



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB2564

Introduced 2/16/2016, by Sen. Thomas Cullerton

SYNOPSIS AS INTRODUCED:

10 ILCS 5/2A-1.2	from Ch. 46, par. 2A-1.2
10 ILCS 5/2A-48	from Ch. 46, par. 2A-48
10 ILCS 5/2A-49	from Ch. 46, par. 2A-49
10 ILCS 5/2A-54	from Ch. 46, par. 2A-54
105 ILCS 5/9-5	from Ch. 122, par. 9-5
105 ILCS 5/10-4	from Ch. 122, par. 10-4
105 ILCS 5/10-10	from Ch. 122, par. 10-10
105 ILCS 5/10-16	from Ch. 122, par. 10-16
105 ILCS 5/11E-55	
105 ILCS 5/32-1.1	from Ch. 122, par. 32-1.1
105 ILCS 5/32-2.12	from Ch. 122, par. 32-2.12

Amends the Election Code and the School Code. Changes the election of members of a board of school directors, board of education, or board of school inspectors from the consolidated election to the general election. Makes related changes.

LRB099 18312 NHT 42686 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Election Code is amended by changing
5 Sections 2A-1.2, 2A-48, 2A-49, and 2A-54 as follows:

6 (10 ILCS 5/2A-1.2) (from Ch. 46, par. 2A-1.2)

7 Sec. 2A-1.2. Consolidated Schedule of Elections - Offices
8 Designated.

9 (a) At the general election in the appropriate
10 even-numbered years, the following offices shall be filled or
11 shall be on the ballot as otherwise required by this Code:

12 (1) Elector of President and Vice President of the
13 United States;

14 (2) United States Senator and United States
15 Representative;

16 (3) State Executive Branch elected officers;

17 (4) State Senator and State Representative;

18 (5) County elected officers, including State's
19 Attorney, County Board member, County Commissioners, and
20 elected President of the County Board or County Chief
21 Executive;

22 (6) Circuit Court Clerk;

23 (7) Regional Superintendent of Schools, except in

1 counties or educational service regions in which that
2 office has been abolished;

3 (7.5) Elected members of school boards, directors of
4 boards of school directors, and members of boards of school
5 inspectors, except school boards in school districts that
6 adopt Article 33 of the School Code;

7 (8) Judges of the Supreme, Appellate and Circuit
8 Courts, on the question of retention, to fill vacancies and
9 newly created judicial offices;

10 (9) (Blank);

11 (10) Trustee of the Metropolitan Sanitary District of
12 Chicago, and elected Trustee of other Sanitary Districts;

13 (11) Special District elected officers, not otherwise
14 designated in this Section, where the statute creating or
15 authorizing the creation of the district requires an annual
16 election and permits or requires election of candidates of
17 political parties.

18 (b) At the general primary election:

19 (1) in each even-numbered year candidates of political
20 parties shall be nominated for those offices to be filled
21 at the general election in that year, except where pursuant
22 to law nomination of candidates of political parties is
23 made by caucus and except for those offices listed in
24 paragraph (7.5) of subsection (a) of this Section.

25 (2) in the appropriate even-numbered years the
26 political party offices of State central committeeman,

1 township committeeman, ward committeeman, and precinct
2 committeeman shall be filled and delegates and alternate
3 delegates to the National nominating conventions shall be
4 elected as may be required pursuant to this Code. In the
5 even-numbered years in which a Presidential election is to
6 be held, candidates in the Presidential preference primary
7 shall also be on the ballot.

8 (3) in each even-numbered year, where the municipality
9 has provided for annual elections to elect municipal
10 officers pursuant to Section 6(f) or Section 7 of Article
11 VII of the Constitution, pursuant to the Illinois Municipal
12 Code or pursuant to the municipal charter, the offices of
13 such municipal officers shall be filled at an election held
14 on the date of the general primary election, provided that
15 the municipal election shall be a nonpartisan election
16 where required by the Illinois Municipal Code. For partisan
17 municipal elections in even-numbered years, a primary to
18 nominate candidates for municipal office to be elected at
19 the general primary election shall be held on the Tuesday 6
20 weeks preceding that election.

21 (4) in each school district which has adopted the
22 provisions of Article 33 of the School Code, successors to
23 the members of the board of education whose terms expire in
24 the year in which the general primary is held shall be
25 elected.

