

1 AMENDMENT TO HOUSE BILL 751

2 AMENDMENT NO. _____. Amend House Bill 751 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing
5 Sections 2-3.105, 3-0.01, 3-1, 3-2, 3-2.5, 3-3, 3-15.6,
6 3-15.9, 3-15.10, 3A-2, and 3A-6 as follows:

7 (105 ILCS 5/2-3.105) (from Ch. 122, par. 2-3.105)
8 Sec. 2-3.105. Services to educational service regions
9 and school districts.

10 (a) Commencing July 1, 1994 and thereafter, the State
11 Board of Education through the office of the State
12 Superintendent of Education shall have and exercise, in and
13 with respect to each educational service region having a
14 population of 2,000,000 or more inhabitants, and in and with
15 respect to each school district located in any such
16 educational service region, all rights, powers, duties and
17 responsibilities theretofore vested in and exercised and
18 performed by the regional superintendent of schools in that
19 educational service region under the provisions of this Act
20 or any other law of this State.

21 (b) Beginning July 1, 2007, the State Board of Education
22 through the office of the State Superintendent of Education

1 shall have and exercise, in and with respect to an
2 educational service region serving that portion of a Class II
3 county outside a city of 500,000 or more population and in
4 and with respect to each school district located in that
5 educational service region, all rights, powers, duties, and
6 responsibilities theretofore vested in and exercised and
7 performed by the regional superintendent of schools and the
8 regional office of education in that educational service
9 region under the provisions of this Code or any other law of
10 this State.

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

12 (105 ILCS 5/3-0.01) (from Ch. 122, par. 3-0.01)

13 Sec. 3-0.01. "County superintendent of schools" and
14 "regional superintendent of schools" defined - Application of
15 Article.

16 (a) Except as otherwise provided by subsection (b) or
17 (b-1), after the effective date of this amendatory Act of
18 1975, the chief administrative officer of an educational
19 service region shall be designated and referred to as the
20 "regional superintendent of schools" or the "regional
21 superintendent" and after the effective date of this
22 amendatory Act of 1993 the office held by the chief
23 administrative officer shall be designated and referred to as
24 the "regional office of education". For purposes of the
25 School Code and except as otherwise provided by subsection
26 (b) or (b-1), any reference to "county superintendent of
27 schools" or "county superintendent" means the regional
28 superintendent of schools.

29 (b) Subject to subsection (b-1), in educational service
30 regions containing 2,000,000 or more inhabitants, the office
31 of regional superintendent of schools is abolished on July 1,
32 1994. On and after that date in each educational service
33 region in which the office of regional superintendent of

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

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

16 (b-1) Until July 1, 2007, references to "regional
17 superintendent" shall also include the regional
18 superintendent of schools in regions serving that portion of
19 a Class II county outside a city of 500,000 or more
20 population elected at the general election in 1994 and every
21 4 years thereafter.

22 In an educational service region serving that portion of
23 a Class II county outside a city of 500,000 or more
24 population, the office of regional superintendent of schools
25 and the regional office of education is abolished on July 1,
26 2007. On and after that date all rights, powers, duties, and
27 responsibilities theretofore vested by law in and exercised
28 and performed by the regional superintendent of schools and
29 by any assistant regional superintendents or other assistants
30 or employees in the office of the regional superintendent of
31 schools so abolished shall be vested in, exercised, and
32 performed by the State Board of Education through the office
33 of the State Superintendent of Education. Upon abolition of
34 the office of regional superintendent of schools and the

1 regional office of education: (i) all books, records, maps,
2 papers, and other documents belonging to or subject to the
3 control or disposition of the former regional superintendent
4 of schools and the regional office of education shall be
5 transferred and delivered to the State Board of Education;
6 (ii) possession or control over all moneys, deposits, and
7 accounts in the possession or subject to the control or
8 disposition of the former regional superintendent of schools
9 and the regional office of education, including but not
10 limited to undistributed or unexpended moneys drawn from and
11 all amounts on deposit in the county, institute, and
12 supervisory expense funds, shall be transferred to and placed
13 under the control and disposition of the State Board of
14 Education, excepting only those moneys or accounts, if any,
15 the source of which is the county treasury; and (iii) all
16 other equipment, furnishings, supplies, and other personal
17 property belonging to or subject to the control or
18 disposition of the former regional superintendent of schools
19 and the regional office of education, excepting only those
20 items that were provided by the county board, shall be
21 transferred and delivered to the State Board of Education.

