an educational service region in the State of  
8 Illinois.

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

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

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

3           On and after July 1, 1994, the provisions of this Section  
4 shall have no application in any educational service region  
5 having a population of 2,000,000 or more inhabitants; provided  
6 further that no election shall be held in November of 1994 or  
7 at any other time after July 1, 1992 for the office of regional  
8 superintendent of schools in any county or educational service  
9 region having a population of 2,000,000 or more inhabitants.

10 (Source: P.A. 89-383, eff. 8-18-95; 90-280, eff. 7-31-97.)

11           (105 ILCS 5/3-2.5)

12           Sec. 3-2.5. Salaries.

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

18 SALARIES OF REGIONAL SUPERINTENDENTS OF

19 SCHOOLS

20           POPULATION OF REGION	ANNUAL SALARY
21           Less than 48,000	\$73,500
22           48,000 to 99,999	\$78,000
23           100,000 to 999,999	\$81,500
24           1,000,000 and over	\$83,500

25           The changes made by Public Act 86-98 in the annual salary

1 that the regional superintendents of schools shall receive for  
2 their services shall apply to the annual salary received by the  
3 regional superintendents of schools during each of their  
4 elected terms of office that commence after July 26, 1989 and  
5 before the first Monday of August, 1995.

6 The changes made by Public Act 89-225 in the annual salary  
7 that regional superintendents of schools shall receive for  
8 their services shall apply to the annual salary received by the  
9 regional superintendents of schools during their elected terms  
10 of office that commence after August 4, 1995 and end on August  
11 1, 1999.

12 The changes made by this amendatory Act of the 91st General  
13 Assembly in the annual salary that the regional superintendents  
14 of schools shall receive for their services shall apply to the  
15 annual salary received by the regional superintendents of  
16 schools during each of their elected terms of office that  
17 commence on or after August 2, 1999.

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

1 that year.

2 When regional superintendents are authorized by the School  
3 Code to appoint assistant regional superintendents, the  
4 assistant regional superintendent shall receive an annual  
5 salary based on his or her qualifications and computed as a  
6 percentage of the salary of the regional superintendent to whom  
7 he or she is assistant, as set out in the following schedule:

8 SALARIES OF ASSISTANT REGIONAL  
9 SUPERINTENDENTS

10	QUALIFICATIONS OF	PERCENTAGE OF SALARY
11	ASSISTANT REGIONAL	OF REGIONAL
12	SUPERINTENDENT	SUPERINTENDENT
13	No Bachelor's degree, but State	
14	certificate valid for teaching	
15	and supervising.	70%
16	Bachelor's degree plus	
17	State certificate valid	
18	for supervising.	75%
19	Master's degree plus	
20	State certificate valid	
21	for supervising.	90%

22 However, in any region in which the appointment of more  
23 than one assistant regional superintendent is authorized,  
24 whether by Section 3-15.10 of this Code or otherwise, not more  
25 than one assistant may be compensated at the 90% rate and any  
26 other assistant shall be paid at not exceeding the 75% rate, in

1 each case depending on the qualifications of the assistant.

2 The salaries provided in this Section for regional  
3 superintendents and assistant regional superintendents are  
4 payable monthly from the Common School Fund. The State  
5 Comptroller in making his or her warrant to any county for the  
6 amount due it from the Common School Fund shall deduct from it  
7 the several amounts for which warrants have been issued to the  
8 regional superintendent, and any assistant regional  
9 superintendent, of the educational service region encompassing  
10 the county since the preceding apportionment of the Common  
11 School Fund.

12 County boards may provide for additional compensation for  
13 the regional superintendent or the assistant regional  
14 superintendents, or for each of them, to be paid quarterly from  
15 the county treasury.

16 (b) Upon abolition ~~on July 1, 1994,~~ of the office of  
17 regional superintendent of schools in educational service  
18 regions containing 2,000,000 or more inhabitants as provided in  
19 Section 3-0.01 of this Code, the funds provided under  
20 provisions of subsection (a) of this Section shall continue to  
21 be appropriated and reallocated, as provided for pursuant to  
22 subsection (b) of Section 3-0.01 of this Code, to the  
23 educational service centers established pursuant to Section  
24 2-3.62 of this Code for an educational service region  
25 containing 2,000,000 or more inhabitants shall no longer apply  
26 in any educational service region in which the office of

1 ~~regional superintendent of schools is so abolished, and no~~  
2 ~~salary or other compensation shall be payable under that~~  
3 ~~subsection (a) or under any other provision of this Section~~  
4 ~~with respect to the office so abolished or with respect to any~~  
5 ~~assistant position to the office so abolished.~~

6 (c) If the State pays all or any portion of the employee  
7 contributions required under Section 16-152 of the Illinois  
8 Pension Code for employees of the State Board of Education, it  
9 shall also pay the employee contributions required of regional  
10 superintendents of schools and assistant regional  
11 superintendents of schools on the same basis, but excluding any  
12 contributions based on compensation that is paid by the county  
13 rather than the State.