26 (c) At the consolidated election in the appropriate

1 odd-numbered years, the following offices shall be filled:

2 (1) Municipal officers, provided that in
3 municipalities in which candidates for alderman or other
4 municipal office are not permitted by law to be candidates
5 of political parties, the runoff election where required by
6 law, or the nonpartisan election where required by law,
7 shall be held on the date of the consolidated election; and
8 provided further, in the case of municipal officers
9 provided for by an ordinance providing the form of
10 government of the municipality pursuant to Section 7 of
11 Article VII of the Constitution, such offices shall be
12 filled by election or by runoff election as may be provided
13 by such ordinance;

14 (2) Village and incorporated town library directors;

15 (3) City boards of stadium commissioners;

16 (4) Commissioners of park districts;

17 (5) Trustees of public library districts;

18 (6) Special District elected officers, not otherwise
19 designated in this section, where the statute creating or
20 authorizing the creation of the district permits or
21 requires election of candidates of political parties;

22 (7) Township officers, including township park
23 commissioners, township library directors, and boards of
24 managers of community buildings, and Multi-Township
25 Assessors;

26 (8) Highway commissioners and road district clerks;

1 (9) Members of school boards in school districts which
2 adopt Article 33 of the School Code;

3 (10) The directors and chairman of the Chain O Lakes -
4 Fox River Waterway Management Agency;

5 (11) Forest preserve district commissioners elected
6 under Section 3.5 of the Downstate Forest Preserve District
7 Act;

8 (12) School ~~Elected members of school boards, school~~
9 trustees and, ~~directors of boards of school directors,~~
10 trustees of county boards of school trustees (except in
11 counties or educational service regions having a
12 population of 2,000,000 or more inhabitants) ~~and members of~~
13 ~~boards of school inspectors, except school boards in school~~
14 ~~districts that adopt Article 33 of the School Code;~~

15 (13) Members of Community College district boards;

16 (14) Trustees of Fire Protection Districts;

17 (15) Commissioners of the Springfield Metropolitan
18 Exposition and Auditorium Authority;

19 (16) Elected Trustees of Tuberculosis Sanitarium
20 Districts;

21 (17) Elected Officers of special districts not
22 otherwise designated in this Section for which the law
23 governing those districts does not permit candidates of
24 political parties.

25 (d) At the consolidated primary election in each
26 odd-numbered year, candidates of political parties shall be

1 nominated for those offices to be filled at the consolidated
2 election in that year, except where pursuant to law nomination
3 of candidates of political parties is made by caucus, and
4 except those offices listed in paragraphs (12) through (17) of
5 subsection (c).

6 At the consolidated primary election in the appropriate
7 odd-numbered years, the mayor, clerk, treasurer, and aldermen
8 shall be elected in municipalities in which candidates for
9 mayor, clerk, treasurer, or alderman are not permitted by law
10 to be candidates of political parties, subject to runoff
11 elections to be held at the consolidated election as may be
12 required by law, and municipal officers shall be nominated in a
13 nonpartisan election in municipalities in which pursuant to law
14 candidates for such office are not permitted to be candidates
15 of political parties.

16 At the consolidated primary election in the appropriate
17 odd-numbered years, municipal officers shall be nominated or
18 elected, or elected subject to a runoff, as may be provided by
19 an ordinance providing a form of government of the municipality
20 pursuant to Section 7 of Article VII of the Constitution.

21 (e) (Blank).

22 (f) At any election established in Section 2A-1.1, public
23 questions may be submitted to voters pursuant to this Code and
24 any special election otherwise required or authorized by law or
25 by court order may be conducted pursuant to this Code.

26 Notwithstanding the regular dates for election of officers

1 established in this Article, whenever a referendum is held for
2 the establishment of a political subdivision whose officers are
3 to be elected, the initial officers shall be elected at the
4 election at which such referendum is held if otherwise so
5 provided by law. In such cases, the election of the initial
6 officers shall be subject to the referendum.

7 Notwithstanding the regular dates for election of
8 officials established in this Article, any community college
9 district which becomes effective by operation of law pursuant
10 to Section 6-6.1 of the Public Community College Act, as now or
11 hereafter amended, shall elect the initial district board
12 members at the next regularly scheduled election following the
13 effective date of the new district.

14 (g) At any election established in Section 2A-1.1, if in
15 any precinct there are no offices or public questions required
16 to be on the ballot under this Code then no election shall be
17 held in the precinct on that date.

18 (h) There may be conducted a referendum in accordance with
19 the provisions of Division 6-4 of the Counties Code.

20 (Source: P.A. 89-5, eff. 1-1-96; 89-95, eff. 1-1-96; 89-626,
21 eff. 8-9-96; 90-358, eff. 1-1-98.)

22 (10 ILCS 5/2A-48) (from Ch. 46, par. 2A-48)

23 Sec. 2A-48. Board of School Directors - Member - Time of
24 Election. A member of a Board of School Directors or a member
25 of an elected Board of Education, as the case may be, shall be

1 elected at each general ~~consolidated~~ election to succeed each
2 incumbent member whose term ends before the following general
3 ~~consolidated~~ election.