22 Beginning July 1, 2007, any reference in this Code or any
23 other law of this State to "regional superintendent of
24 schools", "regional superintendent", "county superintendent
25 of schools", or "county superintendent" shall mean, with
26 respect to an educational service region serving that portion
27 of a Class II county outside a city of 500,000 or more
28 population, the State Board of Education serving through the
29 office of the State Superintendent of Education as the chief
30 administrative entity of an educational service region.

31 (c) This Article applies to the regional superintendent
32 of a multicounty educational service region formed under
33 Article 3A as well as to a single county or partial county
34 region, except that in case of conflict between the

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

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

6 (105 ILCS 5/3-1) (from Ch. 122, par. 3-1)

7 Sec. 3-1. Election; eligibility. Quadrennially there
8 shall be elected in every county, except those which have
9 been consolidated into a multicounty educational service
10 region under Article 3A and except those having a population
11 of 2,000,000 or more inhabitants, and beginning in 1994 until
12 2006 in that portion of a Class II county outside a city of
13 500,000 or more inhabitants and constituting an educational
14 service region, a regional superintendent of schools, who
15 shall enter upon the discharge of his duties on the first
16 Monday of August next after his election; provided, however,
17 that the term of office of each regional superintendent of
18 schools in office on June 30, 2003 is terminated on July 1,
19 2003, except that an incumbent regional superintendent of
20 schools shall continue to serve until his successor is
21 elected and qualified, and each regional superintendent of
22 schools elected at the general election in 2002 and every
23 four years thereafter shall assume office on the first day of
24 July next after his election. No one is eligible to file his
25 petition at any primary election for the nomination as
26 candidate for the office of regional superintendent of
27 schools nor to enter upon the duties of such office either by
28 election or appointment unless he possesses the following
29 qualifications: (1) he is of good character, (2) he has a
30 master's degree, (3) he has earned at least 20 semester hours
31 of credit in professional education at the graduate level,
32 (4) he holds a valid all grade supervisory certificate or a
33 valid state limited supervisory certificate, or a valid state

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

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

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

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

28 On and after July 1, 1994, the provisions of this Section
29 shall have no application in any educational service region
30 having a population of 2,000,000 or more inhabitants;
31 provided further that no election shall be held in November
32 of 1994 or at any other time after July 1, 1992 for the
33 office of regional superintendent of schools in any county or
34 educational service region having a population of 2,000,000

1 or more inhabitants.

2 Beginning July 1, 2007, this Section shall have no
3 application in an educational service region serving that
4 portion of a Class II county outside a city of 500,000 or
5 more population, and no election shall be held in 2006 or
6 thereafter for the office of regional superintendent of
7 schools in an educational service region serving that portion
8 of a Class II county outside a city of 500,000 or more
9 population.

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

11 (105 ILCS 5/3-2) (from Ch. 122, par. 3-2)

12 Sec. 3-2. Oath of office - Bond - Salary. Before
13 entering upon his or her duties a regional superintendent of
14 schools shall take and subscribe the oath prescribed by the
15 Constitution and execute a bond payable to the People of the
16 State of Illinois with 2 or more responsible persons having
17 an interest in real estate as sureties (or, if the county is
18 self-insured, the county through its self-insurance program
19 may provide bonding), to be approved by the county board in a
20 penalty of not less than \$100,000, conditioned upon the
21 faithful discharge of his or her duties and upon the delivery
22 to his or her successor in office of all monies, books,
23 papers and property in his or her custody as such regional
24 superintendent of schools.