14 This subsection (c) applies to contributions based on  
15 payments of salary earned after the effective date of this  
16 amendatory Act of the 91st General Assembly, except that in the  
17 case of an elected regional superintendent of schools, this  
18 subsection does not apply to contributions based on payments of  
19 salary earned during a term of office that commenced before the  
20 effective date of this amendatory Act.

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

22 (105 ILCS 5/3-12) (from Ch. 122, par. 3-12)

23 Sec. 3-12. Institute fund.

24 (a) All certificate registration fees and a portion of  
25 renewal and duplicate fees shall be kept by the regional



1 superintendent as described in Section 21-16 of this Code,  
2 together with a record of the names of the persons paying them.  
3 Such fees shall be deposited into the institute fund and shall  
4 be used by the regional superintendent to defray expenses  
5 associated with the work of the regional professional  
6 development review committees established pursuant to  
7 paragraph (2) of subsection (g) of Section 21-14 of this Code  
8 to advise the regional superintendent, upon his or her request,  
9 and to hear appeals relating to the renewal of teaching  
10 certificates, in accordance with Section 21-14 of this Code; to  
11 defray expenses connected with improving the technology  
12 necessary for the efficient processing of certificates; to  
13 defray all costs associated with the administration of teaching  
14 certificates; to defray expenses incidental to teachers'  
15 institutes, workshops or meetings of a professional nature that  
16 are designed to promote the professional growth of teachers or  
17 for the purpose of defraying the expense of any general or  
18 special meeting of teachers or school personnel of the region,  
19 which has been approved by the regional superintendent.

20 (b) In addition to the use of moneys in the institute fund  
21 to defray expenses under subsection (a) of this Section, the  
22 State Superintendent of Education, as authorized under Section  
23 2-3.105 of this Code, shall use moneys in the institute fund to  
24 defray all costs associated with the administration of teaching  
25 certificates within a city having a population exceeding  
26 500,000.

1 (c) The regional superintendent shall on or before January  
2 1 of each year publish in a newspaper of general circulation  
3 published in the region or shall post in each school building  
4 under his jurisdiction an accounting of (1) the balance on hand  
5 in the Institute fund at the beginning of the previous year;  
6 (2) all receipts within the previous year deposited in the  
7 fund, with the sources from which they were derived; (3) the  
8 amount distributed from the fund and the purposes for which  
9 such distributions were made; and (4) the balance on hand in  
10 the fund.

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

12 (105 ILCS 5/3-14.2) (from Ch. 122, par. 3-14.2)

13 Sec. 3-14.2. Supervision and control of school districts.  
14 Except in regions established within that portion of a Class II  
15 county school unit outside of a city of 500,000 or more  
16 inhabitants, the ~~The~~ county superintendent of schools shall  
17 exercise supervision and control over all school districts  
18 within the county. If a district is divided by a county line or  
19 lines the county superintendent in the county where the  
20 majority of the children attend school at the time the district  
21 is organized shall exercise supervision and control over all  
22 aspects of supervision, reports, and financial accounting of  
23 the district until it has been determined by the State  
24 Superintendent of Education that 60 per cent of the children  
25 attend school in another county or that a majority of the

1 children have attended a school in another county for three  
2 consecutive years and the school board has adopted a resolution  
3 requesting the supervision and control be transferred to the  
4 county superintendent in the county in which the majority of  
5 children attend school. The county superintendent under whose  
6 direction a school district has been established shall retain  
7 supervision and control until July 1 following the date of the  
8 election establishing the district. Whenever a change in  
9 supervision and control shall result from a change in school  
10 district boundaries, population shifts, or other cause, such  
11 change in supervision and control shall not be effective until  
12 July 1 following the date of its determination. All references  
13 to the county superintendent of schools, in relation to school  
14 districts, in this Act shall be interpreted to mean the county  
15 superintendent of schools having supervision and control of the  
16 district or districts as defined in this Section.

