



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5546

by Rep. Elaine Nekritz

SYNOPSIS AS INTRODUCED:

105 ILCS 5/6-2	from Ch. 122, par. 6-2
105 ILCS 5/6-19	from Ch. 122, par. 6-19

Amends the School Code. With respect to members of a regional board of school trustees, provides that, in single county educational service regions that have one or more unexpired terms to be filled at an election, the winner or winners of the unexpired term or terms shall be determined first and independently of those running for full terms. Provides that, as between 2 unexpired terms, the shorter unexpired term shall be filled first and the winner of the longer unexpired term shall be determined taking into consideration the congressional township of the winner of the shorter unexpired term. Provides that the winners of the full terms shall then be determined taking into consideration the congressional townships of those elected to fill the unexpired term or terms. With respect to a Section concerning vacancies on a regional board, defines "territory". Effective July 1, 2014.

LRB098 18407 NHT 53544 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 6-2 and 6-19 as follows:

6 (105 ILCS 5/6-2) (from Ch. 122, par. 6-2)

7 Sec. 6-2. Regional board; creation; membership; abolition
8 and transfer of duties.

9 (a) There is created a regional board of school trustees
10 for that territory in each educational service region exclusive
11 of any school district organized under Article 34 and exclusive
12 of any school district whose school board has been given the
13 powers of school trustees; provided that on the effective date
14 of this amendatory Act of 1992 the regional board of school
15 trustees theretofore created and existing for any territory in
16 an educational service region containing 2,000,000 or more
17 inhabitants is abolished, the terms of office of all members of
18 the regional board of school trustees so abolished are
19 terminated on that effective date, and from and after that
20 effective date all rights, powers, duties, and
21 responsibilities that were vested in or required by law to be
22 exercised and performed by the former regional board of school
23 trustees shall be vested in and exercised and performed by the

1 successors to the former regional board of school trustees as
2 provided in subsection (b) of this Section 6-2. Any school
3 district whose board of education acts as a board of school
4 trustees shall have within its district the powers and duties
5 of a regional board of school trustees.

6 Unless abolished as provided in this Section, the regional
7 board of school trustees, in both single county and
8 multi-county educational service regions, shall consist of 7
9 members. In single county regions not more than one trustee may
10 be a resident of any one congressional township; however, in
11 case there are fewer than 7 congressional townships in the
12 region then not more than two of such trustees may be residents
13 of the same congressional township. Notwithstanding the
14 foregoing residency provision, in a single county region with a
15 population of greater than 750,000 inhabitants, but less than
16 1,200,000 inhabitants, 2 trustees may be residents of the same
17 congressional township if and only if such trustees were
18 elected at the April 9, 2013 consolidated election. In 2 county
19 regions at least 2 trustees shall be residents of each county.
20 In 3 or more county regions at least one trustee shall be a
21 resident of each county. If more than 7 counties constitute the
22 educational service region, the regional board of school
23 trustees shall consist of one resident of each county.

24 In single county educational service regions that have one
25 or more unexpired terms to be filled at an election, the winner
26 or winners of the unexpired term or terms shall be determined

1 first and independently of those running for full terms. As
2 between 2 unexpired terms, the shorter unexpired term shall be
3 filled first and the winner of the longer unexpired term shall
4 be determined taking into consideration the congressional
5 township of the winner of the shorter unexpired term. The
6 winners of the full terms shall then be determined taking into
7 consideration the congressional townships of those elected to
8 fill the unexpired term or terms.

9 The regional board of school trustees shall be a body
10 politic and corporate by the name of "Regional Board of School
11 Trustees of.... County (or Counties), Illinois." Such
12 corporation shall have perpetual existence with power to sue
13 and be sued and to plead and be impleaded in all courts and
14 places where judicial proceedings are had.

15 (b) Upon the abolition of the regional board of school
16 trustees and the termination of the terms of office of the
17 members of that former regional board of school trustees in an
18 educational service region containing 2,000,000 or more
19 inhabitants as provided in subsection (a), the trustees of
20 schools of each township included within the territory of that
21 educational service region that was served by the former
22 regional board of school trustees, or if any such township is a
23 township referred to in subsection (b) of Section 5-1 and there
24 are no trustees of schools acting in that township then the
25 school board of each school district located in that township,
26 shall be the successors to the former regional board of school

1 trustees. As successors to the former regional board of school
2 trustees, the trustees of schools of each such township and the
3 school board of each such school district, with respect to all
4 territory included within the school township or school
5 district served by the trustees of schools of the township or
6 school board, shall be vested with and shall exercise and
7 perform all rights, powers, duties, and responsibilities
8 formerly held, exercised, and performed with respect to that
9 territory by the regional board of school trustees abolished
10 under subsection (a) of this Section.

11 Upon abolition of the regional board of school trustees in
12 an educational service region having 2,000,000 or more
13 inhabitants as provided in subsection (a) of this Section, all
14 books, records, maps, papers, documents, equipment, supplies,
15 accounts, deposits, and other personal property belonging to or
16 subject to the control or disposition of the former regional
17 board of school trustees (excepting only such items as may have
18 been provided by the county board) shall be transferred and
19 delivered to the trustees of schools of the townships and the
20 school boards that are the successors to the former regional
21 board of school trustees for the territory included within
22 their respective school townships or school districts.

23 From and after the effective date of this amendatory Act of
24 1992, any reference in the School Code or any other law of this
25 State to the regional board of school trustees or county board
26 of school trustees shall mean, with respect to all territory

1 within an educational service region containing 2,000,000 or
2 more inhabitants that formerly was served by a regional board
3 of school trustees abolished under subsection (a) of this
4 Section, the trustees of schools of the township or the school
5 board of the school district that is the successor to the
6 former regional board of school trustees with respect to the
7 territory included within that school township or school
8 district.

9 (Source: P.A. 98-115, eff. 7-29-13.)

10 (105 ILCS 5/6-19) (from Ch. 122, par. 6-19)

11 Sec. 6-19. Vacancy on regional board. In this Section,
12 "territory" means a county, subject to the residency
13 restrictions in Section 6-2 of this Code. Subject to the
14 residency provisions in Section 6-2 of this Code, any vacancy
15 on the regional board of school trustees shall be filled from
16 the same territory by the remaining members until the next
17 regular election for members of the regional board of school
18 trustees, when the vacancy shall be filled for the unexpired
19 time. Removal of a member from the township from which such
20 member was elected into a township which has its quota of
21 members on the board shall constitute a vacancy.

22 (Source: P.A. 98-115, eff. 7-29-13.)

23 Section 99. Effective date. This Act takes effect July 1,
24 2014.