25 This bond shall be filed in the office of the county
26 clerk, and action upon it may be maintained by any corporate
27 body interested, for the benefit of any township or fund
28 injured by any breach of its condition.

29 If any vacancy in the office of regional superintendent
30 of schools occurs, such vacancy shall be filled in the manner
31 provided by Section 3A-6.

32 Regional Superintendents of Schools shall receive the
33 salary provided by Section 3-2.5.

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

4 Beginning July 1, 2007, this Section shall have no
5 application in an educational service region serving that
6 portion of a Class II county outside a city of 500,000 or
7 more population.

8 (Source: P.A. 88-387; 89-233, eff. 1-1-96.)

9 (105 ILCS 5/3-2.5)

10 Sec. 3-2.5. Salaries.

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

16 SALARIES OF REGIONAL SUPERINTENDENTS OF
17 SCHOOLS

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

23 The changes made by Public Act 86-98 in the annual salary
24 that the regional superintendents of schools shall receive
25 for their services shall apply to the annual salary received
26 by the regional superintendents of schools during each of
27 their elected terms of office that commence after July 26,
28 1989 and before the first Monday of August, 1995.

29 The changes made by Public Act 89-225 in the annual
30 salary that regional superintendents of schools shall receive
31 for their services shall apply to the annual salary received
32 by the regional superintendents of schools during their
33 elected terms of office that commence after August 4, 1995

1 and end on August 1, 1999.

2 The changes made by this amendatory Act of the 91st
3 General Assembly in the annual salary that the regional
4 superintendents of schools shall receive for their services
5 shall apply to the annual salary received by the regional
6 superintendents of schools during each of their elected terms
7 of office that commence on or after August 2, 1999.

8 Beginning July 1, 2000, the salary that the regional
9 superintendent of schools receives for his or her services
10 shall be adjusted annually to reflect the percentage
11 increase, if any, in the most recent Consumer Price Index, as
12 defined and officially reported by the United States
13 Department of Labor, Bureau of Labor Statistics, except that
14 no annual increment may exceed 2.9%. If the percentage of
15 change in the Consumer Price Index is a percentage decrease,
16 the salary that the regional superintendent of schools
17 receives shall not be adjusted for that year.

18 When regional superintendents are authorized by the
19 School Code to appoint assistant regional superintendents,
20 the assistant regional superintendent shall receive an annual
21 salary based on his or her qualifications and computed as a
22 percentage of the salary of the regional superintendent to
23 whom he or she is assistant, as set out in the following
24 schedule:

25 SALARIES OF ASSISTANT REGIONAL SUPERINTENDENTS

26 QUALIFICATIONS OF	PERCENTAGE OF SALARY
27 ASSISTANT REGIONAL	OF REGIONAL
28 SUPERINTENDENT	SUPERINTENDENT
29 No Bachelor's degree, but State 30 certificate valid for teaching 31 and supervising.	70%
32 Bachelor's degree plus 33 State certificate valid 34 for supervising.	75%

1 Master's degree plus
2 State certificate valid
3 for supervising. 90%

4 However, in any region in which the appointment of more
5 than one assistant regional superintendent is authorized,
6 whether by Section 3-15.10 of this Code or otherwise, not
7 more than one assistant may be compensated at the 90% rate
8 and any other assistant shall be paid at not exceeding the
9 75% rate, in each case depending on the qualifications of the
10 assistant.

11 The salaries provided in this Section for regional
12 superintendents and assistant regional superintendents are
13 payable monthly from the Common School Fund. The State
14 Comptroller in making his or her warrant to any county for
15 the amount due it from the Common School Fund shall deduct
16 from it the several amounts for which warrants have been
17 issued to the regional superintendent, and any assistant
18 regional superintendent, of the educational service region
19 encompassing the county since the preceding apportionment of
20 the Common School Fund.