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

18 (105 ILCS 5/3-15.10) (from Ch. 122, par. 3-15.10)

19 Sec. 3-15.10. Assistant Regional Superintendent. To  
20 employ, in counties or regions of 2,000,000 inhabitants or  
21 less, in addition to any assistants authorized to be employed  
22 with the approval of the county board, an assistant regional  
23 superintendent of schools who shall be a person of good  
24 attainment, versed in the principles and methods of education,  
25 and qualified to teach and supervise schools under Article 21

1 of this Act; to fix the term of such assistant and direct his  
2 work and define his duties. On the effective date of this  
3 amendatory Act of the 96th General Assembly, in ~~In~~ regions  
4 established within that portion of a Class II county school  
5 unit outside of a city of 500,000 or more inhabitants, the  
6 employment of all persons serving as assistant county or  
7 regional superintendents of schools is terminated, the  
8 position of assistant regional superintendent of schools in  
9 each such region is abolished, and this Section shall,  
10 beginning on the effective date of this amendatory Act of the  
11 96th General Assembly, have no further application in the  
12 educational service region ~~the regional superintendent may~~  
13 employ, in addition to any assistants authorized to be employed  
14 with the approval of the county board, ~~3~~ assistant regional  
15 superintendents of schools. Until July 1, 1994, in counties or  
16 regions having a population of more than 2,000,000 inhabitants  
17 the regional superintendent may employ, in addition to any  
18 assistants authorized to be employed with the approval of the  
19 county board, ~~11~~ assistant regional superintendents of  
20 schools. Assistant regional superintendents shall each be a  
21 person of good attainment, versed in the principles and methods  
22 of education, and qualified to teach and supervise schools  
23 under Article 21 of this Act. The work of such assistant  
24 regional superintendent shall be so arranged and directed that  
25 the county or regional superintendent and assistant  
26 superintendent, together, shall devote an amount of time during

1 the school year, equal to at least the full time of one  
2 individual, to the supervision of schools and of teaching in  
3 the schools of the county.

4 ~~Notwithstanding any of the provisions of this Section, any~~  
5 ~~person who, on July 1, 1955, was employed as an assistant~~  
6 ~~county superintendent of schools shall be qualified for that~~  
7 ~~position if he holds a state certificate valid for teaching and~~  
8 ~~supervising.~~

9 ~~On July 1, 1994, the employment of all persons serving as~~  
10 ~~assistant county or regional superintendents in any county or~~  
11 ~~educational service region having a population of more than~~  
12 ~~2,000,000 inhabitants is terminated, the office of assistant~~  
13 ~~county or regional superintendent in each such county or~~  
14 ~~educational service region is abolished, and this Section~~  
15 ~~shall, from and after July 1, 1994, have no further application~~  
16 ~~in any such county or educational service region.~~

17 A regional superintendent of schools shall not employ his  
18 or her spouse, child, stepchild, or relative as an assistant  
19 regional superintendent of schools. By September 1 each year, a  
20 regional superintendent shall certify to the State Board of  
21 Education that he or she has complied with this paragraph. If  
22 the State Board of Education becomes aware of the fact that a  
23 regional superintendent is employing his or her spouse, child,  
24 stepchild, or relative as an assistant regional  
25 superintendent, the State Board of Education shall not request  
26 for payment from the State Comptroller any warrants for the

1 payment of the assistant regional superintendent's salary. In  
2 this paragraph, "relative" means a grandparent, parent, aunt,  
3 uncle, sibling, first cousin, nephew, niece, grandchild, or  
4 spouse of one of these persons. This paragraph applies only to  
5 contracts for employment entered into on or after the effective  
6 date of this amendatory Act of the 91st General Assembly.

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

8 (105 ILCS 5/3A-6) (from Ch. 122, par. 3A-6)

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

11 (a) The regional superintendent to be elected under Section  
12 3A-5 shall be elected at the time provided in the general  
13 election law and must possess the qualifications described in  
14 Section 3-1 of this Act.

15 (b) The bond required under Section 3-2 shall be filed in  
16 the office of the county clerk in the county where the regional  
17 office is situated, and a certified copy of that bond shall be  
18 filed in the office of the county clerk in each of the other  
19 counties in the region.

