



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB5436

Introduced 2/13/2026, by Rep. Tracy Katz Muhl

SYNOPSIS AS INTRODUCED:

See Index

Amends the Regional Superintendent of Schools Article of the School Code. Requires the regional superintendent of schools to, beginning on August 7, 2028, exercise and perform all rights, powers, duties, and responsibilities that were vested in or required by law to be exercised and performed by former regional boards of school trustees and appoint a nonpartisan citizens committee consisting of 5 members to conduct the duties of the former regional board of school trustees. Provides that the expiring terms of members of each regional board of school trustees shall be extended so as to terminate on the August 7, 2028. Provides that all books, records, maps, papers, documents, equipment, supplies, accounts, deposits, and other personal property belonging to or subject to the control or disposition of former regional board of school trustees shall be transferred and delivered to the regional office of education or education service center that services the same or substantially similar territory as the former regional board of school trustees. Repeals provisions regarding regional boards of school trustees. Amends various Acts to make conforming changes. Effective immediately.

LRB104 19845 LNS 33295 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 Election Code is amended by changing
5 Sections 1-3 and 22-1 as follows:

6 (10 ILCS 5/1-3) (from Ch. 46, par. 1-3)

7 Sec. 1-3. As used in this Act, unless the context
8 otherwise requires:

9 1. "Election" includes the submission of all questions of
10 public policy, propositions, and all measures submitted to
11 popular vote, and includes primary elections when so indicated
12 by the context.

13 2. "Regular election" means the general, general primary,
14 consolidated and consolidated primary elections regularly
15 scheduled in Article 2A. The even numbered year municipal
16 primary established in Article 2A is a regular election only
17 with respect to those municipalities in which a primary is
18 required to be held on such date.

19 3. "Special election" means an election not regularly
20 recurring at fixed intervals, irrespective of whether it is
21 held at the same time and place and by the same election
22 officers as a regular election.

23 4. "General election" means the biennial election at which

1 members of the General Assembly are elected. "General primary
2 election", "consolidated election" and "consolidated primary
3 election" mean the respective elections or the election dates
4 designated and established in Article 2A of this Code.

5 5. "Municipal election" means an election or primary,
6 either regular or special, in cities, villages, and
7 incorporated towns; and "municipality" means any such city,
8 village or incorporated town.

9 6. "Political or governmental subdivision" means any unit
10 of local government, or school district in which elections are
11 or may be held. "Political or governmental subdivision" also
12 includes, for election purposes, ~~Regional Boards of School~~
13 ~~Trustees, and~~ Township Boards of School Trustees.

14 7. The word "township" and the word "town" shall apply
15 interchangeably to the type of governmental organization
16 established in accordance with the provisions of the Township
17 Code. The term "incorporated town" shall mean a municipality
18 referred to as an incorporated town in the Illinois Municipal
19 Code, as now or hereafter amended.

20 8. "Election authority" means a county clerk or a Board of
21 Election Commissioners.

22 9. "Election Jurisdiction" means (a) an entire county, in
23 the case of a county in which no city board of election
24 commissioners is located or which is under the jurisdiction of
25 a county board of election commissioners; (b) the territorial
26 jurisdiction of a city board of election commissioners; and

1 (c) the territory in a county outside of the jurisdiction of a
2 city board of election commissioners. In each instance
3 election jurisdiction shall be determined according to which
4 election authority maintains the permanent registration
5 records of qualified electors.

6 10. "Local election official" means the clerk or secretary
7 of a unit of local government or school district, as the case
8 may be, the treasurer of a township board of school trustees,
9 and the regional superintendent of schools with respect to the
10 various school officer elections and school referenda for
11 which the regional superintendent is assigned election duties
12 by The School Code, as now or hereafter amended.

