



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5450

Introduced 2/5/2010, by Rep. Elaine Nekritz

SYNOPSIS AS INTRODUCED:

See Index

Amends the School Code. Provides that educational service centers may provide training, technical assistance, coordination, and planning in the area of financial planning, consultation, and services. Provides that upon the removal from office, disqualification for office, resignation from office, a vacancy in the office, or expiration of the current term of office of the regional superintendent of schools, whichever is earlier, centers serving that portion of a Class II county school unit outside of a city of 500,000 or more inhabitants shall have and exercise, in and with respect to each educational service region having a population of 2,000,000 or more inhabitants and in and with respect to each school district located in any such educational service region, all of the rights, powers, duties, and responsibilities theretofore vested by law in and exercised and performed by the regional superintendent of schools for that area (only to the extent that additional money is appropriated for or provided to the centers). Provides that in educational service regions containing 2,000,000 or more inhabitants, the office of regional superintendent of schools is abolished upon the removal from office, disqualification for office, resignation from office, a vacancy in the office, or expiration of the current term of office of the regional superintendent of schools, whichever is earlier (instead of the office being abolished on July 1, 1994). Allows money in an institute fund to be used by the regional superintendent to defray all costs associated with the administration of teaching certificates. In the Duties of County Board Article, removes language that states that on and after July 1, 1994, certain provisions in that Article shall have no application in any county having a population of 2,000,000 or more inhabitants. Effective July 1, 2010.

LRB096 18664 NHT 35535 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 School Code is amended by changing Sections
5 2-3.62, 3-0.01, 3-12, 4-2, 4-4, 4-6, 4-7, 4-8, 4-9, and 4-10 as
6 follows:

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

8 Sec. 2-3.62. Educational Service Centers.

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

16 (1) (blank);

17 (2) computer technology education;

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

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

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

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

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

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

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

26 (d) From monies appropriated for this program the State

1 Board of Education shall provide grants to qualifying
2 Educational Service Centers applying for such grants in
3 accordance with rules and regulations promulgated by the State
4 Board of Education to implement this Section. Upon the removal
5 from office, disqualification for office, resignation from
6 office, a vacancy in the office, or expiration of the current
7 term of office of the regional superintendent of schools,
8 whichever is earlier, centers serving that portion of a Class
9 II county school unit outside of a city of 500,000 or more
10 inhabitants shall be responsible for the exercise and
11 performance of any of the rights, powers, duties, and
12 responsibilities theretofore vested by law in and exercised and
13 performed by the regional superintendent of schools for that
14 area only to the extent that additional money is appropriated
15 for or provided to the centers to properly cover the expenses
16 of these rights, powers, duties, and responsibilities.

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

1 regional teacher-parent family life - sex education training
2 sessions and shall file a written report of such plan with the
3 governing board of their regional educational service center.
4 The directors of each of the regional educational service
5 centers shall thereupon meet, review each of the reports
6 submitted by the advisory boards and combine those reports into
7 a single written report which they shall file with the Citizens
8 Council on School Problems prior to the end of the regular
9 school term of the 1987-1988 school year.

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

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

22 (105 ILCS 5/3-0.01) (from Ch. 122, par. 3-0.01)

23 Sec. 3-0.01. "County superintendent of schools" and
24 "regional superintendent of schools" defined - Application of
25 Article.

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

13 (b) Notwithstanding any other provisions of this Article,
14 subject ~~Subject~~ to subsection (b-1), in educational service
15 regions containing 2,000,000 or more inhabitants, the office of
16 regional superintendent of schools is abolished upon the
17 removal from office, disqualification for office, resignation
18 from office, a vacancy in the office, or expiration of the
19 current term of office of the regional superintendent of
20 schools, whichever is earlier ~~on July 1, 1994~~. On and after
21 that date in each educational service region in which the
22 office of regional superintendent of schools is so abolished
23 all rights, powers, duties and responsibilities theretofore
24 vested by law in, and exercised and performed by the regional
25 superintendent of schools and by any assistant regional
26 superintendents or other assistants or employees in the office

1 of the regional superintendent of schools so abolished shall be
2 vested in, exercised and performed by the State Board of
3 Education through the office of the State Superintendent of
4 Education. Upon abolition of the office of regional
5 superintendent of schools in an educational service region
6 containing 2,000,000 or more inhabitants: (i) all books,
7 records, maps, papers and other documents belonging to or
8 subject to the control or disposition of the former regional
9 superintendent of schools by virtue of his office shall be
10 transferred and delivered to the State Board of Education; (ii)
11 possession or control over all moneys, deposits and accounts in
12 the possession or subject to the control or disposition of the
13 former regional superintendent of schools by virtue of his
14 office, including but not limited to undistributed or
15 unexpended moneys drawn from, and all amounts on deposit in,
16 the county, institute and supervisory expense funds, shall be
17 transferred to and placed under the control and disposition of
18 the State Board of Education, excepting only those moneys or
19 accounts, if any, the source of which is the county treasury;
20 and (iii) all other equipment, furnishings, supplies and other
21 personal property belonging to or subject to the control or
22 disposition of the former regional superintendent of schools by
23 virtue of his office, excepting only those items which were
24 provided by the county board, shall be transferred and
25 delivered to the State Board of Education. From and after July
26 1, 1994, any reference in the School Code or any other law of

1 this State to "regional superintendent of schools" or "regional
2 superintendent", or "county superintendent of schools" or
3 "county superintendent" shall mean, with respect to any
4 educational service region containing 2,000,000 or more
5 inhabitants in which the office of regional superintendent of
6 schools is abolished, the State Board of Education serving
7 through the office of the State Superintendent of Education as
8 the chief administrative entity of an educational service
9 region. Upon and after the first Monday of August 1995,
10 references in this Code and elsewhere to educational service
11 regions of 2,000,000 or fewer inhabitants shall exclude any
12 educational service region containing a city of 500,000 or more
13 inhabitants and references in this Code and elsewhere to
14 educational service regions of 2,000,000 or more inhabitants
15 shall mean an educational service region containing a city of
16 500,000 or more inhabitants regardless of the actual population
17 of the region.

