



Sen. William Delgado

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1 AMENDMENT TO SENATE BILL 1573

2 AMENDMENT NO. _____. Amend Senate Bill 1573 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections
5 34-3, 34-4, and 34-13.1 as follows:

6 (105 ILCS 5/34-3) (from Ch. 122, par. 34-3)

7 Sec. 34-3. Chicago School Reform Board of Trustees; new
8 Chicago Board of Education; members; term; vacancies.

9 (a) Within 30 days after the effective date of this
10 amendatory Act of 1995, the terms of all members of the Chicago
11 Board of Education holding office on that date are abolished
12 and the Mayor shall appoint, without the consent or approval of
13 the City Council, a 5 member Chicago School Reform Board of
14 Trustees which shall take office upon the appointment of the
15 fifth member. The Chicago School Reform Board of Trustees and
16 its members shall serve until, and the terms of all members of

1 the Chicago School Reform Board of Trustees shall expire on,
2 June 30, 1999 or upon the appointment of a new Chicago Board of
3 Education as provided in subsection (b), whichever is later.
4 Any vacancy in the membership of the Trustees shall be filled
5 through appointment by the Mayor, without the consent or
6 approval of the City Council, for the unexpired term. One of
7 the members appointed by the Mayor to the Trustees shall be
8 designated by the Mayor to serve as President of the Trustees.
9 The Mayor shall appoint a full-time, compensated chief
10 executive officer, and his or her compensation as such chief
11 executive officer shall be determined by the Mayor. The Mayor,
12 at his or her discretion, may appoint the President to serve
13 simultaneously as the chief executive officer.

14 (b) This subsection (b) applies until April 21, 2015.
15 Within 30 days before the expiration of the terms of the
16 members of the Chicago Reform Board of Trustees as provided in
17 subsection (a), a new Chicago Board of Education consisting of
18 7 members shall be appointed by the Mayor to take office on the
19 later of July 1, 1999 or the appointment of the seventh member.
20 Three of the members initially so appointed under this
21 subsection shall serve for terms ending June 30, 2002, 4 of the
22 members initially so appointed under this subsection shall
23 serve for terms ending June 30, 2003, and each member initially
24 so appointed shall continue to hold office until his or her
25 successor is appointed and qualified. Thereafter at the
26 expiration of the term of any member a successor shall be

1 appointed by the Mayor and shall hold office for a term of 4
2 years, from July 1 of the year in which the term commences and
3 until a successor is appointed and qualified. Any vacancy in
4 the membership of the Chicago Board of Education shall be
5 filled through appointment by the Mayor for the unexpired term.
6 No appointment to membership on the Chicago Board of Education
7 that is made by the Mayor under this subsection shall require
8 the approval of the City Council, whether the appointment is
9 made for a full term or to fill a vacancy for an unexpired term
10 on the Board.

11 (b-5) On April 21, 2015, the terms of all members of the
12 Chicago Board of Education appointed under subsection (b) of
13 this Section are abolished when the new board, consisting of 7
14 members, is elected at large by the electors of the school
15 district as provided in this subsection (b-5) and takes office.

16 Beginning on April 21, 2015, the school district shall be
17 governed by a school board consisting of 7 members. An election
18 shall be held at the consolidated election in April of 2015 and
19 every second year thereafter. Each member shall be elected for
20 a term of 4 years, commencing on the second Tuesday in April of
21 the year in which the member is elected, and until the member's
22 successor is elected and has qualified, except that members of
23 the board elected to terms commencing on April 21, 2015 shall
24 organize on the date their terms commence, and on that date
25 shall determine by lot 4 to serve for terms of 4 years and 3 to
26 serve for terms of 2 years.

1 On April 21, 2015 and within 28 days after each
2 consolidated election thereafter, the board shall organize by
3 electing its officers and fixing a time and place for the
4 regular meetings. Upon organizing itself as provided in this
5 subsection (b-5), the board shall enter upon the discharge of
6 its duties.

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

17 Whenever a vacancy in the board occurs, the remaining
18 members of the board shall notify the Mayor of that vacancy
19 within 5 days after its occurrence and shall proceed to fill
20 the vacancy until the next regular school election, at which
21 election a successor shall be elected to serve the remainder of
22 the unexpired term. However, if the vacancy occurs with less
23 than 28 months remaining in the term or if the vacancy occurs
24 less than 88 days before the next regular school election, then
25 the person so appointed shall serve the remainder of the
26 unexpired term, and no election to fill the vacancy shall be

1 held. The successor shall have the same residential and other
2 qualifications as his or her predecessor. Should the remaining
3 board members fail so to act within 45 days after the vacancy
4 occurs, the Mayor shall within 30 days after the remaining
5 members have failed to fill the vacancy, fill the vacancy as
6 provided for herein. Upon the Mayor's failure to fill the
7 vacancy, the vacancy shall be filled at the next regular school
8 election. The successor shall have the same residential and
9 other qualifications as his or her predecessor.

10 (b-10) The board shall elect annually from its number a
11 president and vice-president, in such manner and at such time
12 as the board determines by its rules. The officers so elected
13 shall each perform the duties imposed upon their respective
14 office by the rules of the board, provided that (i) the
15 president shall preside at meetings of the board and vote as
16 any other member but have no power of veto, and (ii) the vice
17 president shall perform the duties of the president if that
18 office is vacant or the president is absent or unable to act.
19 The secretary of the Board shall be selected by the Board and
20 shall be an employee of the Board rather than a member of the
21 Board, notwithstanding subsection (d) of Section 34-3.3. The
22 duties of the secretary shall be imposed by the rules of the
23 Board.

