



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

INTRODUCED _____, BY

SYNOPSIS AS INTRODUCED:

- 105 ILCS 5/34-3 from Ch. 122, par. 34-3
- 105 ILCS 5/34-4 from Ch. 122, par. 34-4
- 105 ILCS 5/34-4.1
- 105 ILCS 5/34-18.85 new
- 105 ILCS 5/34-18.86 new
- 105 ILCS 5/34-21.10

Amends the School Code. Provides that the City of Chicago shall be divided by the General Assembly into 20 subdistricts (rather than 10 electoral districts for the 2024 election and 20 electoral districts for the 2026 election) for the purposes of identifying persons who will serve on the Chicago Board of Education. Provides that, from January 15, 2025 through (instead of to) January 14, 2027, half of the subdistricts shall be represented by elected members, and half of the subdistricts shall be represented by appointed members, as prescribed by the General Assembly. Directs the General Assembly to assign 10 subdistricts an even number and 10 subdistricts an odd number. Specifies that, for the 2024 election, the seats of the members who represent an odd-numbered subdistrict shall be filled by election, and the seats of the members who represent even-numbered subdistricts shall be filled by appointment. Provides that, for the 2026 election, each subdistrict shall be represented by one elected member. Makes changes to ethics requirements for members of the Board. Provides that any registered voter residing in a subdistrict may sign a nominating petition for a person who seeks to represent that subdistrict on the Chicago Board of Education, irrespective of any partisan petition the voter signs or may sign. Creates the Chicago Board of Education Black Student Achievement Committee and describes its duties. Authorizes the Board to establish committees or advisory boards to seek guidance on addressing disparities or individualized needs. Effective immediately.

LRB103 35225 JDS 65208 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 34-3, 34-4, 34-4.1, and 34-21.10 and adding Sections 34-18.85
6 and 34-18.86 as follows:

7 (105 ILCS 5/34-3) (from Ch. 122, par. 34-3)

8 Sec. 34-3. Chicago School Reform Board of Trustees; new
9 Chicago Board of Education; members; term; vacancies.

10 (a) Within 30 days after the effective date of this
11 amendatory Act of 1995, the terms of all members of the Chicago
12 Board of Education holding office on that date are abolished
13 and the Mayor shall appoint, without the consent or approval
14 of the City Council, a 5 member Chicago School Reform Board of
15 Trustees which shall take office upon the appointment of the
16 fifth member. The Chicago School Reform Board of Trustees and
17 its members shall serve until, and the terms of all members of
18 the Chicago School Reform Board of Trustees shall expire on,
19 June 30, 1999 or upon the appointment of a new Chicago Board of
20 Education as provided in subsection (b), whichever is later.
21 Any vacancy in the membership of the Trustees shall be filled
22 through appointment by the Mayor, without the consent or
23 approval of the City Council, for the unexpired term. One of

1 the members appointed by the Mayor to the Trustees shall be
2 designated by the Mayor to serve as President of the Trustees.
3 The Mayor shall appoint a full-time, compensated chief
4 executive officer, and his or her compensation as such chief
5 executive officer shall be determined by the Mayor. The Mayor,
6 at his or her discretion, may appoint the President to serve
7 simultaneously as the chief executive officer.

8 (b) This subsection applies until January 15, 2025. Within
9 30 days before the expiration of the terms of the members of
10 the Chicago Reform Board of Trustees as provided in subsection
11 (a), a new Chicago Board of Education consisting of 7 members
12 shall be appointed by the Mayor to take office on the later of
13 July 1, 1999 or the appointment of the seventh member. Three of
14 the members initially so appointed under this subsection shall
15 serve for terms ending June 30, 2002, 4 of the members
16 initially so appointed under this subsection shall serve for
17 terms ending June 30, 2003, and each member initially so
18 appointed shall continue to hold office until his or her
19 successor is appointed and qualified.

20 (b-5) On January 15, 2025, the terms of all members of the
21 Chicago Board of Education appointed under subsection (b) are
22 abolished when the new board, consisting of 21 members, is
23 appointed by the Mayor and elected by the electors of the
24 school district as provided under subsections (b-10) and
25 (b-15) and takes office.