18 (b-1) References to "regional superintendent" shall also
19 include the regional superintendent of schools in regions
20 serving that portion of a Class II county outside a city of
21 500,000 or more population elected at the general election in
22 1994 and every 4 years thereafter.

23 (c) This Article applies to the regional superintendent of
24 a multicounty educational service region formed under Article
25 3A as well as to a single county or partial county region,
26 except that in case of conflict between the provisions of this

1 Article and of Article 3A in the case of a multicounty region,
2 the provisions of Article 3A shall apply. Any reference to
3 "county" or to "educational service region" in this Article
4 means a regional office of education.

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

6 (105 ILCS 5/3-12) (from Ch. 122, par. 3-12)

7 Sec. 3-12. Institute fund.

8 (a) All certificate registration fees and a portion of
9 renewal and duplicate fees shall be kept by the regional
10 superintendent as described in Section 21-16 of this Code,
11 together with a record of the names of the persons paying them.
12 Such fees shall be deposited into the institute fund and shall
13 be used by the regional superintendent to defray expenses
14 associated with the work of the regional professional
15 development review committees established pursuant to
16 paragraph (2) of subsection (g) of Section 21-14 of this Code
17 to advise the regional superintendent, upon his or her request,
18 and to hear appeals relating to the renewal of teaching
19 certificates, in accordance with Section 21-14 of this Code; to
20 defray expenses connected with improving the technology
21 necessary for the efficient processing of certificates; to
22 defray all costs associated with the administration of teaching
23 certificates; to defray expenses incidental to teachers'
24 institutes, workshops or meetings of a professional nature that
25 are designed to promote the professional growth of teachers or

1 for the purpose of defraying the expense of any general or
2 special meeting of teachers or school personnel of the region,
3 which has been approved by the regional superintendent.

4 (b) In addition to the use of moneys in the institute fund
5 to defray expenses under subsection (a) of this Section, the
6 State Superintendent of Education, as authorized under Section
7 2-3.105 of this Code, shall use moneys in the institute fund to
8 defray all costs associated with the administration of teaching
9 certificates within a city having a population exceeding
10 500,000.

11 (c) The regional superintendent shall on or before January
12 1 of each year publish in a newspaper of general circulation
13 published in the region or shall post in each school building
14 under his jurisdiction an accounting of (1) the balance on hand
15 in the Institute fund at the beginning of the previous year;
16 (2) all receipts within the previous year deposited in the
17 fund, with the sources from which they were derived; (3) the
18 amount distributed from the fund and the purposes for which
19 such distributions were made; and (4) the balance on hand in
20 the fund.

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

22 (105 ILCS 5/4-2) (from Ch. 122, par. 4-2)

23 Sec. 4-2. Office and supplies. Provide for the county
24 superintendent of schools a suitable office with necessary
25 furniture and office supplies.

1 ~~On and after July 1, 1994, the provisions of this Section~~
2 ~~shall have no application in any county having a population of~~
3 ~~2,000,000 or more inhabitants.~~

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

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

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

9 ~~On and after July 1, 1994, the provisions of this Section~~
10 ~~shall have no application in any county having a population of~~
11 ~~2,000,000 or more inhabitants.~~

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

13 (105 ILCS 5/4-6) (from Ch. 122, par. 4-6)

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

19 ~~On and after July 1, 1994, the provisions of this Section~~
20 ~~shall have no application in any county having a population of~~
21 ~~2,000,000 or more inhabitants.~~

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

23 (105 ILCS 5/4-7) (from Ch. 122, par. 4-7)

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

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

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

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

18 (105 ILCS 5/4-8) (from Ch. 122, par. 4-8)

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

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

2 Sec. 4-9. New bond. Require the county superintendent of
3 schools, after notice given, to execute a new bond, conditioned
4 and approved as the first bond, whenever it deems a new bond
5 necessary, but the execution of such new bond shall not affect
6 the old bond or the liability of the sureties thereon.

7 ~~On and after July 1, 1994, the provisions of this Section~~
8 ~~shall have no application in any county having a population of~~
9 ~~2,000,000 or more inhabitants.~~

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

11 (105 ILCS 5/4-10) (from Ch. 122, par. 4-10)

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

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

15 (b) Remove the county superintendent of schools from office
16 in case of neglect or refusal so to do, or for any palpable
17 violation of law or omission of duty. ~~On and after July 1,~~
18 ~~1994, the provisions of this subsection (b) shall have no~~
19 ~~application in any county having a population of 2,000,000 or~~
20 ~~more inhabitants.~~

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

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

1		INDEX
2		Statutes amended in order of appearance
3	105 ILCS 5/2-3.62	from Ch. 122, par. 2-3.62
4	105 ILCS 5/3-0.01	from Ch. 122, par. 3-0.01
5	105 ILCS 5/3-12	from Ch. 122, par. 3-12
6	105 ILCS 5/4-2	from Ch. 122, par. 4-2
7	105 ILCS 5/4-4	from Ch. 122, par. 4-4
8	105 ILCS 5/4-6	from Ch. 122, par. 4-6
9	105 ILCS 5/4-7	from Ch. 122, par. 4-7
10	105 ILCS 5/4-8	from Ch. 122, par. 4-8
11	105 ILCS 5/4-9	from Ch. 122, par. 4-9
12	105 ILCS 5/4-10	from Ch. 122, par. 4-10