24 (c) The board may appoint a student to the board to serve
25 in an advisory capacity. The student member shall serve for a
26 term as determined by the board. The board may not grant the

1 student member any voting privileges, but shall consider the
2 student member as an advisor. The student member may not
3 participate in or attend any executive session of the board.

4 (Source: P.A. 94-231, eff. 7-14-05.)

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

6 Sec. 34-4. Eligibility. To be eligible for election
7 ~~appointment~~ to the board, a person shall be a citizen of the
8 United States, shall be a registered voter as provided in the
9 Election Code, shall have been a resident of the city for at
10 least 3 years immediately preceding his or her election
11 ~~appointment~~, and shall not be a child sex offender as defined
12 in Section 11-9.3 of the Criminal Code of 2012. Permanent
13 removal from the city by any member of the board during his
14 term of office constitutes a resignation therefrom and creates
15 a vacancy in the board. Except for the President of the Chicago
16 School Reform Board of Trustees who may be paid compensation
17 for his or her services as chief executive officer as
18 determined by the Mayor as provided in subsection (a) of
19 Section 34-3, board members shall serve without any
20 compensation; provided, that board members shall be reimbursed
21 for expenses incurred while in the performance of their duties
22 upon submission of proper receipts or upon submission of a
23 signed voucher in the case of an expense allowance evidencing
24 the amount of such reimbursement or allowance to the president
25 of the board for verification and approval. The board of

1 education may continue to provide health care insurance
2 coverage, employer pension contributions, employee pension
3 contributions, and life insurance premium payments for an
4 employee required to resign from an administrative, teaching,
5 or career service position in order to qualify as a member of
6 the board of education. They shall not hold other public office
7 under the Federal, State or any local government other than
8 that of Director of the Regional Transportation Authority,
9 member of the economic development commission of a city having
10 a population exceeding 500,000, notary public or member of the
11 National Guard, and by accepting any such office while members
12 of the board, or by not resigning any such office held at the
13 time of being elected ~~appointed~~ to the board within 30 days
14 after such election ~~appointment~~, shall be deemed to have
15 vacated their membership in the board.

16 (Source: P.A. 97-1150, eff. 1-25-13.)

17 (105 ILCS 5/34-13.1)

18 Sec. 34-13.1. Inspector General.

19 (a) The Inspector General and his office in existence on
20 the effective date of this amendatory Act of 1995 shall be
21 transferred to the jurisdiction of the board upon appointment
22 of the Chicago School Reform Board of Trustees. The Inspector
23 General shall have the authority to conduct investigations into
24 allegations of or incidents of waste, fraud, and financial
25 mismanagement in public education within the jurisdiction of

1 the board by a local school council member or an employee,
2 contractor, or member of the board or involving school projects
3 managed or handled by the Public Building Commission. The
4 Inspector General shall make recommendations to the board about
5 the investigations. The Inspector General in office on the
6 effective date of this amendatory Act of 1996 shall serve for a
7 term expiring on June 30, 1998. His or her successors in office
8 shall each be appointed by the Mayor, without the consent or
9 approval of the City Council, for 4 year terms expiring on June
10 30th of an even numbered year; however, beginning on April 21,
11 2015, successors shall be appointed by the board instead of the
12 Mayor. If the Inspector General leaves office or if a vacancy
13 in that office otherwise occurs, the Mayor shall appoint,
14 without the consent or approval of the City Council, a
15 successor to serve under this Section for the remainder of the
16 unexpired term; however, beginning on April 21, 2015,
17 successors shall be appointed by the board instead of the
18 Mayor. The Inspector General shall be independent of the
19 operations of the board and the School Finance Authority, and
20 shall perform other duties requested by the board.

21 (b) The Inspector General shall have access to all
22 information and personnel necessary to perform the duties of
23 the office. If the Inspector General determines that a possible
24 criminal act has been committed or that special expertise is
25 required in the investigation, he or she shall immediately
26 notify the Chicago Police Department and the Cook County

1 State's Attorney. All investigations conducted by the
2 Inspector General shall be conducted in a manner that ensures
3 the preservation of evidence for use in criminal prosecutions.

4 (c) At all times the Inspector General shall be granted
5 access to any building or facility that is owned, operated, or
6 leased by the board, the Public Building Commission, or the
7 city in trust and for the use and benefit of the schools of the
8 district.

9 (d) The Inspector General shall have the power to subpoena
10 witnesses and compel the production of books and papers
11 pertinent to an investigation authorized by this Code. Any
12 person who (1) fails to appear in response to a subpoena; (2)
13 fails to answer any question; (3) fails to produce any books or
14 papers pertinent to an investigation under this Code; or (4)
15 knowingly gives false testimony during an investigation under
16 this Code, is guilty of a Class A misdemeanor.

17 (e) The Inspector General shall provide to the board and
18 the Illinois General Assembly a summary of reports and
19 investigations made under this Section for the previous fiscal
20 year no later than January 1 of each year, except that the
21 Inspector General shall provide the summary of reports and
22 investigations made under this Section for the period
23 commencing July 1, 1998 and ending April 30, 1999 no later than
24 May 1, 1999. The summaries shall detail the final disposition
25 of those recommendations. The summaries shall not contain any
26 confidential or identifying information concerning the

1 subjects of the reports and investigations. The summaries shall
2 also include detailed recommended administrative actions and
3 matters for consideration by the General Assembly.

4 (f) (Blank).

5 (g) (Blank).

6 (Source: P.A. 89-15, eff. 5-30-95; 89-698, eff. 1-14-97.)".