



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB3667

Introduced 02/24/05, by Rep. Calvin L. Giles

SYNOPSIS AS INTRODUCED:

105 ILCS 5/1A-1	from Ch. 122, par. 1A-1
105 ILCS 5/2-3.47	from Ch. 122, par. 2-3.47
105 ILCS 5/34-1	from Ch. 122, par. 34-1

Amends the School Code. Makes technical changes with regard to the State Board of Education, the Comprehensive Education Plan, and the Chicago school district.

LRB094 05786 NHT 35839 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 1A-1, 2-3.47, and 34-1 as follows:

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

7 Sec. 1A-1. Members and terms.

8 (a) (Blank).

9 (b) The ~~The~~ State Board of Education shall consist of 8
10 members and a chairperson, who shall be appointed by the
11 Governor with the advice and consent of the Senate from a
12 pattern of regional representation as follows: 2 appointees
13 shall be selected from among those counties of the State other
14 than Cook County and the 5 counties contiguous to Cook County;
15 2 appointees shall be selected from Cook County, one of whom
16 shall be a resident of the City of Chicago and one of whom
17 shall be a resident of that part of Cook County which lies
18 outside the city limits of Chicago; 2 appointees shall be
19 selected from among the 5 counties of the State that are
20 contiguous to Cook County; and 3 members shall be selected as
21 members-at-large (one of which shall be the chairperson). The
22 Governor who takes office on the second Monday of January after
23 his or her election shall be the person who nominates members
24 to fill vacancies whose terms begin after that date and before
25 the term of the next Governor begins.

26 The term of each member of the State Board of Education
27 whose term expires on January 12, 2005 shall instead terminate
28 on the effective date of this amendatory Act of the 93rd
29 General Assembly. Of these 3 seats, (i) the member initially
30 appointed pursuant to this amendatory Act of the 93rd General
31 Assembly whose seat was vacant on April 27, 2004 shall serve
32 until the second Wednesday of January, 2009 and (ii) the other

1 2 members initially appointed pursuant to this amendatory Act
2 of the 93rd General Assembly shall serve until the second
3 Wednesday of January, 2007.

4 The term of the member of the State Board of Education
5 whose seat was vacant on April 27, 2004 and whose term expires
6 on January 10, 2007 shall instead terminate on the effective
7 date of this amendatory Act of the 93rd General Assembly. The
8 member initially appointed pursuant to this amendatory Act of
9 the 93rd General Assembly to fill this seat shall be the
10 chairperson and shall serve until the second Wednesday of
11 January, 2007.

12 The term of the member of the State Board of Education
13 whose seat was vacant on May 28, 2004 but after April 27, 2004
14 and whose term expires on January 10, 2007 shall instead
15 terminate on the effective date of this amendatory Act of the
16 93rd General Assembly. The member initially appointed pursuant
17 to this amendatory Act of the 93rd General Assembly to fill
18 this seat shall serve until the second Wednesday of January,
19 2007.

20 The term of the other member of the State Board of
21 Education whose term expires on January 10, 2007 shall instead
22 terminate on the effective date of this amendatory Act of the
23 93rd General Assembly. The member initially appointed pursuant
24 to this amendatory Act of the 93rd General Assembly to fill
25 this seat shall serve until the second Wednesday of January,
26 2007.

27 The term of the member of the State Board of Education
28 whose term expires on January 14, 2009 and who was selected
29 from among the 5 counties of the State that are contiguous to
30 Cook County and is a resident of Lake County shall instead
31 terminate on the effective date of this amendatory Act of the
32 93rd General Assembly. The member initially appointed pursuant
33 to this amendatory Act of the 93rd General Assembly to fill
34 this seat shall serve until the second Wednesday of January,
35 2009.

36 Upon expiration of the terms of the members initially

1 appointed under this amendatory Act of the 93rd General
2 Assembly and members whose terms were not terminated by this
3 amendatory Act of the 93rd General Assembly, their respective
4 successors shall be appointed for terms of 4 years, from the
5 second Wednesday in January of each odd numbered year and until
6 their respective successors are appointed and qualified.

7 (c) Of the 4 members, excluding the chairperson, whose
8 terms expire on the second Wednesday of January, 2007 and every
9 4 years thereafter, one of those members must be an at-large
10 member and at no time may more than 2 of those members be from
11 one political party. Of the 4 members whose terms expire on the
12 second Wednesday of January, 2009 and every 4 years thereafter,
13 one of those members must be an at-large member and at no time
14 may more than 2 of those members be from one political party.
15 Party membership is defined as having voted in the primary of
16 the party in the last primary before appointment.

