



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5127

Introduced 1/27/2022, by Rep. Michael Halpin

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-5
105 ILCS 5/10-16

from Ch. 122, par. 10-5
from Ch. 122, par. 10-16

Amends the School Boards Article of the School Code. Provides that within 40 days (instead of 28) after the regular election of directors, the directors shall meet and organize by appointing one of their number president and another as clerk. Provides that within 40 days (instead of 28) after the consolidated election, the board shall organize by electing its officers and fixing a time and place for the regular meetings. Effective immediately.

LRB102 24122 CMG 33348 b

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 10-5 and 10-16 as follows:

6 (105 ILCS 5/10-5) (from Ch. 122, par. 10-5)

7 Sec. 10-5. Organization of board - Report to treasurer and
8 regional superintendent of schools. Within 40 ~~28~~ days after
9 the regular election of directors, the directors shall meet
10 and organize by appointing one of their number president and
11 another as clerk, except that when directors are elected at
12 the consolidated elections in April of 1999 and April of 2001,
13 the directors shall meet and organize, in the manner provided
14 by this Section, within 7 days after the first Tuesday after
15 the first Monday of November in each of those 2 years. The
16 clerk shall at once report to the treasurer and regional
17 superintendent of schools the names of the president and clerk
18 so appointed. Upon organizing itself as provided in this
19 Section, the board of school directors shall enter upon the
20 discharge of its duties. Terms of members are subject to
21 Section 2A-54 of the Election Code, except as otherwise
22 limited by subsection (c) of Section 10-4.

23 (Source: P.A. 93-847, eff. 7-30-04.)

1 (105 ILCS 5/10-16) (from Ch. 122, par. 10-16)

2 Sec. 10-16. Organization of Board. Within 40 ~~28~~ days after
3 the consolidated election, other than the consolidated
4 elections in 1999 and 2001, the board shall organize by
5 electing its officers and fixing a time and place for the
6 regular meetings. However, when school board members are
7 elected at the consolidated elections held in April of 1999
8 and April of 2001, the board shall organize within 7 days after
9 the first Tuesday after the first Monday of November in each
10 such year by electing officers and setting the time and place
11 of the regular meetings. Upon organizing itself as provided in
12 this paragraph, the board shall enter upon the discharge of
13 its duties.

14 The regional superintendent of schools having supervision
15 and control, as provided in Section 3-14.2, of a new school
16 district that is governed by the School Code and formed on or
17 after the effective date of this amendatory Act of 1998 shall
18 convene the newly elected board within 7 days after the
19 election of the board of education of that district, whereupon
20 the board shall proceed to organize by electing one of their
21 number as president and electing a secretary, who may or may
22 not be a member. At such meeting the length of term of each of
23 the members shall be determined by lot so that 4 shall serve
24 for 4 years, and 3 for 2 years from the commencement of their
25 terms; provided, however, if such members were not elected at

1 the consolidated election in an odd-numbered year, such
2 initial terms shall be extended to the consolidated election
3 for school board members immediately following the expiration
4 of the initial 4 or 2 year terms. The provisions of this
5 paragraph that relate to the determination of terms by lot
6 shall not apply to the initial members of the board of
7 education of a combined school district who are to be elected
8 to unstagged terms.

9 The terms of the officers of a board of education shall be
10 for 2 years, except that the terms of the officers elected at
11 the organization meeting in November, 2001 shall expire at the
12 organization meeting in April, 2003; provided that the board
13 by resolution may establish a policy for the terms of office to
14 be one year, and provide for the election of officers.

15 Special meetings of the board of education may be called
16 by the president or by any 3 members of the board by giving
17 notice thereof in writing, stating the time, place and purpose
18 of the meeting. Such notice may be served by mail 48 hours
19 before such meeting or by personal service 24 hours before
20 such meeting. Public notice of meetings must also be given as
21 prescribed in Sections 2.02 and 2.03 of the Open Meetings Act,
22 as now or hereafter amended.

23 At each regular and special meeting which is open to the
24 public, members of the public and employees of the district
25 shall be afforded time, subject to reasonable constraints, to
26 comment to or ask questions of the board.

1 The president or district superintendent shall, at each
2 regular board meeting, report any requests made of the
3 district under provisions of the Freedom of Information Act
4 and shall report the status of the district's response.

5 (Source: P.A. 93-847, eff. 7-30-04; 94-1019, eff. 7-10-06.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.