4 (Source: P.A. 90-358, eff. 1-1-98.)

5 (10 ILCS 5/2A-49) (from Ch. 46, par. 2A-49)

6 Sec. 2A-49. Board of School Inspectors - Member - Time of
7 Election. A member of a Board of School Inspectors shall be
8 elected at the general ~~consolidated~~ election which immediately
9 precedes the expiration of the term of any incumbent school
10 inspector, to succeed each incumbent school inspector whose
11 term ends before the following general ~~consolidated~~ election.

12 (Source: P.A. 90-358, eff. 1-1-98.)

13 (10 ILCS 5/2A-54) (from Ch. 46, par. 2A-54)

14 Sec. 2A-54. (a) In those cases in which the election to an
15 office is changed by the consolidation of elections to an
16 earlier or later month in the same year or to a different year,
17 the term of any incumbent serving on December 1, 1980 is
18 extended to the first Monday in the first month following the
19 election of his successor and until the successor has
20 qualified, and the term of the successor in office shall
21 commence on that first Monday.

22 The term of office of a person elected at a nonpartisan
23 election whose term begins before the effective date of this
24 amendatory Act of 1997 shall expire on the date that his or her

1 term would have expired had this amendatory Act of 1997 not
2 been enacted. The term of office of a person elected at a
3 consolidated election held on or after the effective date of
4 this amendatory Act of 1997 to succeed to a term of office of a
5 person elected at a nonpartisan election shall begin upon the
6 termination of the predecessor's term of office. The term of
7 office of a person elected to succeed to a term of office of a
8 person elected at a nonpartisan election shall end after the
9 next consolidated election at which a successor is elected and
10 at the regularly scheduled time for the ending of terms of
11 office as provided in the Act or Acts creating or governing
12 that unit of local government or school district.

13 However, this general provision for the transition of terms
14 of office in relation to the adoption of a uniform schedule of
15 elections shall be subject to the specific provisions for the
16 transition of terms of office in the several Acts creating or
17 governing the creation of various units of local government and
18 school districts, as amended.

19 (b) With respect to the election of members of a board of
20 school directors, board of education, or board of school
21 inspectors being changed from the consolidated election to the
22 general election under this amendatory Act of the 99th General
23 Assembly, the term of any incumbent serving on January 1, 2017
24 is extended until his or her successor is elected and has
25 qualified.

26 (Source: P.A. 90-358, eff. 1-1-98.)

1 Section 10. The School Code is amended by changing Sections
2 9-5, 10-4, 10-10, 10-16, 11E-55, 32-1.1, and 32-2.12 as
3 follows:

4 (105 ILCS 5/9-5) (from Ch. 122, par. 9-5)

5 Sec. 9-5. Election dates and terms of offices.

6 (a) The dates upon which school officer elections shall be
7 held are as established in the general election law. Members of
8 boards of education shall unless otherwise provided serve terms
9 of 4 years.

10 (b) If, at a regularly scheduled election, a proposition is
11 submitted to the voters of a district, as provided by a
12 resolution of the board, on the question of whether board
13 members should serve for 6 year terms and the proposition
14 receives the affirmative vote of those voting thereon, members
15 of the board of education shall thereafter serve for terms of 6
16 years.

17 (c) The term of any incumbent serving on a school board on
18 January 1, 2017 is extended until his or her successor is
19 elected and has qualified as provided under subsection (b) of
20 Section 2A-54 of the Election Code.

21 (Source: P.A. 82-1014.)

22 (105 ILCS 5/10-4) (from Ch. 122, par. 10-4)

23 Sec. 10-4. Election of directors.

1 (a) In all districts, directors shall be elected in each
2 even-numbered ~~odd-numbered~~ year, each for a term of 4 years.

3 (b) In consolidated districts where 5 directors are elected
4 in 1981 pursuant to the extension of terms provided by law for
5 transition to the consolidated election schedule under the
6 general election law, those directors elected shall, by lot,
7 determine 2 of their number to serve 2 years and 3 to serve 4
8 years; their successors shall serve for a 4 year term.