20 (c) When a vacancy occurs in the office of regional  
21 superintendent of schools of any educational service region  
22 which is not located in a county which is a home rule unit,  
23 such vacancy shall be filled within 60 days (i) by appointment  
24 of the chairman of the county board, with the advice and  
25 consent of the county board, when such vacancy occurs in a

1 single county educational service region; or (ii) by  
2 appointment of a committee composed of the chairmen of the  
3 county boards of those counties comprising the affected  
4 educational service region when such vacancy occurs in a  
5 multicounty educational service region, each committeeman to  
6 be entitled to one vote for each vote that was received in the  
7 county represented by such committeeman on the committee by the  
8 regional superintendent of schools whose office is vacant at  
9 the last election at which a regional superintendent was  
10 elected to such office, and the person receiving the highest  
11 number of affirmative votes from the committeemen for such  
12 vacant office to be deemed the person appointed by such  
13 committee to fill the vacancy. The appointee shall be a member  
14 of the same political party as the regional superintendent of  
15 schools the appointee succeeds was at the time such regional  
16 superintendent of schools last was elected. The appointee shall  
17 serve for the remainder of the term. However, if more than 28  
18 months remain in that term, the appointment shall be until the  
19 next general election, at which time the vacated office shall  
20 be filled by election for the remainder of the term.  
21 Nominations shall be made and any vacancy in nomination shall  
22 be filled as follows:

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

1 the term of office in which the vacancy occurs, nominations  
2 for the election for filling the vacancy shall be made  
3 pursuant to Article 7 of the Election Code.

4 (2) If the vacancy in office occurs during the time  
5 provided in Section 7-12 of the Election Code for filing  
6 nomination papers for county offices for the primary in the  
7 next even-numbered year following commencement of the term  
8 of office in which the vacancy occurs, the time for filing  
9 nomination papers for the primary shall not be more than 91  
10 days nor less than 85 days prior to the date of the  
11 primary.

12 (3) If the vacancy in office occurs after the last day  
13 provided in Section 7-12 of the Election Code for filing  
14 nomination papers for county offices for the primary in the  
15 next even-numbered year following commencement of the term  
16 of office in which the vacancy occurs, a vacancy in  
17 nomination shall be deemed to have occurred and the county  
18 central committee of each established political party (if  
19 the vacancy occurs in a single county educational service  
20 region) or the multi-county educational service region  
21 committee of each established political party (if the  
22 vacancy occurs in a multi-county educational service  
23 region) shall nominate, by resolution, a candidate to fill  
24 the vacancy in nomination for election to the office at the  
25 general election. In the nomination proceedings to fill the  
26 vacancy in nomination, each member of the county central



1 committee or the multi-county educational service region  
2 committee, whichever applies, shall have the voting  
3 strength as set forth in Section 7-8 or 7-8.02 of the  
4 Election Code, respectively. The name of the candidate so  
5 nominated shall not appear on the ballot at the general  
6 primary election. The vacancy in nomination shall be filled  
7 prior to the date of certification of candidates for the  
8 general election.

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

24 The provisions of Sections 10-8 through 10-10.1 of the Election  
25 Code relating to objections to nomination papers, hearings on  
26 objections, and judicial review shall also apply to and govern

1 objections to nomination papers and resolutions for filling  
2 vacancies in nomination filed pursuant to this Section. Unless  
3 otherwise specified in this Section, the nomination and  
4 election provided for in this Section is governed by the  
5 general election law.

6 Except as otherwise provided by applicable county  
7 ordinance or by law, if a vacancy occurs in the office of  
8 regional superintendent of schools of an educational service  
9 region that is located in a county that is a home rule unit and  
10 that has a population of less than 2,000,000 inhabitants, that  
11 vacancy shall be filled by the county board of such home rule  
12 county.

13 ~~Until July 1, 2003 or until the regional superintendent of~~  
14 ~~schools elected in 2002 takes office, whichever occurs first,~~  
15 ~~if a vacancy exists in the office of regional superintendent of~~  
16 ~~schools of an educational service region that is located in a~~  
17 ~~county that is a home rule unit and that has a population of~~  
18 ~~2,000,000 or more inhabitants, then that vacancy shall be~~  
19 ~~filled by the first assistant superintendent/deputy~~  
20 ~~superintendent until the end of the term to which the regional~~  
21 ~~superintendent was elected.~~

22 Any person appointed to fill a vacancy in the office of  
23 regional superintendent of schools of any educational service  
24 region must possess the qualifications required to be elected  
25 to the position of regional superintendent of schools, and  
26 shall obtain a certificate of eligibility from the State

1 Superintendent of Education and file same with the county clerk  
2 of the county in which the regional superintendent's office is  
3 located.