26 (b-10) By December 16, 2024 for a term of office beginning

1 on January 15, 2025, the Mayor shall appoint 10 Chicago Board
2 of Education members to serve terms of 2 years. All appointed
3 members shall serve until a successor is appointed or elected
4 and qualified. Thereafter at the expiration of the term of any
5 member a successor shall be elected and shall hold office for a
6 term of 4 years, from January 15 of the year in which the term
7 commences and until a successor is appointed or elected and
8 qualified. Any vacancy in the appointed membership of the
9 Chicago Board of Education shall be filled through appointment
10 by the Mayor for the unexpired term. The terms of the 10
11 appointed members under this subsection shall end on January
12 14, 2027. By December 16, 2024 for a term of office beginning
13 on January 15, 2025, the Mayor shall appoint a President of the
14 Board for a term of 2 years. The board shall elect annually
15 from its number a vice-president, in such manner and at such
16 time as the board determines by its rules. The president
17 appointed by the Mayor and vice-president elected by the board
18 shall each perform the duties imposed upon their respective
19 office by the rules of the board, provided that (i) the
20 president shall preside at meetings of the board and shall
21 only have voting rights to break a voting tie of the other
22 Chicago Board of Education elected and appointed members and
23 (ii) the vice president shall perform the duties of the
24 president if that office is vacant or the president is absent
25 or unable to act. Beginning with the 2026 general election,
26 one member shall be elected at large and serve as the president

1 of the board. After January 15, 2027, the president shall
2 preside at meetings of the board and vote as any other member
3 but have no power of veto. The secretary of the Board shall be
4 selected by the Board and shall be an employee of the Board
5 rather than a member of the Board, notwithstanding subsection
6 (d) of Section 34-3.3. The duties of the secretary shall be
7 imposed by the rules of the Board.

8 (b-15) Beginning with the 2024 general election, 10
9 members of the Chicago Board of Education shall be elected to
10 serve a term of 4 years in office beginning on January 15,
11 2025. Beginning with the 2026 general election, 10 members of
12 the Chicago Board of Education shall be elected to serve a term
13 of 4 years in office beginning on January 15, 2027. Whenever a
14 vacancy of a Chicago Board of Education elected board member
15 occurs, the President of the Board shall notify the Mayor of
16 the vacancy within 7 days after its occurrence and shall,
17 within 30 days, fill the vacancy for the remainder of the
18 unexpired term by majority vote of the remaining board
19 members. The successor shall have the same qualifications as
20 his or her predecessor.

21 For purposes of elections conducted under this subsection,
22 the City of Chicago shall be subdivided into subdistricts
23 ~~electoral districts~~ as provided under subsection (a) of
24 Section 34-21.10. From January 15, 2025 through ~~to~~ January 14,
25 2027, half of the subdistricts shall be represented by elected
26 members, and half of the subdistricts shall be represented by

1 appointed members, as prescribed by the General Assembly ~~each~~
2 ~~district shall be represented by one elected member and one~~
3 ~~appointed member.~~ After January 15, 2027, each subdistrict
4 ~~district~~ shall be represented by one elected member.

5 (b-30) The provisions of Section 10-9 of this Code that
6 apply to school board members and the provisions of the Public
7 Officer Prohibited Activities Act that apply to persons
8 holding elected or appointed public office also apply to
9 members of the Chicago Board of Education, notwithstanding any
10 other provision of this Code or any law to the contrary. ~~No~~
11 ~~member shall have, or be an employee or owner of a company that~~
12 ~~has, a contract with the school district. No former officer,~~
13 ~~member, or employee of the board shall, within a period of one~~
14 ~~year immediately after termination of service on the board,~~
15 ~~knowingly accept employment or receive compensation or fees~~
16 ~~for services from a person or entity if the officer, member, or~~
17 ~~employee, during the year immediately preceding termination of~~
18 ~~service on the board, participated personally and~~
19 ~~substantially in the award of contracts with the board or the~~
20 ~~school district, or the issuance of contract change orders~~
21 ~~with the board or the school district, with a cumulative value~~
22 ~~of \$25,000 or more to the person or entity, or its parent or~~
23 ~~subsidiary.~~

24 (c) The board may appoint a student to the board to serve
25 in an advisory capacity. The student member shall serve for a
26 term as determined by the board. The board may not grant the

1 student member any voting privileges, but shall consider the
2 student member as an advisor. The student member may not
3 participate in or attend any executive session of the board.
4 (Source: P.A. 102-177, eff. 6-1-22; 102-691, eff. 12-17-21.)

5 (105 ILCS 5/34-4) (from Ch. 122, par. 34-4)

6 Sec. 34-4. Eligibility. To be eligible for election or
7 appointment to the board, a person shall be a citizen of the
8 United States, shall be a registered voter as provided in the
9 Election Code, shall have been a resident of the city and, if
10 applicable, the subdistrict ~~electoral district~~, for at least
11 one year immediately preceding his or her election or
12 appointment, and shall not be a child sex offender as defined
13 in Section 11-9.3 of the Criminal Code of 2012. A person is
14 ineligible for election or appointment to the board if that
15 person is not in compliance with Section 10-9 of this Code and
16 the Public Officer Prohibited Activities Act ~~is an employee of~~
17 ~~the school district~~. All persons eligible for election to the
18 board shall be nominated by a petition signed by no less than
19 250 voters residing within the subdistrict ~~electoral district~~
20 on a petition in order to be placed on the ballot, except that
21 persons eligible for election to the board at large shall be
22 nominated by a petition signed by no less than 2,500 voters
23 residing within the city. Any registered voter residing in the
24 subdistrict may sign a nominating petition for a person who
25 seeks to represent that subdistrict on the board, irrespective