9 (c) If a proposition to increase the membership of a school
10 district's board of school directors to 7 directors and to
11 elect a new 7-member board of school directors to replace the
12 district's existing board of 3 school directors is approved by
13 the electors of the district at a regular scheduled election as
14 provided in subsection (b) of Section 10-1, 7 members shall be
15 elected at the next regular school election, in the manner
16 provided by Article 9, to serve as the board of school
17 directors of that district. The terms of office of the 3
18 members of the board of school directors serving at the time of
19 the election of the initial 7-member board of school directors
20 shall expire when the 7 newly elected members of the initial
21 7-member board of school directors assume office and are
22 organized as provided in Section 10-5. At their organizational
23 meeting, the initial members of the 7-member board of school
24 directors shall by lot determine 4 of their number to serve 4
25 year terms and 3 of their number to serve 2 year terms. Their
26 successors shall serve for a 4 year term.

1 (d) In all other districts, one school director shall be
2 elected in each district every other even-numbered
3 ~~odd-numbered~~ year, and 2 ~~two~~ school directors shall be elected
4 in the intervening even-numbered ~~odd-numbered~~ years.

5 (e) When a vacancy occurs in the membership of any board of
6 school directors the remaining members shall, within 30 days,
7 fill the vacancy by appointment until the next regular school
8 election, or, upon their failure so to do, the regional
9 superintendent shall make such appointment within the next 30
10 days to fill the vacancy as herein provided. Upon the regional
11 superintendent's failure to fill the vacancy, the vacancy shall
12 be filled at the next regularly scheduled election.

13 (Source: P.A. 90-757, eff. 8-14-98.)

14 (105 ILCS 5/10-10) (from Ch. 122, par. 10-10)

15 Sec. 10-10. Board of education; term; vacancy. All school
16 districts having a population of not fewer than 1,000 and not
17 more than 500,000 inhabitants, as ascertained by any special or
18 general census, and not governed by special Acts, shall be
19 governed by a board of education consisting of 7 members,
20 serving without compensation except as herein provided. Each
21 member shall be elected for a term of 4 years for the initial
22 members of the board of education of a combined school district
23 to which that subsection applies. If 5 members are elected in
24 1983 pursuant to the extension of terms provided by law for
25 transition to the consolidated election schedule under the

1 general election law, 2 of those members shall be elected to
2 serve terms of 2 years and 3 shall be elected to serve terms of
3 4 years; their successors shall serve for a 4 year term. When
4 the voters of a district have voted to elect members of the
5 board of education for 6 year terms, as provided in Section
6 9-5, the terms of office of members of the board of education
7 of that district expire when their successors assume office but
8 not later than 7 days after such election. If at the regular
9 school election held in the first even-numbered ~~odd-numbered~~
10 year after the determination to elect members for 6 year terms
11 2 members are elected, they shall serve for a 6 year term; and
12 of the members elected at the next regular school election 3
13 shall serve for a term of 6 years and 2 shall serve a term of 2
14 years. Thereafter members elected in such districts shall be
15 elected to a 6 year term. If at the regular school election
16 held in the first even-numbered ~~odd-numbered~~ year after the
17 determination to elect members for 6 year terms 3 members are
18 elected, they shall serve for a 6 year term; and of the members
19 elected at the next regular school election 2 shall serve for a
20 term of 2 years and 2 shall serve for a term of 6 years.
21 Thereafter members elected in such districts shall be elected
22 to a 6 year term. If at the regular school election held in the
23 first even-numbered ~~odd-numbered~~ year after the determination
24 to elect members for 6 year terms 4 members are elected, 3
25 shall serve for a term of 6 years and one shall serve for a term
26 of 2 years; and of the members elected at the next regular

1 school election 2 shall serve for terms of 6 years and 2 shall
2 serve for terms of 2 years. Thereafter members elected in such
3 districts shall be elected to a 6 year term. If at the regular
4 school election held in the first even-numbered ~~odd-numbered~~
5 year after the determination to elect members for a 6 year term
6 5 members are elected, 3 shall serve for a term of 6 years and 2
7 shall serve for a term of 2 years; and of the members elected
8 at the next regular school election 2 shall serve for terms of
9 6 years and 2 shall serve for terms of 2 years. Thereafter
10 members elected in such districts shall be elected to a 6 year
11 term. An election for board members shall not be held in school
12 districts which by consolidation, annexation or otherwise
13 shall cease to exist as a school district within 6 months after
14 the election date, and the term of all board members which
15 would otherwise terminate shall be continued until such
16 district shall cease to exist. Each member, on the date of his
17 or her election, shall be a citizen of the United States of the
18 age of 18 years or over, shall be a resident of the State and
19 the territory of the district for at least one year immediately
20 preceding his or her election, shall be a registered voter as
21 provided in the general election law, shall not be a school
22 trustee, must not have been removed from a school board
23 pursuant to Section 2-3.25f-5 of this Code (unless subsequently
24 appointed as a member of an Independent Authority or if it has
25 been 10 years since the abolition of the Independent Authority
26 in the district), and shall not be a child sex offender as

1 defined in Section 11-9.3 of the Criminal Code of 2012. When
2 the board of education is the successor of the school
3 directors, all rights of property, and all rights regarding
4 causes of action existing or vested in such directors, shall
5 vest in it as fully as they were vested in the school
6 directors. Terms of members are subject to Section 2A-54 of the
7 Election Code.