13 11. "Judges of election", "primary judges" and similar
14 terms, as applied to cases where there are 2 sets of judges,
15 when used in connection with duties at an election during the
16 hours the polls are open, refer to the team of judges of
17 election on duty during such hours; and, when used with
18 reference to duties after the closing of the polls, refer to
19 the team of tally judges designated to count the vote after the
20 closing of the polls and the holdover judges designated
21 pursuant to Section 13-6.2 or 14-5.2. In such case, where,
22 after the closing of the polls, any act is required to be
23 performed by each of the judges of election, it shall be
24 performed by each of the tally judges and by each of the
25 holdover judges.

26 12. "Petition" of candidacy as used in Sections 7-10 and

1 7-10.1 shall consist of a statement of candidacy, candidate's
2 statement containing oath, and sheets containing signatures of
3 qualified primary electors bound together.

4 13. "Election district" and "precinct", when used with
5 reference to a 30-day residence requirement, means the
6 smallest constituent territory in which electors vote as a
7 unit at the same polling place in any election governed by this
8 Act.

9 14. "District" means any area which votes as a unit for the
10 election of any officer, other than the State or a unit of
11 local government or school district, and includes, but is not
12 limited to, legislative, congressional and judicial districts,
13 judicial circuits, county board districts, municipal and
14 sanitary district wards, school board districts, and
15 precincts.

16 15. "Question of public policy" or "public question" means
17 any question, proposition or measure submitted to the voters
18 at an election dealing with subject matter other than the
19 nomination or election of candidates and shall include, but is
20 not limited to, any bond or tax referendum, and questions
21 relating to the Constitution.

22 16. "Ordinance providing the form of government of a
23 municipality or county pursuant to Article VII of the
24 Constitution" includes ordinances, resolutions and petitions
25 adopted by referendum which provide for the form of
26 government, the officers or the manner of selection or terms

1 of office of officers of such municipality or county, pursuant
2 to the provisions of Sections 4, 6 or 7 of Article VII of the
3 Constitution.

4 17. "List" as used in Sections 4-11, 4-22, 5-14, 5-29,
5 6-60, and 6-66 shall include a computer tape or computer disc
6 or other electronic data processing information containing
7 voter information.

8 18. "Accessible" means accessible to persons with
9 disabilities and elderly individuals for the purpose of voting
10 or registration, as determined by rule of the State Board of
11 Elections.

12 19. "Elderly" means 65 years of age or older.

13 20. "Person with a disability" means a person having a
14 temporary or permanent physical disability.

15 21. "Leading political party" means one of the two
16 political parties whose candidates for governor at the most
17 recent three gubernatorial elections received either the
18 highest or second highest average number of votes. The
19 political party whose candidates for governor received the
20 highest average number of votes shall be known as the first
21 leading political party and the political party whose
22 candidates for governor received the second highest average
23 number of votes shall be known as the second leading political
24 party.

25 22. "Business day" means any day in which the office of an
26 election authority, local election official or the State Board

1 of Elections is open to the public for a minimum of 7 hours.

2 23. "Homeless individual" means any person who has a
3 nontraditional residence, including, but not limited to, a
4 shelter, day shelter, park bench, street corner, or space
5 under a bridge.

6 24. "Signature" means a name signed in ink or in digitized
7 form. This definition does not apply to a nominating or
8 candidate petition or a referendum petition.

9 25. "Intelligent mail barcode tracking system" means a
10 printed trackable barcode attached to the return business
11 reply envelope for mail-in ballots under Article 19 or Article
12 20 that allows an election authority to determine the date the
13 envelope was mailed in absence of a postmark.

14 (Source: P.A. 99-143, eff. 7-27-15; 99-522, eff. 6-30-16.)