21 County boards may provide for additional compensation for
22 the regional superintendent or the assistant regional
23 superintendents, or for each of them, to be paid quarterly
24 from the county treasury.

25 (b) Upon abolition on July 1, 1994, of the office of
26 regional superintendent of schools in educational service
27 regions containing 2,000,000 or more inhabitants as provided
28 in Section 3-0.01 of this Code, the provisions of subsection
29 (a) of this Section shall no longer apply in any educational
30 service region in which the office of regional superintendent
31 of schools is so abolished, and no salary or other
32 compensation shall be payable under that subsection (a) or
33 under any other provision of this Section with respect to the
34 office so abolished or with respect to any assistant position

1 to the office so abolished.

2 (b-5) Upon abolition on July 1, 2007 of the office of
3 regional superintendent of schools and the regional office of
4 education in an educational service region serving that
5 portion of a Class II county outside a city of 500,000 or
6 more population as provided in Section 3-0.01 of this Code,
7 subsection (a) of this Section shall no longer apply in the
8 educational service region, and no salary or other
9 compensation shall be payable under subsection (a) or any
10 other provision of this Section with respect to the office so
11 abolished or with respect to any assistant position to the
12 office so abolished.

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

21 This subsection (c) applies to contributions based on
22 payments of salary earned after the effective date of this
23 amendatory Act of the 91st General Assembly, except that in
24 the case of an elected regional superintendent of schools,
25 this subsection does not apply to contributions based on
26 payments of salary earned during a term of office that
27 commenced before the effective date of this amendatory Act.

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

29 (105 ILCS 5/3-3) (from Ch. 122, par. 3-3)

30 Sec. 3-3. Practice of other profession. It is unlawful
31 for any county superintendent of schools to practice or to
32 hold himself out as practicing any other profession.
33 Violation of this section shall be a cause of forfeiture of

1 office.

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

5 Beginning July 1, 2007, this Section shall have no
6 application in an educational service region serving that
7 portion of a Class II county outside a city of 500,000 or
8 more population.

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

10 (105 ILCS 5/3-15.6) (from Ch. 122, par. 3-15.6)

11 Sec. 3-15.6. Additional employees. To employ, with the
12 approval of the county board, such additional employees as
13 are needed for the discharge of the duties of the office. The
14 non-clerical employees shall be persons versed in the
15 principles and methods of education, familiar with public
16 school work, competent to visit schools and certificated
17 pursuant to this Code if their duties are comparable to those
18 for which certification is required by this Code.

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

22 Beginning July 1, 2007, this Section shall have no
23 application in an educational service region serving that
24 portion of a Class II county outside a city of 500,000 or
25 more population.

26 (Source: P.A. 86-361; 87-654; 87-1251.)

27 (105 ILCS 5/3-15.9) (from Ch. 122, par. 3-15.9)

28 Sec. 3-15.9. Delivery of money, books, papers and
29 property to successor. Upon his removal or resignation, or at
30 the expiration of his term of office, or in case of his death
31 his representatives to deliver to his successor in office, on
32 demand, all moneys, books, papers and personal property

1 belonging to his office or subject to his control or
2 disposition.

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.

6 Beginning July 1, 2007, this Section shall have no
7 application in an educational service region serving that
8 portion of a Class II county outside a city of 500,000 or
9 more population.

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

11 (105 ILCS 5/3-15.10) (from Ch. 122, par. 3-15.10)

12 Sec. 3-15.10. Assistant Regional Superintendent. To
13 employ, in counties or regions of 2,000,000 inhabitants or
14 less, in addition to any assistants authorized to be employed
15 with the approval of the county board, an assistant regional
16 superintendent of schools who shall be a person of good
17 attainment, versed in the principles and methods of
18 education, and qualified to teach and supervise schools under
19 Article 21 of this Act; to fix the term of such assistant and
20 direct his work and define his duties. Until July 1, 2007, in
21 regions established within that portion of a Class II county
22 outside a city of 500,000 or more inhabitants, the regional
23 superintendent may employ, in addition to any assistants
24 authorized to be employed with the approval of the county
25 board, 3 assistant regional superintendents of schools.
26 Until July 1, 1994, in counties or regions having a
27 population of more than 2,000,000 inhabitants the regional
28 superintendent may employ, in addition to any assistants
29 authorized to be employed with the approval of the county
30 board, 11 assistant regional superintendents of schools.
31 Assistant regional superintendents shall each be a person of
32 good attainment, versed in the principles and methods of
33 education, and qualified to teach and supervise schools under