8 Nomination papers filed under this Section are not valid
9 unless the candidate named therein files with the county clerk
10 or the county board of election commissioners, as the case may
11 be, of the county in which the principal office of the school
12 district is located a receipt from the county clerk showing
13 that the candidate has filed a statement of economic interests
14 as required by the Illinois Governmental Ethics Act. Such
15 receipt shall be so filed either previously during the calendar
16 year in which his nomination papers were filed or within the
17 period for the filing of nomination papers in accordance with
18 the general election law.

19 Whenever a vacancy occurs, the remaining members shall
20 notify the regional superintendent of that vacancy within 5
21 days after its occurrence and shall proceed to fill the vacancy
22 until the next regular school election, at which election a
23 successor shall be elected to serve the remainder of the
24 unexpired term. However, if the vacancy occurs with less than
25 868 days remaining in the term, or if the vacancy occurs less
26 than 88 days before the next regularly scheduled election for

1 this office then the person so appointed shall serve the
2 remainder of the unexpired term, and no election to fill the
3 vacancy shall be held. Should they fail so to act, within 45
4 days after the vacancy occurs, the regional superintendent of
5 schools under whose supervision and control the district is
6 operating, as defined in Section 3-14.2 of this Act, shall
7 within 30 days after the remaining members have failed to fill
8 the vacancy, fill the vacancy as provided for herein. Upon the
9 regional superintendent's failure to fill the vacancy, the
10 vacancy shall be filled at the next regularly scheduled
11 election. Whether elected or appointed by the remaining members
12 or regional superintendent, the successor shall be an
13 inhabitant of the particular area from which his or her
14 predecessor was elected if the residential requirements
15 contained in Section 10-10.5 or 12-2 of this Code apply.

16 A board of education may appoint a student to the board to
17 serve in an advisory capacity. The student member shall serve
18 for a term as determined by the board. The board may not grant
19 the student member any voting privileges, but shall consider
20 the student member as an advisor. The student member may not
21 participate in or attend any executive session of the board.

22 (Source: P.A. 97-1150, eff. 1-25-13; 98-115, eff. 7-29-13;
23 98-1155, eff. 1-9-15.)

24 (105 ILCS 5/10-16) (from Ch. 122, par. 10-16)

25 Sec. 10-16. Organization of Board. Within 28 days after the

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

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

1 expiration of the initial 4 or 2 year terms. The provisions of
2 this paragraph that relate to the determination of terms by lot
3 shall not apply to the initial members of the board of
4 education of a combined school district who are to be elected
5 to unstagged terms.

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

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

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

24 The president or district superintendent shall, at each
25 regular board meeting, report any requests made of the district
26 under provisions of the Freedom of Information Act and shall

1 report the status of the district's response.

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

3 (105 ILCS 5/11E-55)

4 Sec. 11E-55. Holding of elections.

5 (a) Elections provided by this Article shall be conducted
6 in accordance with the general election law. The regional
7 superintendent of schools shall perform the election duties
8 assigned by law to the secretary of a school board for the
9 election and shall certify the officers and candidates
10 therefore pursuant to the general election law.

11 (b) Nomination papers filed under this Article are not
12 valid unless the candidate named therein files with the
13 regional superintendent of schools a receipt from the county
14 clerk showing that the candidate has filed a statement of
15 economic interests as required by the Illinois Governmental
16 Ethics Act. This receipt shall be so filed either previously
17 during the calendar year in which his or her nomination papers
18 were filed or within the period for the filing of nomination
19 papers in accordance with the general election law.

20 (c)(1) If the petition requests the election of school
21 board members of the school district proposed to be created at
22 the same election at which the proposition to establish that
23 district is to be submitted to voters or if the regional
24 superintendent of schools finds it to be in the best interest
25 of the districts involved to elect school board members of the

1 school district proposed to be created at the same a
2 ~~consolidated election or general primary~~ election, then that
3 fact shall be included in the notice of referendum.

4 (2) If the members of the school board of the school
5 district proposed to be created are not to be elected at the
6 same election at which the proposition to establish that
7 district is to be submitted to the voters, then the regional
8 superintendent of schools shall order an election to be held on
9 the next regularly scheduled election date for the purpose of
10 electing a school board for that district.