4 If the regional superintendent of schools is called into  
5 the active military service of the United States, his office  
6 shall not be deemed to be vacant, but a temporary appointment  
7 shall be made as in the case of a vacancy. The appointee shall  
8 perform all the duties of the regional superintendent of  
9 schools during the time the regional superintendent of schools  
10 is in the active military service of the United States, and  
11 shall be paid the same compensation apportioned as to the time  
12 of service, and such appointment and all authority thereunder  
13 shall cease upon the discharge of the regional superintendent  
14 of schools from such active military service. The appointee  
15 shall give the same bond as is required of a regularly elected  
16 regional superintendent of schools.

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

18 (105 ILCS 5/4-2) (from Ch. 122, par. 4-2)

19 Sec. 4-2. Office and supplies. Provide for the county  
20 superintendent of schools a suitable office with necessary  
21 furniture and office supplies.

22 ~~On and after July 1, 1994, the provisions of this Section~~  
23 ~~shall have no application in any county having a population of~~  
24 ~~2,000,000 or more inhabitants.~~

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

1 (105 ILCS 5/4-4) (from Ch. 122, par. 4-4)

2 Sec. 4-4. Traveling expenses. Allow, when they deem it  
3 proper, reasonable traveling expenses for the office of county  
4 superintendent of schools.

5 ~~On and after July 1, 1994, the provisions of this Section~~  
6 ~~shall have no application in any county having a population of~~  
7 ~~2,000,000 or more inhabitants.~~

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

9 (105 ILCS 5/4-6) (from Ch. 122, par. 4-6)

10 Sec. 4-6. Employment of assistants. Authorize the county  
11 superintendent of schools to employ such assistants as he needs  
12 for the discharge of his duties and fix the compensation  
13 thereof, which compensation shall be paid out of the county  
14 treasury.

15 ~~On and after July 1, 1994, the provisions of this Section~~  
16 ~~shall have no application in any county having a population of~~  
17 ~~2,000,000 or more inhabitants.~~

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

19 (105 ILCS 5/4-7) (from Ch. 122, par. 4-7)

20 Sec. 4-7. Examination of financial statements.

21 (a) Examine the financial statements of the county  
22 superintendent of schools required by Section 15-21 and compare  
23 them with vouchers.

1           (b) The county board, or so many thereof as are present at  
2 its meeting, shall be liable individually to the fund injured  
3 and to the sureties of the county superintendent, if judgment  
4 is recovered from the sureties, for all damages occasioned by  
5 neglect of the duties, or any of them, required of the board by  
6 this section; but nothing herein shall be construed to exempt  
7 the sureties and they shall remain liable to the fund injured  
8 the same as if the members of the county board were not liable  
9 to them for neglect of their duty. ~~On and after July 1, 1994,~~  
10 ~~the provisions of this subsection (b) shall have no application~~  
11 ~~in any county having a population of 2,000,000 or more~~  
12 ~~inhabitants.~~

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

14           (105 ILCS 5/4-8) (from Ch. 122, par. 4-8)

15           Sec. 4-8. Bond -- approval -- increase. Approve the bond of  
16 the county superintendent of schools, and increase the penalty  
17 thereof if, in its judgment the penalty should be increased.

18           ~~On and after July 1, 1994, the provisions of this Section~~  
19 ~~shall have no application in any county having a population of~~  
20 ~~2,000,000 or more inhabitants.~~

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

22           (105 ILCS 5/4-9) (from Ch. 122, par. 4-9)

23           Sec. 4-9. New bond. Require the county superintendent of  
24 schools, after notice given, to execute a new bond, conditioned

1 and approved as the first bond, whenever it deems a new bond  
2 necessary, but the execution of such new bond shall not affect  
3 the old bond or the liability of the sureties thereon.

4 ~~On and after July 1, 1994, the provisions of this Section~~  
5 ~~shall have no application in any county having a population of~~  
6 ~~2,000,000 or more inhabitants.~~

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

8 (105 ILCS 5/4-10) (from Ch. 122, par. 4-10)

9 Sec. 4-10. Reports -- Removal from office.

10 (a) Require the county superintendent of schools to make  
11 the reports to it provided for by law.

12 (b) Remove the county superintendent of schools from office  
13 in case of neglect or refusal so to do, or for any palpable  
14 violation of law or omission of duty. ~~On and after July 1,~~  
15 ~~1994, the provisions of this subsection (b) shall have no~~  
16 ~~application in any county having a population of 2,000,000 or~~  
17 ~~more inhabitants.~~

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

19 (105 ILCS 5/3A-17 rep.)

20 Section 10. The School Code is amended by repealing Section  
21 3A-17.

22 Section 99. Effective date. This Act takes effect July 1,  
23 2010."