15 (10 ILCS 5/22-1) (from Ch. 46, par. 22-1)

16 Sec. 22-1. Abstracts of votes. Within 21 days after the
17 close of the election at which candidates for offices
18 hereinafter named in this Section are voted upon, the election
19 authorities of the respective counties shall open the returns
20 and make abstracts of the votes on a separate sheet for each of
21 the following:

22 A. For Governor and Lieutenant Governor;

23 B. For State officers;

24 C. For presidential electors;

25 D. For United States Senators and Representatives to

- 1 Congress;
- 2 E. For judges of the Supreme Court;
- 3 F. For judges of the Appellate Court;
- 4 G. For judges of the circuit court;
- 5 H. For Senators and Representatives to the General
6 Assembly;
- 7 I. For State's Attorneys elected from 2 or more
8 counties;
- 9 J. For amendments to the Constitution, and for other
10 propositions submitted to the electors of the entire
11 State;
- 12 K. For county officers and for propositions submitted
13 to the electors of the county only;
- 14 L. For Regional Superintendent of Schools;
- 15 M. For trustees of Sanitary Districts; and
- 16 N. (Blank). ~~For Trustee of a Regional Board of School~~
17 ~~Trustees.~~

18 Each sheet shall report the returns by precinct or ward.

19 Multiple originals of each of the sheets shall be prepared
20 and one of each shall be turned over to the chair of the county
21 central committee of each of the then existing established
22 political parties, as defined in Section 10-2, or his duly
23 authorized representative immediately after the completion of
24 the entries on the sheets and before the totals have been
25 compiled.

26 The foregoing abstracts shall be preserved by the election

1 authority in its office.

2 Whenever any county clerk is unable to canvass the vote,
3 the deputy county clerk or a designee of the county clerk shall
4 serve in his or her place.

5 The powers and duties of the election authority canvassing
6 the votes are limited to those specified in this Section.

7 No person who is shown by the election authority's
8 proclamation to have been elected at the consolidated election
9 or general election as a write-in candidate shall take office
10 unless that person has first filed with the certifying office
11 or board a statement of candidacy pursuant to Section 7-10 or
12 Section 10-5, a statement pursuant to Section 7-10.1, and a
13 receipt for filing a statement of economic interests in
14 relation to the unit of government to which he or she has been
15 elected. For officers elected at the consolidated election,
16 the certifying officer shall notify the election authority of
17 the receipt of those documents, and the county clerk shall
18 issue the certification of election under the provisions of
19 Section 22-18.

20 (Source: P.A. 100-1027, eff. 1-1-19.)

21 (10 ILCS 5/2A-50 rep.)

22 Section 6. The Election Code is amended by repealing
23 Section 2A-50.

24 Section 10. The Public Officer Prohibited Activities Act

1 is amended by changing Sections 1.2 and 1.3 as follows:

2 (50 ILCS 105/1.2)

3 Sec. 1.2. County board member; education office. A member
4 of the county board in a county having fewer than 40,000
5 inhabitants, during the term of office for which he or she is
6 elected, may also hold the office of member of the board of
7 education, ~~regional board of school trustees,~~ board of school
8 directors, board of a community college district, or board of
9 school inspectors.

10 (Source: P.A. 97-460, eff. 8-19-11.)

11 (50 ILCS 105/1.3)

12 Sec. 1.3. Municipal board member; education office. In a
13 city, village, or incorporated town with fewer than 2,500
14 inhabitants, an alderperson of the city or a member of the
15 board of trustees of a village or incorporated town, during
16 the term of office for which he or she is elected, may also
17 hold the office of member of the board of education, ~~regional~~
18 ~~board of school trustees,~~ board of school directors, or board
19 of school inspectors.

20 (Source: P.A. 102-15, eff. 6-17-21.)

21 Section 15. The Counties Code is amended by changing
22 Section 5-1102 as follows:

1 (55 ILCS 5/5-1102) (from Ch. 34, par. 5-1102)

2 Sec. 5-1102. Injuries caused by Regional Office of
3 Education employee ~~regional board of school trustees member~~;
4 indemnification. In case any injury to the person or property
5 of another is caused by an employee of a Regional Office of
6 Education ~~a member of the regional board of school trustees~~
7 while the employee ~~member~~ is engaged in the performance of his
8 or her duties as employee ~~trustee~~, the county or counties in
9 whose behalf the employee ~~member~~ is performing his or her
10 duties as an employee ~~trustee~~ may indemnify the employee
11 ~~member~~ for any judgment recovered against the employee ~~member~~
12 as the result of such injury, except where the injury results
13 from the wilful misconduct of the employee ~~member~~.