11 (3) In either event, the school board elected for a new
12 school district or districts created under this Article shall
13 consist of 7 members who shall have the terms and the powers
14 and duties of school boards as provided by statute.

15 (d) All notices regarding propositions for reorganization
16 or creation of new school districts under this Article shall be
17 given in accordance with the general election law in
18 substantially the following form:

19 (1) Notice in high school - unit conversion or unit to
20 dual conversion:

21 NOTICE OF REFERENDUM TO DISSOLVE
22 CERTAIN SCHOOL DISTRICTS AND
23 ESTABLISH CERTAIN NEW SCHOOL DISTRICTS

24 NOTICE is hereby given that on (insert date), a

1 referendum will be held in part(s) of county
2 (counties) for the purpose of voting for or against the
3 proposition to dissolve (here identify the school
4 districts to be dissolved by name and number) and to
5 establish new school districts for the following described
6 territory: A new (here specify elementary, high school, or
7 unit) district shall be formed from (here describe the
8 territory, which, for territory currently included in an
9 entire school district, may be a general reference to all
10 of the territory included within that particular school
11 district). (Here repeat the territory information for each
12 new school district.)

13 The election is called and will be held pursuant to an
14 order of the Regional Superintendent dated on (insert
15 date), which order states that if a majority of the voters
16 in each of the affected districts voting on the proposition
17 at the referendum vote in favor thereof, the tax rates for
18 various purposes of the new districts shall be as follows:
19 For the new (here specify elementary, high school, or unit)
20 district formed from the territory of (here describe
21 territory, which, for territory currently included in an
22 entire school district, may be a general reference to all
23 of the territory included within that particular
24 district), the tax rates for various purposes shall be
25 (here specify the maximum tax rates for various purposes
26 the proposed school district is authorized to levy and, if

1 applicable, the specifications related to the Property Tax
 2 Extension Limitation Law, in accordance with Section
 3 11E-80 of this Code). (Here repeat the tax rate information
 4 for each new school district.)

5 Dated (insert date).

6 Regional Superintendent of Schools

7 (2) Notice for combined school district formation:

8 NOTICE OF REFERENDUM

9 TO ESTABLISH COMBINED SCHOOL DISTRICT

10 NOTICE is hereby given that on (insert date), a
 11 referendum will be held in part(s) of county
 12 (counties) for the purpose of voting for or against the
 13 proposition to establish a combined (here insert
 14 elementary, high school, or unit) school district for the
 15 following described territory: (here describe the
 16 territory, which, for territory currently included in an
 17 entire school district, may be a general reference to all
 18 of the territory included within that particular school
 19 district). The election is called and will be held pursuant
 20 to an order of the Regional Superintendent dated on (insert
 21 date), which order states that if a majority of the voters
 22 in each of the affected school districts voting on the
 23 proposition at the referendum vote in favor thereof, the

1 tax rates for various purposes of the proposed combined
 2 school district shall be (here specify the maximum tax
 3 rates for various purposes the proposed combined school
 4 district is authorized to levy and, if applicable, the
 5 specifications related to the Property Tax Extension
 6 Limitation Law, in accordance with Section 11E-80 of this
 7 Code).

8 Dated (insert date).

9 Regional Superintendent of Schools

10 (3) Notice for unit district formation (other than a
 11 partial elementary unit district):

12 NOTICE OF REFERENDUM TO ESTABLISH
 13 A COMMUNITY UNIT DISTRICT

14 NOTICE is hereby given that on (insert date), a
 15 referendum will be held in part(s) of county
 16 (counties) for the purpose of voting for or against the
 17 proposition to establish a unit district for the following
 18 described territory: (here describe the territory, which,
 19 for territory currently included in an entire school
 20 district, may be a general reference to all of the
 21 territory included within that particular school
 22 district). The election is called and will be held pursuant
 23 to an order of the Regional Superintendent dated on (insert

1 date), which order states that if a majority of the voters
 2 in each of the affected school districts voting on the
 3 proposition at the referendum vote in favor thereof, the
 4 tax rates for various purposes for the proposed unit
 5 district shall be (here specify the maximum tax rates for
 6 various purposes the proposed unit district shall be
 7 authorized to levy and, if applicable, the specifications
 8 related to the Property Tax Extension Limitation Law, in
 9 accordance with Section 11E-80 of this Code).