1 Article 21 of this Act. The work of such assistant regional
2 superintendent shall be so arranged and directed that the
3 county or regional superintendent and assistant
4 superintendent, together, shall devote an amount of time
5 during the school year, equal to at least the full time of
6 one individual, to the supervision of schools and of teaching
7 in the schools of the county.

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

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

21 On July 1, 2007, the employment of all persons serving as
22 assistant county or regional superintendents in an
23 educational service region serving that portion of a Class II
24 county outside a city of 500,000 or more population is
25 terminated, the office of assistant county or regional
26 superintendent in that educational service region is
27 abolished, and this Section shall, beginning July 1, 2007,
28 have no further application in that educational service
29 region.

30 A regional superintendent of schools shall not employ his
31 or her spouse, child, stepchild, or relative as an assistant
32 regional superintendent of schools. By September 1 each year,
33 a regional superintendent shall certify to the State Board of
34 Education that he or she has complied with this paragraph. If

1 the State Board of Education becomes aware of the fact that a
2 regional superintendent is employing his or her spouse,
3 child, stepchild, or relative as an assistant regional
4 superintendent, the State Board of Education shall not
5 request for payment from the State Comptroller any warrants
6 for the payment of the assistant regional superintendent's
7 salary. In this paragraph, "relative" means a grandparent,
8 parent, aunt, uncle, sibling, first cousin, nephew, niece,
9 grandchild, or spouse of one of these persons. This paragraph
10 applies only to contracts for employment entered into on or
11 after the effective date of this amendatory Act of the 91st
12 General Assembly.

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

14 (105 ILCS 5/3A-2) (from Ch. 122, par. 3A-2)

15 Sec. 3A-2. Regional superintendent-County superintendent
16 of schools. The chief administrative officer of an
17 educational service region shall be designated and referred
18 to as "Regional Superintendent of Schools" or "regional
19 superintendent."

20 Such person shall, in his region, have the powers and
21 duties and perform the functions required of or exercisable
22 by a county superintendent of schools, except as otherwise
23 provided by law.

24 Any reference to "county superintendent of schools" in
25 The School Code or any other Illinois statute means and
26 refers to the regional superintendent of schools for an
27 educational service region.

28 In an educational service region serving that portion of
29 a Class II county outside a city of 500,000 or more
30 population, the office of regional superintendent of schools
31 is abolished on July 1, 2007 as provided in Section 3-0.01 of
32 this Code.

33 (Source: P.A. 79-1057.)

1 (105 ILCS 5/3A-6) (from Ch. 122, par. 3A-6)

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

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

8 (b) The bond required under Section 3-2 shall be filed
9 in the office of the county clerk in the county where the
10 regional office is situated, and a certified copy of that
11 bond shall be filed in the office of the county clerk in each
12 of the other counties in the region.

13 (c) When a vacancy occurs in the office of regional
14 superintendent of schools of any educational service region
15 which is not located in a county which is a home rule unit,
16 such vacancy shall be filled within 60 days (i) by
17 appointment of the chairman of the county board, with the
18 advice and consent of the county board, when such vacancy
19 occurs in a single county educational service region; or (ii)
20 by appointment of a committee composed of the chairmen of the
21 county boards of those counties comprising the affected
22 educational service region when such vacancy occurs in a
23 multicounty educational service region, each committeeman to
24 be entitled to one vote for each vote that was received in
25 the county represented by such committeeman on the committee
26 by the regional superintendent of schools whose office is
27 vacant at the last election at which a regional
28 superintendent was elected to such office, and the person
29 receiving the highest number of affirmative votes from the
30 committeemen for such vacant office to be deemed the person
31 appointed by such committee to fill the vacancy. The
32 appointee shall be a member of the same political party as
33 the regional superintendent of schools the appointee succeeds
34 was at the time such regional superintendent of schools last

