

1 AN ACT concerning schools.

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  
5 Section 10-10 as follows:

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

7 Sec. 10-10. Board of education; Term; Vacancy. All  
8 school districts having a population of not fewer than 1,000  
9 and not more than 500,000 inhabitants, as ascertained by any  
10 special or general census, and not governed by special Acts,  
11 shall be governed by a board of education consisting of 7  
12 members, serving without compensation except as herein  
13 provided. Each member shall be elected for a term of 4 years  
14 except as otherwise provided in subsection (a-5) of Section  
15 11B-7 of this Code for the initial members of the board of  
16 education of a combined school district to which that  
17 subsection applies. If 5 members are elected in 1983 pursuant  
18 to the extension of terms provided by law for transition to  
19 the consolidated election schedule under the general election  
20 law, 2 of those members shall be elected to serve terms of 2  
21 years and 3 shall be elected to serve terms of 4 years; their  
22 successors shall serve for a 4 year term. When the voters of  
23 a district have voted to elect members of the board of  
24 education for 6 year terms, as provided in Section 9-5, the  
25 terms of office of members of the board of education of that  
26 district expire when their successors assume office but not  
27 later than 7 days after such election. If at the regular  
28 school election held in the first odd-numbered year after the  
29 determination to elect members for 6 year terms 2 members are  
30 elected, they shall serve for a 6 year term; and of the  
31 members elected at the next regular school election 3 shall

1 serve for a term of 6 years and 2 shall serve a term of 2  
2 years. Thereafter members elected in such districts shall be  
3 elected to a 6 year term. If at the regular school election  
4 held in the first odd-numbered year after the determination  
5 to elect members for 6 year terms 3 members are elected, they  
6 shall serve for a 6 year term; and of the members elected at  
7 the next regular school election 2 shall serve for a term of  
8 2 years and 2 shall serve for a term of 6 years. Thereafter  
9 members elected in such districts shall be elected to a 6  
10 year term. If at the regular school election held in the  
11 first odd-numbered year after the determination to elect  
12 members for 6 year terms 4 members are elected, 3 shall serve  
13 for a term of 6 years and one shall serve for a term of 2  
14 years; and of the members elected at the next regular school  
15 election 2 shall serve for terms of 6 years and 2 shall serve  
16 for terms of 2 years. Thereafter members elected in such  
17 districts shall be elected to a 6 year term. If at the  
18 regular school election held in the first odd-numbered year  
19 after the determination to elect members for a 6 year term 5  
20 members are elected, 3 shall serve for a term of 6 years and  
21 2 shall serve for a term of 2 years; and of the members  
22 elected at the next regular school election 2 shall serve for  
23 terms of 6 years and 2 shall serve for terms of 2 years.  
24 Thereafter members elected in such districts shall be elected  
25 to a 6 year term. An election for board members shall not be  
26 held in school districts which by consolidation, annexation  
27 or otherwise shall cease to exist as a school district within  
28 6 months after the election date, and the term of all board  
29 members which would otherwise terminate shall be continued  
30 until such district shall cease to exist. Each member shall,  
31 on the date of his election, be a citizen of the United  
32 States of the age of 18 years or over, a resident of the  
33 State and the territory of the district for at least one year  
34 immediately preceding his election, a registered voter as

1 provided in the general election law, and shall not be a  
2 school trustee or a school treasurer. When the board of  
3 education is the successor of the school directors, all  
4 rights of property, and all rights regarding causes of action  
5 existing or vested in such directors, shall vest in it as  
6 fully as they were vested in the school directors. Terms of  
7 members are subject to Section 2A-54 of the Election Code.

8 Nomination papers filed under this Section are not valid  
9 unless the candidate named therein files with the secretary  
10 of the board of education or with a person designated by the  
11 board to receive nominating petitions a receipt from the  
12 county clerk showing that the candidate has filed a statement  
13 of economic interests as required by the Illinois  
14 Governmental Ethics Act. Such receipt shall be so filed  
15 either previously during the calendar year in which his  
16 nomination papers were filed or within the period for the  
17 filing of nomination papers in accordance with the general  
18 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  
22 vacancy until the next regular school election, at which  
23 election a successor shall be elected to serve the remainder  
24 of the unexpired term. However, if the vacancy occurs with  
25 less than 868 days remaining in the term, or if the vacancy  
26 occurs less than 88 days before the next regularly scheduled  
27 election for this office then the person so appointed shall  
28 serve the remainder of the unexpired term, and no election to  
29 fill the vacancy shall be held. Should they fail so to act,  
30 within 45 days after the vacancy occurs, the regional  
31 superintendent of schools under whose supervision and control  
32 the district is operating, as defined in Section 3-14.2 of  
33 this Act, shall within 30 days after the remaining members  
34 have failed to fill the vacancy, fill the vacancy as provided

1 for herein. Upon the regional superintendent's failure to  
2 fill the vacancy, the vacancy shall be filled at the next  
3 regularly scheduled election. Whether elected or appointed  
4 by the remaining members or regional superintendent, the  
5 successor shall be an inhabitant of the particular area from  
6 which his or her predecessor was elected if the residential  
7 requirements contained in Section 11A-8, 11B-7, or 12-2 of  
8 this Act apply.

9 (Source: P.A. 89-129, eff. 7-14-95; 89-579, eff. 7-30-96;  
10 90-358, eff. 1-1-98; 90-459, eff. 8-17-97; 90-655, eff.  
11 7-30-98.)