

School Board

School District Elections ¹

School District elections are non-partisan, governed by the general election laws of the State, and include the election of School Board members, various public policy propositions, and advisory questions.² Board members are elected at the consolidated election held on the first Tuesday in April in odd-numbered years.³ If, however, that date conflicts with the celebration of Passover, the consolidated election is postponed to the first Tuesday following the last day of Passover.⁴ The canvass of votes is conducted by the election authority within 21 days after the election.⁵

The Board, by proper resolution, may cause to be placed on the ballot: (a) public policy referendum according to Article 28 of the Election Code, or (b) advisory questions of public policy according to Section 9-1.5 of the School Code.⁶

The Board Secretary serves as the local election official. He or she receives petitions for the submission of a public question to referenda and forwards them to the proper election officer and otherwise provides information to the community concerning District elections.⁷

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

¹ State law controls this policy's content. Consult the board attorney early concerning any election question.

² 105 ILCS 5/9-10 provides that nominating petitions are filed with the county clerk or the county board of election commissioners if one was created pursuant to 10 ILCS 5/6A-1. Objections to nominating petitions or to a petition for a public question are submitted to the county officers electoral board. 10 ILCS 5/10-8 and 10-9. The Election Code also addresses reportable campaign contributions (10 ILCS 5/9); simultaneous filing of nominating petitions (10 ILCS 5/10-6.2); withdrawal from nomination (10 ILCS 5/10-7); Electoral Board duties (10 ILCS 5/10-10); and advertising in proximity of a polling place (10 ILCS 5/19A-70). See also 10 ILCS 5/1-3 (definitions), 5/2A (time of holding elections), and 5/28 (submitting public questions). The school board secretary or clerk has no statutory duties regarding the election of members to the school board. He or she is well-advised to refer all questions to the county clerk or the county board of election commissioners, whichever is applicable.

³ 10 ILCS 5/2A-1.1.

⁴ 10 ILCS 5/2A-1.1a.

⁵ The appropriate *election authority* (county clerk or election commission) canvasses the vote for school district elections. 10 ILCS 5/1-8. The election authority must canvass the vote within 21 days after the election. 10 ILCS 5/22-17 and 5/22-18. Within 28 days after the consolidated election, boards must hold an organizational meeting to elect officers and fix a time and place for regular meetings. 105 ILCS 5/10-16. See policy 2:210, *Organizational School Board Meeting*.

⁶ This policy addresses two types of public questions: (1) binding referendum governed by 10 ILCS 5/28, and (2) advisory questions of public policy governed by 105 ILCS 5/9-1.5. An advisory question must be authorized by majority vote of the board. A third type of public question – a voter-initiated petition – is not covered in the policy; the board does not have any duties regarding this type of petition. A voter-initiated petition must be filed with the school board secretary who, if the timelines are met, must certify the question to be placed on the ballot to the county clerk. 10 ILCS 5/10-15, 5/28-2, and 5/28-5.

⁷ 10 ILCS 5/28-6 provides that any petition for the submission of a public question to referendum must be filed with the *local election official*. The board secretary or clerk is the *local election official*. 105 ILCS 5/9-2 and 10 ILCS 5/1-3. See f/n 2 as many of the duties of the *local election official* were reassigned after the 2014 changes to the law. The board may delete the following PR function: “and otherwise provides information to the community concerning District elections.”

LEGAL REF.: 10 ILCS 5/1-3, 5/2A, 5/9, 5/10-9, 5/22-17, 5/22-18, and 5/28.
105 ILCS 5/9.

CROSS REF.: 2:40 (Board Member Qualifications), 2:50 (Board Member Term of Office),
2:210 (Organizational School Board Meeting)