14 If the Regional Office of Education ~~regional board of~~
15 ~~school trustees~~ is in a multi-county educational service
16 region, the power to indemnify imposed by this Section shall
17 extend to each county on a pro-rata basis, calculated by
18 dividing the equalized assessed valuation of each county by
19 the equalized assessed valuation of the educational service
20 region.

21 (Source: P.A. 86-962.)

22 Section 20. The School Code is amended by renumbering and
23 changing Section 6-17 and by changing Sections 2-3.25f,
24 3-14.26, 3-15.7, 3A-3, 3A-10, 3A-13, 5-1, 5-17, 7-01b, 7-04,
25 7-1, 7-2a, 7-2b, 7-2.4, 7-2.5, 7-4, 7-5, 7-6, 7-7, 7-7.5, 7-9,

1 7-11, 8-1, 8-5, 10-22.31, 10-22.31a, 11E-135, 15-24, 15-26,
2 16-2, 16-3, and 16-6 and by adding Sections 3-14.32 and 3-18 as
3 follows:

4 (105 ILCS 5/2-3.25f) (from Ch. 122, par. 2-3.25f)

5 Sec. 2-3.25f. State interventions.

6 (a) The State Board of Education shall provide technical
7 assistance to schools in school improvement status to assist
8 with the development and implementation of Improvement Plans.

9 Schools or school districts that fail to make reasonable
10 efforts to implement an approved Improvement Plan may suffer
11 loss of State funds by school district, attendance center, or
12 program as the State Board of Education deems appropriate.

13 (a-5) (Blank).

14 (b) Schools that receive Targeted Support or Comprehensive
15 Support designations shall enter a 4-year cycle of school
16 improvement status. If, at the end of the 4-year cycle, the
17 school fails to meet the exit criteria specified in the State
18 Plan referenced in subsection (b) of Section 2-3.25a of this
19 Code, the school shall escalate to a more intensive
20 intervention. Targeted Support schools that remain Targeted
21 for one or more of the same student groups as in the initial
22 identification after completion of a 4-year cycle of Targeted
23 School Improvement shall be redesignated as Comprehensive
24 Support schools, as provided in paragraph (2.5) of subsection
25 (a) of Section 2-3.25d-5 of this Code. Comprehensive Support

1 schools that remain in the lowest-performing 5% after
2 completion of a 4-year cycle of Comprehensive School
3 Improvement shall be redesignated as Intensive Support schools
4 and shall escalate through more rigorous, tiered support,
5 developed in consultation with the Balanced Accountability
6 Measure Committee and other relevant stakeholder groups, which
7 may ultimately result in the (i) change of recognition status
8 of the school district or school to nonrecognized or (ii)
9 authorization for the State Superintendent of Education to
10 direct the reassignment of pupils or direct the reassignment
11 or replacement of school or school district personnel. If a
12 school district is nonrecognized in its entirety, for any
13 reason, including those not related to performance in the
14 accountability system, it shall automatically be dissolved on
15 July 1 following that nonrecognition and its territory
16 realigned with another school district or districts by a
17 Regional Office of Education ~~the regional board of school~~
18 ~~trustees~~ in accordance with the procedures set forth in
19 Section 7-11 of the School Code. The effective date of the
20 nonrecognition of a school shall be July 1 following the
21 nonrecognition.