10 Dated (insert date).

11 Regional Superintendent of Schools

12 (4) Notice for combined high school - unit district
 13 formation:

14 NOTICE OF REFERENDUM

15 TO ESTABLISH COMBINED HIGH SCHOOL - UNIT DISTRICT

16 NOTICE is hereby given that on (insert date), a
 17 referendum will be held in part(s) of county
 18 (counties) for the purpose of voting for or against the
 19 proposition to establish a combined high school - unit
 20 district for the following described territory: (here
 21 describe the territory, which, for territory currently
 22 included in an entire school district, may be a general
 23 reference to all of the territory included within that

1 particular school district). The following described
 2 territory shall be included in the combined high school -
 3 unit district for high school purposes only: (here describe
 4 the territory that will be included only for high school
 5 purposes, which, for territory currently included in an
 6 entire school district, may be a general reference to all
 7 of the territory included within that particular school
 8 district). The election is called and will be held pursuant
 9 to an order of the Regional Superintendent dated on (insert
 10 date), which order states that if a majority of the voters
 11 in each of the affected school districts voting on the
 12 proposition at the referendum vote in favor thereof, the
 13 tax rates for various purposes for the proposed combined
 14 high school - unit district shall be (here specify the
 15 maximum tax rates for various purposes the proposed
 16 combined high school - unit district shall be authorized to
 17 levy and, if applicable, the specifications related to the
 18 Property Tax Extension Limitation Law, in accordance with
 19 Sections 11E-80 and 11E-90 of this Code).
 20 Dated (insert date).
 21 Regional Superintendent of Schools

22 (5) Notice for multi-unit conversion:

23 NOTICE OF REFERENDUM TO DISSOLVE CERTAIN
 24 UNIT SCHOOL DISTRICTS AND ESTABLISH CERTAIN

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NEW SCHOOL DISTRICTS

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NOTICE is hereby given that on (insert date), a referendum will be held in part(s) of county (counties) for the purpose of voting for or against the proposition to dissolve (here identify the districts to be dissolved by name and number) and to establish new school districts for the following described territory: A new (here specify elementary or combined high school - unit) district shall be formed from (here describe the territory, which, for territory currently included in an entire school district, may be a general reference to all of the territory included within that particular school district). (Here repeat the territory information for each new school district.) The following described territory shall be included in the proposed combined high school - unit district only for high school purposes: (here describe the territory that will only be included for high school purposes, which, for territory currently included in an entire school district, may be a general reference to all of the territory included within that particular school district).

The election is called and will be held pursuant to an order of the Regional Superintendent dated on (insert date), which order states that if a majority of the voters in each of the affected districts voting on the proposition

1 at the referendum vote in favor thereof, the tax rates for
 2 various purposes of the new districts shall be as follows:
 3 For the new elementary district formed from the territory
 4 of (here identify the unit district by name and number) the
 5 tax rates for various purposes shall be (here specify the
 6 maximum tax rates for various purposes the proposed
 7 elementary district is authorized to levy and, if
 8 applicable, the specifications related to the Property Tax
 9 Extension Limitation Law, in accordance with Section
 10 11E-80 of this Code). (Here repeat the tax rate and
 11 Property Tax Extension Limitation Law information for each
 12 new elementary district.) For the new combined high school
 13 - unit district, the tax rates for various purposes shall
 14 be (here specify the maximum tax rates for various purposes
 15 the proposed combined high school - unit district shall be
 16 authorized to levy and, if applicable, the specifications
 17 related to the Property Tax Extension Limitation Law, in
 18 accordance with Sections 11E-80 and 11E-90 of this Code).

19 Dated (insert date).

20 Regional Superintendent of Schools

21 (6) Notice for optional elementary unit district
 22 formation:

23 NOTICE OF REFERENDUM TO ESTABLISH
 24 AN OPTIONAL ELEMENTARY UNIT DISTRICT

1 NOTICE is hereby given that on (insert date), a
2 referendum will be held in part(s) of county
3 (counties) for the purpose of voting for or against the
4 proposition to establish an optional elementary unit
5 district for the following described territory: (here
6 describe the elementary and high school district territory
7 by name and number). If a majority of the voters in one or
8 more of the affected elementary districts and in the
9 affected high school district voting on the proposition at
10 the referendum vote in favor thereof, all of the territory
11 included within the affected high school district shall be
12 included in the optional elementary unit district for high
13 school purposes. However, only the territory of elementary
14 districts in which a majority of the voters voting in the
15 proposition at the referendum vote in favor thereof shall
16 be included in the optional elementary unit district for
17 elementary purposes. The election is called and will be
18 held pursuant to an order of the Regional Superintendent
19 dated on (insert date), which order states that if a
20 majority of the voters in one or more of the affected
21 elementary districts and in the affected high school
22 district voting on the proposition at the referendum vote
23 in favor thereof, the tax rates for various purposes for
24 the proposed optional elementary unit district shall be
25 (here list the maximum tax rates for various purposes the

1 proposed optional elementary unit district is authorized
 2 to levy and, if applicable, the specifications related to
 3 the Property Tax Extension Limitation Law, in accordance
 4 with Sections 11E-80 and 11E-95 of this Code).