1 was elected. The appointee shall serve for the remainder of
2 the term. However, if more than 28 months remain in that
3 term, the appointment shall be until the next general
4 election, at which time the vacated office shall be filled by
5 election for the remainder of the term. Nominations shall be
6 made and any vacancy in nomination shall be filled as
7 follows:

8 (1) If the vacancy in office occurs before the
9 first date provided in Section 7-12 of the Election Code
10 for filing nomination papers for county offices for the
11 primary in the next even-numbered year following
12 commencement of the term of office in which the vacancy
13 occurs, nominations for the election for filling the
14 vacancy shall be made pursuant to Article 7 of the
15 Election Code.

16 (2) If the vacancy in office occurs during the time
17 provided in Section 7-12 of the Election Code for filing
18 nomination papers for county offices for the primary in
19 the next even-numbered year following commencement of the
20 term of office in which the vacancy occurs, the time for
21 filing nomination papers for the primary shall not be
22 more than 91 days nor less than 85 days prior to the date
23 of the primary.

24 (3) If the vacancy in office occurs after the last
25 day provided in Section 7-12 of the Election Code for
26 filing nomination papers for county offices for the
27 primary in the next even-numbered year following
28 commencement of the term of office in which the vacancy
29 occurs, a vacancy in nomination shall be deemed to have
30 occurred and the county central committee of each
31 established political party (if the vacancy occurs in a
32 single county educational service region) or the
33 multi-county educational service region committee of each
34 established political party (if the vacancy occurs in a

1 multi-county educational service region) shall nominate,
2 by resolution, a candidate to fill the vacancy in
3 nomination for election to the office at the general
4 election. In the nomination proceedings to fill the
5 vacancy in nomination, each member of the county central
6 committee or the multi-county educational service region
7 committee, whichever applies, shall have the voting
8 strength as set forth in Section 7-8 or 7-8.02 of the
9 Election Code, respectively. The name of the candidate
10 so nominated shall not appear on the ballot at the
11 general primary election. The vacancy in nomination
12 shall be filled prior to the date of certification of
13 candidates for the general election.

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

29 The provisions of Sections 10-8 through 10-10.1 of the
30 Election Code relating to objections to nomination papers,
31 hearings on objections, and judicial review shall also apply
32 to and govern objections to nomination papers and resolutions
33 for filling vacancies in nomination filed pursuant to this
34 Section. Unless otherwise specified in this Section, the

1 nomination and election provided for in this Section is
2 governed by the general election law.

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

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

19 Beginning July 1, 2007, this Section shall have no
20 application in an educational service region serving that
21 portion of a Class II county outside a city of 500,000 or
22 more population.

23 Any person appointed to fill a vacancy in the office of
24 regional superintendent of schools of any educational service
25 region must possess the qualifications required to be elected
26 to the position of regional superintendent of schools, and
27 shall obtain a certificate of eligibility from the State
28 Superintendent of Education and file same with the county
29 clerk of the county in which the regional superintendent's
30 office is located.

31 If the regional superintendent of schools is called into
32 the active military service of the United States, his office
33 shall not be deemed to be vacant, but a temporary appointment
34 shall be made as in the case of a vacancy. The appointee

1 shall perform all the duties of the regional superintendent
2 of schools during the time the regional superintendent of
3 schools is in the active military service of the United
4 States, and shall be paid the same compensation apportioned
5 as to the time of service, and such appointment and all
6 authority thereunder shall cease upon the discharge of the
7 regional superintendent of schools from such active military
8 service. The appointee shall give the same bond as is
9 required of a regularly elected regional superintendent of
10 schools.

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