22 (b-5) The State Board of Education shall also develop a
23 system to provide assistance and resources to lower performing
24 school districts. At a minimum, the State Board shall identify
25 school districts to receive Intensive, Comprehensive, and
26 Targeted Support. The school district shall provide the

1 exclusive bargaining representative with a 5-day notice that
2 the district has had one or more schools within the district
3 identified as being in Comprehensive or Intensive School
4 Improvement Status. In addition, the State Board may, by rule,
5 develop other categories of low-performing schools and school
6 districts to receive services.

7 The State Board of Education shall work with districts
8 with one or more schools in Comprehensive or Intensive School
9 Improvement Status, through technical assistance and
10 professional development, based on the results of the needs
11 assessment under Section 2-3.25d-5 of this Code, to develop
12 and implement a continuous improvement plan that would
13 increase outcomes for students. The plan for continuous
14 improvement shall be based on the results of the needs
15 assessment and shall be used to determine the types of
16 services that are to be provided to each Comprehensive and
17 Intensive School. Potential services may include, but are not
18 limited to, monitoring adult and student practices, reviewing
19 and reallocating district resources, developing a district and
20 school leadership team, providing access to curricular content
21 area specialists, and providing online resources and
22 professional development.

23 The support provided by a vendor or learning partner
24 approved to support a school's continuous improvement plan
25 related to English language arts must be based on the
26 comprehensive literacy plan for the State developed by the

1 State Board of Education under Section 2-3.200.

2 The State Board of Education may require districts with
3 one or more Comprehensive or Intensive Schools identified as
4 having deficiencies in one or more core functions of the needs
5 assessment to undergo an accreditation process.

6 (c) All federal requirements apply to schools and school
7 districts utilizing federal funds under Title I, Part A of the
8 federal Elementary and Secondary Education Act of 1965.

9 (Source: P.A. 103-175, eff. 6-30-23; 103-735, eff. 1-1-25;
10 104-417, eff. 8-15-25.)

11 (105 ILCS 5/3-14.26) (from Ch. 122, par. 3-14.26)

12 Sec. 3-14.26. To coordinate, aid and encourage the
13 indemnification of employees of a Regional Offices of
14 Education ~~members of regional boards of school trustees~~ by
15 county boards, as provided in Section 5-1102 of the Counties
16 Code.

17 (Source: P.A. 86-1475.)

18 (105 ILCS 5/3-14.32 new)

19 Sec. 3-14.32. Transfer of rights, powers, duties, and
20 responsibilities of regional boards of school trustees.
21 Beginning on or before August 7, 2028, to exercise and perform
22 all rights, powers, duties, and responsibilities that were
23 vested in or required by law to be exercised and performed by
24 former regional boards of school trustees.

1 If the regional superintendent deems it necessary or
2 appropriate, to appoint a nonpartisan citizens committee
3 consisting of 5 members to conduct the duties of the former
4 regional board of school trustees. A member of a regional
5 board of school trustee elected as of the effective date of
6 this amendatory Act of the 104th General Assembly shall
7 receive first preference for being appointed to a committee
8 for which the member is disinterested. This preference shall
9 expire at the end of the term of office the member would have
10 otherwise served as a regional board of trustee member.

11 On and after the effective date of this amendatory Act of
12 the 104th General Assembly, any reference in the School Code
13 or any other law of this State to the regional board of school
14 trustees shall mean the regional office of education or
15 education service center that services the same or
16 substantially similar territory as the former regional board
17 of school trustees.

18 (105 ILCS 5/3-15.7) (from Ch. 122, par. 3-15.7)

19 Sec. 3-15.7. Maps and records of new districts. To demand
20 of the trustees of schools or employees of a Regional Office of
21 Education ~~regional board of school trustees~~ having custody of
22 maps and records of school districts as organized certified
23 copies of the same. In case of discrepancies or defects in
24 defining the boundaries of school districts the county
25 superintendent, or in case of a district lying in two or more

1 counties, the county superintendents of such counties acting
2 jointly, may define such boundaries in conformity with what
3 appears to have been the intention of the trustees of schools
4 when such boundaries were established.