1 of any partisan petition the voter signs or may sign. For the
2 2024 general election only, the petition circulation period
3 shall begin on March 26, 2024. The filing period shall be from
4 June 17, 2024 to June 24, 2024. Permanent removal from the city
5 by any member of the board during his term of office
6 constitutes a resignation therefrom and creates a vacancy in
7 the board. Board members shall serve without any compensation;
8 however, board members shall be reimbursed for expenses
9 incurred while in the performance of their duties upon
10 submission of proper receipts or upon submission of a signed
11 voucher in the case of an expense allowance evidencing the
12 amount of such reimbursement or allowance to the president of
13 the board for verification and approval. Board members shall
14 not hold other public office under the Federal, State or any
15 local government other than that of Director of the Regional
16 Transportation Authority, member of the economic development
17 commission of a city having a population exceeding 500,000,
18 notary public or member of the National Guard, and by
19 accepting any such office while members of the board, or by not
20 resigning any such office held at the time of being elected or
21 appointed to the board within 30 days after such election or
22 appointment, shall be deemed to have vacated their membership
23 in the board.

24 (Source: P.A. 102-177, eff. 6-1-22; 102-691, eff. 12-17-21.)

25 (105 ILCS 5/34-4.1)

1 Sec. 34-4.1. Nomination petitions. In addition to the
2 requirements of the general election law, the form of
3 petitions under Section 34-4 of this Code shall be
4 substantially as follows:

5 NOMINATING PETITIONS

6 (LEAVE OUT THE INAPPLICABLE PART.)

7 To the Board of Election Commissioners for the City of
8 Chicago:

9 We the undersigned, being (.... or more) of the voters
10 residing within said district, hereby petition that who
11 resides at in the City of Chicago shall be a candidate for
12 the office of of the board of education (full term)
13 (vacancy) to be voted for at the election to be held on (insert
14 date).

15 Name: Address:

16 In the designation of the name of a candidate on a petition
17 for nomination, the candidate's given name or names, initial
18 or initials, a nickname by which the candidate is commonly
19 known, or a combination thereof may be used in addition to the
20 candidate's surname. If a candidate has changed his or her
21 name, whether by a statutory or common law procedure in
22 Illinois or any other jurisdiction, within 3 years before the
23 last day for filing the petition, then (i) the candidate's
24 name on the petition must be followed by "formerly known as
25 (list all prior names during the 3-year period) until name
26 changed on (list date of each such name change)" and (ii) the

1 petition must be accompanied by the candidate's affidavit
2 stating the candidate's previous names during the period
3 specified in clause (i) and the date or dates each of those
4 names was changed; failure to meet these requirements shall be
5 grounds for denying certification of the candidate's name for
6 the ballot, but these requirements do not apply to name
7 changes resulting from adoption to assume an adoptive parent's
8 or parents' surname, marriage to assume a spouse's surname, or
9 dissolution of marriage or declaration of invalidity of
10 marriage to assume a former surname. No other designation,
11 such as a political slogan, as defined by Section 7-17 of the
12 Election Code, title or degree, or nickname suggesting or
13 implying possession of a title, degree or professional status,
14 or similar information may be used in connection with the
15 candidate's surname.

16 All petitions for the nomination of members of a board of
17 education shall be filed with the board of election
18 commissioners of the jurisdiction in which the principal
19 office of the school district is located within the time
20 provided for by the general election law, except that
21 petitions for the nomination of members of the board of
22 education for the 2024 general election shall be prepared and
23 certified as outlined in Article 10 of the Election Code. The
24 board of election commissioners shall receive and file only
25 those petitions that include a statement of candidacy, the
26 required number of voter signatures, the notarized signature

1 of the petition circulator, and a receipt from the county
2 clerk showing that the candidate has filed a statement of
3 economic interest on or before the last day to file as required
4 by the Illinois Governmental Ethics Act. The board of election
5 commissioners may have petition forms available for issuance
6 to potential candidates and may give notice of the petition
7 filing period by publication in a newspaper of general
8 circulation within the school district not less than 10 days
9 prior to the first day of filing. The board of election
10 commissioners shall make certification to the proper election
11 authorities in accordance with the general election law.