17 (d) Vacancies in terms shall be filled by appointment by
18 the Governor with the advice and consent of the Senate for the
19 extent of the unexpired term. If a vacancy in membership occurs
20 at a time when the Senate is not in session, the Governor shall
21 make a temporary appointment until the next meeting of the
22 Senate, when the Governor shall appoint a person to fill that
23 membership for the remainder of its term. If the Senate is not
24 in session when appointments for a full term are made, the
25 appointments shall be made as in the case of vacancies.

26 (Source: P.A. 93-1036, eff. 9-14-04.)

27 (105 ILCS 5/2-3.47) (from Ch. 122, par. 2-3.47)

28 Sec. 2-3.47. Comprehensive Educational Plan. The ~~The~~ State
29 Board of Education shall analyze the current and anticipated
30 problems and deficiencies, present and future minimum needs and
31 requirements and immediate and future objectives and goals of
32 elementary and secondary education in the State of Illinois,
33 and shall design and prepare a Comprehensive Educational Plan
34 for the development, expansion, integration, coordination, and
35 improved and efficient utilization of the personnel,

1 facilities, revenues, curricula and standards of elementary
2 and secondary education for the public schools in the areas of
3 teaching (including preparation, certification, compensation,
4 classification, performance rating and tenure),
5 administration, program content and enrichment, student
6 academic achievement, class size, transportation, educational
7 finance and budgetary and accounting procedure, and
8 educational policy and resource planning. In formulating the
9 Comprehensive Educational Plan for elementary and secondary
10 education, pre-school through grade 12, in this State, the
11 State Board of Education shall give consideration to disabled,
12 occupational, career and other specialized areas of elementary
13 and secondary education, and further shall consider the
14 problems, requirements and objectives of private elementary
15 and secondary schools within the State as the same relate to
16 the present and future problems, deficiencies, needs,
17 requirements, objectives and goals of the public school system
18 of Illinois. As an integral part of the Comprehensive
19 Educational Plan, the State Board of Education shall develop an
20 annual budget for education for the entire State which details
21 the required, total revenues from all sources and the estimated
22 total expenditures for all purposes under the Comprehensive
23 Educational Plan. The budgets shall specify the amount of
24 revenue projected from each source and the amount of
25 expenditure estimated for each purpose for the fiscal year, and
26 shall specifically relate and identify such projected revenues
27 and estimated expenditures to the particular problem,
28 deficiency, need, requirement, objective or goal set forth in
29 the Comprehensive Educational Plan to which such revenues for
30 expenditures are attributable. The State Board of Education
31 shall prepare and submit to the General Assembly and the
32 Governor drafts of proposed legislation to implement the
33 Comprehensive Educational Plan; shall engage in a continuing
34 study, analysis and evaluation of the Comprehensive
35 Educational Plan so designed and prepared; and shall from time
36 to time as required with respect to such annual budgets, and as

1 the State Board of Education shall determine with respect to
2 any proposed amendments or modifications of any Comprehensive
3 Educational Plan enacted by the General Assembly, submit its
4 drafts or recommendations for proposed legislation to the
5 General Assembly and the Governor.

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

7 (105 ILCS 5/34-1) (from Ch. 122, par. 34-1)

8 Sec. 34-1. Application of article; Definitions. ~~This This~~
9 Article applies only to cities having a population exceeding
10 500,000.

11 "Trustees", when used in this Article, means the Chicago
12 School Reform Board of Trustees created by this amendatory Act
13 of 1995 and serving as the governing board of the school
14 district organized under this Article beginning with its
15 appointment on or after the effective date of this amendatory
16 Act of 1995 and continuing until June 30, 1999 or the
17 appointment of a new Chicago Board of Education as provided in
18 Section 34-3, whichever is later.

19 "Board", or "board of education" when used in this Article,
20 means: (i) the Chicago School Reform Board of Trustees for the
21 period that begins with the appointment of the Trustees and
22 that ends on the later of June 30, 1999 or the appointment of a
23 new Chicago Board of Education as provided in Section 34-3; and
24 (ii) the new Chicago Board of Education from and after June 30,
25 1999 or from and after its appointment as provided in Section
26 34-3, whichever is later.

27 Except during the period that begins with the appointment
28 of the Chicago School Reform Board of Trustees on or after the
29 effective date of this amendatory Act of 1995 and that ends on
30 the later of June 30, 1999 or the appointment of a new Chicago
31 Board of Education as provided in Section 34-3: (i) the school
32 district organized under this Article may be subject to further
33 limitations imposed under Article 34A; and (ii) the provisions
34 of Article 34A prevail over the other provisions of this Act,
35 including the provisions of this Article, to the extent of any

1 conflict.

2 (Source: P.A. 89-15, eff. 5-30-95.)