5 (Source: P.A. 87-473.)

6 (105 ILCS 5/3-18 new)

7 Sec. 3-18. Preservation of documents of regional board of
8 school trustees. After the effective date of this amendatory
9 Act of the 104th General Assembly and before the August 7,
10 2028, all books, records, maps, papers, documents, equipment,
11 supplies, accounts, deposits, and other personal property
12 belonging to or subject to the control or disposition of
13 former regional board of school trustees, except only such
14 items as may have been provided by the county board, shall be
15 transferred and delivered to the regional office of education
16 or education service center that services the same or
17 substantially similar territory as the former regional board
18 of school trustees.

19 (105 ILCS 5/3A-3) (from Ch. 122, par. 3A-3)

20 Sec. 3A-3. Voluntary consolidation of educational service
21 regions. Any 2 or more educational service regions may be
22 consolidated into a single region in the manner provided in
23 this Section. All of the territory of any educational service
24 region shall be determined by county boundaries, but

1 supervision and control over school districts that are divided
2 by a county line shall be determined under Section 3-14.2 of
3 this Act.

4 Each regional superintendent of a region that does not
5 conform to the population requirements of Section 3A-4 and
6 seeks voluntary consolidation under this Section shall appoint
7 a nonpartisan citizens committee consisting of 5 members to
8 consider the advisability of such a consolidation. Such
9 regional superintendent shall serve as ex officio secretary to
10 the citizens committee. This citizens committee may petition
11 the Regional Office of Education ~~regional board of school~~
12 ~~trustees~~ serving each of the regions involved for
13 consolidation of those regions into a single educational
14 service region. When such a petition is filed, the Regional
15 Office of Education ~~regional board of school trustees~~ shall
16 conduct a hearing on the petition, after notice of the hearing
17 has been published once, not more than 15 nor less than 10 days
18 before the day of the hearing, in a newspaper having general
19 circulation in the region. The Regional Office of Education
20 ~~secretary of the regional board of school trustees~~ shall also
21 notify the secretary of each school board affected by the
22 proposed consolidation, the chairman of the county board of
23 each county affected thereby and the State Board of Education
24 that such petition has been filed. The notice shall state the
25 date when the petition was filed, the prayer of the petition
26 and the date, time and place of the hearing. Such hearing shall

1 be held jointly by all of the Regional Offices of Education
2 ~~regional boards of school trustees~~ affected by such petition
3 and the State Board of Education shall arrange for such joint
4 hearing and pay the expenses thereof. Evidence admissible at
5 the hearing shall include, but not be limited to, the school
6 needs and conditions in the territory affected by the proposed
7 consolidation, whether or not such area is compact and
8 contiguous; and whether or not the proposed consolidation
9 would be in the best interests of the schools of the area and
10 the educational welfare of the pupils of such schools. At the
11 hearing each resident of the region shall have the rights
12 provided for residents under Section 7-6 and the final order
13 of the Regional Office of Education ~~regional board of school~~
14 ~~trustees~~ shall be subject to review as provided in Sections
15 7-6 and 7-7.

16 Within 10 days after the conclusion of the joint hearing
17 each Regional Office of Education ~~regional board of school~~
18 ~~trustees~~ shall meet and render a decision with regard to the
19 hearing on the petition. A copy of the final order of each
20 Regional Office of Education ~~regional board of school trustees~~
21 shall be filed with the State Board of Education within 30 days
22 after the conclusion of the joint hearing. If the Regional
23 Office of Education ~~regional board of school trustees~~ in each
24 of those regions enters an order approving the consolidation,
25 those regions shall be consolidated into a single educational
26 service region, and the State Board of Education shall

1 authorize the establishment of such single educational service
2 region and to notify all interested parties, including the
3 county clerks of the counties affected thereby and the State
4 Board of Elections.