5 Dated (insert date).

6 Regional Superintendent of Schools

7 (7) Notice for an elementary district to opt into a
 8 partial elementary unit district:

9 NOTICE OF REFERENDUM TO JOIN

10 AN OPTIONAL ELEMENTARY UNIT DISTRICT

11 NOTICE is hereby given that on (insert date), a
 12 referendum will be held in part(s) of county
 13 (counties) for the purpose of voting for or against the
 14 proposition to dissolve an elementary district and join an
 15 optional elementary unit district for kindergarten through
 16 12 grade-level purposes for all of the territory included
 17 within (here identify the elementary district by name and
 18 number). The election is called and will be held pursuant
 19 to an order of the Regional Superintendent dated on (insert
 20 date), which order states that if a majority of the voters
 21 in the elementary school district voting on the proposition
 22 at the referendum vote in favor thereof, the tax rates for
 23 various purposes for the optional elementary unit district

1 shall be (here list the maximum tax rates for various
 2 purposes the optional elementary unit district is
 3 authorized to levy and, if applicable, the specifications
 4 related to the Property Tax Extension Limitation Law, in
 5 accordance with Sections 11E-80 and 11E-95 of this Code)
 6 and the elementary district, prior to dissolution, shall
 7 issue funding bonds pursuant to Sections 19-8 and 19-9 of
 8 the School Code to liquidate any operational deficit or
 9 debt incurred or accumulated since the date of the election
 10 in which the proposition to form the optional elementary
 11 unit district passed.

12 Dated (insert date).

13 Regional Superintendent of Schools

14 (Source: P.A. 94-1019, eff. 7-10-06.)

15 (105 ILCS 5/32-1.1) (from Ch. 122, par. 32-1.1)

16 Sec. 32-1.1. Election and powers of board - No provision in
 17 special act. In all special charter districts maintaining
 18 schools under any general school laws, where there is no
 19 provision in the special Acts creating such districts for the
 20 election of boards of education as otherwise provided, there
 21 shall be elected, in lieu of the school directors as now
 22 provided, a board of education, to consist of 7 members to be
 23 elected at the time and in the manner as provided by the
 24 general election law for the election and qualification of
 25 boards of education in other cases. In any district having a

1 population of more than 100,000 but less than 2,000,000 such
2 board may be increased in size to 11 members upon adoption by a
3 majority of electors residing in the district and voting on the
4 question in a referendum as provided in this Section. Such
5 question shall be submitted to the electors at an election upon
6 a resolution adopted by the Board. Members shall be elected
7 biennially in the school district, whose term of office shall
8 be 4 years, and there shall also be elected in each
9 even-numbered ~~odd-numbered~~ year a president of the board.
10 Following the first such election, those members elected, other
11 than the president, shall, by lot, determine 3 to serve 2 years
12 and 3 to serve 4 years; thereafter, all terms shall be 4 years.
13 In other cases, however, if 4 members, other than the
14 president, are elected in 1983, then those elected shall, by
15 lot, determine one to serve for 2 years and 3 to serve 4 years;
16 thereafter all terms shall be 4 years. In neither case shall
17 such determinations affect the biennial selection of the
18 president. At the first regular school election after the
19 adoption by the district electors of a question as provided in
20 this Section increasing the size of the board in those
21 districts entitled to exercise an option for and elect an 11
22 member board, 4 additional members shall be elected and shall
23 determine by lot 2 to serve for 2 years and 2 for 4 years. Their
24 successors shall serve for a 4 year term. In case of an 11
25 member board already in existence, if 7 members, other than the
26 president, are elected in 1983 then those members elected

1 shall, by lot determine one to serve 2 years and 6 to serve 4
2 years. Terms thereafter shall be 4 years. The board of
3 education shall have all the powers and duties of trustees of
4 schools in school townships and the powers and duties of boards
5 of education in districts having a population of not fewer than
6 1,000 and not more than 500,000 as provided by this Act.

7 The day upon which the election provided for in this
8 section is to be held is subject to the provisions of the
9 general election law.

10 (Source: P.A. 86-225.)

11 (105 ILCS 5/32-2.12) (from Ch. 122, par. 32-2.12)

12 Sec. 32-2.12. Time for election of board members. In all
13 special charter districts, the regular election of members of
14 such boards shall hereafter be held on the date set for school
15 elections as provided in the general election law ~~in odd~~
16 ~~numbered years.~~

17 (Source: P.A. 81-1490.)