12 The board of election commissioners of the jurisdiction in
13 which the principal office of the school district is located
14 shall notify the candidates for whom a petition for nomination
15 is filed or the appropriate committee of the obligations under
16 the Campaign Financing Act as provided in the general election
17 law. Such notice shall be given on a form prescribed by the
18 State Board of Elections and in accordance with the
19 requirements of the general election law. The board of
20 election commissioners shall within 7 days of filing or on the
21 last day for filing, whichever is earlier, acknowledge to the
22 petitioner in writing the office's acceptance of the petition.

23 A candidate for membership on the board of education who
24 has petitioned for nomination to fill a full term and to fill a
25 vacant term to be voted upon at the same election must withdraw
26 his or her petition for nomination from either the full term or

1 the vacant term by written declaration.

2 Nomination petitions are not valid unless the candidate
3 named therein files with the board of election commissioners a
4 receipt from the county clerk showing that the candidate has
5 filed a statement of economic interests as required by the
6 Illinois Governmental Ethics Act. Such receipt shall be so
7 filed either previously during the calendar year in which his
8 or her nomination papers were filed or within the period for
9 the filing of nomination papers in accordance with the general
10 election law.

11 (Source: P.A. 102-177, eff. 6-1-22; 102-691, eff. 12-17-21;
12 103-467, eff. 8-4-23.)

13 (105 ILCS 5/34-18.85 new)

14 Sec. 34-18.85. Chicago Board of Education Black Student
15 Achievement Committee.

16 (a) The Chicago Board of Education Black Student
17 Achievement Committee is created to be a standing committee of
18 the Board with the purpose of providing Black students with
19 the maximum opportunity for success in areas where research
20 shows that there has been chronic underperformance of African
21 American students during their elementary and secondary
22 education experience.

23 (b) The Chicago Board of Education Black Student
24 Achievement Committee shall be chaired by a member of the
25 Board and shall be composed of individuals appointed by the

1 Mayor to help the Board shape educational policies and to:

2 (1) develop strategies and recommendations for Black
3 student achievement and opportunity;

4 (2) use data to conduct an evidence-based needs
5 assessment to better understand needs and establish a
6 baseline for Black student achievement;

7 (3) develop a strategic management plan to identify
8 goals, objectives, and outcomes designed to bring about
9 academic parity between Black children and their peers;

10 (4) identify and track metrics and key performance
11 indicators that demonstrate positive movement toward
12 achieving the goals and objectives outlined in the
13 strategic management plan; and

14 (5) prepare and provide regular progress reports to
15 the Board and the public.

16 (c) The Committee's membership shall be diverse in terms
17 of skills and geography.

18 (105 ILCS 5/34-18.86 new)

19 Sec. 34-18.86. Committees and advisory boards concerning
20 disparities and individualized needs. The Board may establish
21 committees or advisory boards to seek guidance on addressing
22 disparities or individualized needs.

23 (105 ILCS 5/34-21.10)

24 Sec. 34-21.10. Creation of subdistricts ~~electoral~~

1 ~~districts~~; reapportionment of subdistricts ~~districts~~.

2 (a) For purposes of elections conducted pursuant to
3 subsection (b-5) of Section 34-3, the City of Chicago shall be
4 subdivided into ~~10 electoral districts for the 2024 elections~~
5 ~~and into~~ 20 subdistricts ~~electoral districts for the 2026~~
6 ~~elections after the effective date of this amendatory Act of~~
7 ~~the 102nd General Assembly~~ by the General Assembly for seats
8 on the Chicago Board of Education. The subdistricts ~~electoral~~
9 ~~districts~~ must be drawn on or before April 1, 2024. Each
10 subdistrict ~~district~~ must be compact, contiguous, and
11 substantially equal in population and consistent with the
12 Illinois Voting Rights Act. The General Assembly shall assign
13 half of the subdistricts an even number and half of the
14 subdistricts an odd number. For the 2024 election, the seats
15 of the members who represent an odd-numbered subdistrict shall
16 be filled by election, and the seats of the members who
17 represent an even-numbered subdistrict shall be filled by
18 appointment. For the 2026 election, each subdistrict shall be
19 represented by one elected member.

20 (b) In the year following each decennial census, the
21 General Assembly shall redistrict the subdistricts ~~electoral~~
22 ~~districts~~ to reflect the results of the decennial census
23 consistent with the requirements in subsection (a). The
24 reapportionment plan shall be completed and formally approved
25 by the General Assembly not less than 90 days before the last
26 date established by law for the filing of nominating petitions

1 for the second school board election after the decennial
2 census year. If by reapportionment a board member no longer
3 resides within the subdistrict ~~electoral district~~ from which
4 the member was elected, the member shall continue to serve in
5 office until the expiration of the member's regular term. All
6 new members shall be elected from the subdistricts ~~electoral~~
7 ~~districts~~ as reapportioned.

8 (Source: P.A. 102-177, eff. 6-1-22; 102-691, eff. 12-17-21;
9 103-467, eff. 8-4-23.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.