5 (Source: P.A. 88-89.)

6 (105 ILCS 5/3A-10) (from Ch. 122, par. 3A-10)

7 Sec. 3A-10. Notice of Election. A notice of the election
8 shall be given in accordance with the general election law. In
9 addition to the requirements of the general election law the
10 notice shall be in substantially the following form:

11 NOTICE OF EDUCATIONAL SERVICE REGION ELECTION

12 Notice is hereby given that on (insert date) an election
13 will be held in County, Illinois, for the
14 purpose of voting upon this question:

15 Shall County be disconnected from the
16 Educational Service Region for the Counties of
17 and and shall the Regional
18 Office of Education ~~regional board of school trustees~~ for
19 County be requested to approve the consolidation
20 of the counties into a single educational service region?

21 (Source: P.A. 91-357, eff. 7-29-99.)

22 (105 ILCS 5/3A-13) (from Ch. 122, par. 3A-13)

23 Sec. 3A-13. Petition for Consolidation. If a majority of
24 those voting in the disconnection election favor disconnection

1 and requesting consolidation with another educational service
2 region, the regional superintendent shall notify, within 30
3 days of the declaration of official results, the Regional
4 Office of Education ~~regional board of school trustees~~ for the
5 educational service region approved by the voters in the
6 election of the official results. When the official results
7 are received, the regional board of school trustees shall
8 conduct a hearing on the petition, after notice of hearing has
9 been published once, not more than 15 nor less than 10 days
10 before the day of the hearing, in one or more newspapers having
11 general circulation in the region and in one or more
12 newspapers having general circulation in the county which is
13 petitioning for the consolidation. The Regional Office of
14 Education ~~secretary of the regional board of school trustees~~
15 shall notify the secretary of each school board affected by
16 the proposed consolidation, the chairman of the county board
17 of each county affected thereby and the State Superintendent
18 of Education that the petition has been filed. The notice
19 shall state the prayer of the petition and the date, time and
20 place of the hearing. The State Board of Education shall pay
21 the expenses of the hearing. Evidence admissible at the
22 hearing shall include, but not be limited to, the school needs
23 and conditions in the territory affected by the proposed
24 consolidation, whether or not the area is compact and
25 contiguous; and whether or not the proposed consolidation
26 would be in the best interests of the schools in the area and

1 the educational welfare of the pupils of these schools. A
2 record of the proceedings shall be kept and a competent
3 reporter shall be employed to take stenographic or stenotype
4 notes of all testimony. At the hearing each resident of the
5 region or of the county petitioning for consolidation shall
6 have the rights provided for residents under Section 7-6 and
7 the final order of the Regional Office of Education ~~regional~~
8 ~~board of school trustees~~ shall be subject to review as
9 provided in Sections 7-6 and 7-7.

10 Within 10 days of the hearing the Regional Office of
11 Education ~~regional board of school trustees~~ shall meet and
12 render a decision with regard to the hearing on the petition. A
13 copy of the final decision of the Regional Office of Education
14 ~~regional board of school trustees~~ shall be filed with the
15 State Board of Education within 30 days after the conclusion
16 of the hearing. If the Regional Office of Education ~~regional~~
17 ~~board of school trustees~~ renders a decision approving the
18 consolidation, the region and the county shall be consolidated
19 into a single educational service region and the State Board
20 of Education shall notify all interested parties, including
21 the county clerks of the counties affected thereby and the
22 Secretary of State. The effective date of the consolidation
23 shall be immediately after the time for appeal of the order of
24 consolidation has passed or after the final disposition of any
25 appeal taken from a consolidation order.

26 If the Regional Office of Education ~~regional board of~~

1 ~~school trustees~~ renders a decision denying the consolidation,
2 a majority of the school boards located within the county
3 disconnected, upon the adoption of appropriate resolutions,
4 may petition another educational service region for
5 consolidation. The proceedings on this petition shall be
6 consistent with this Section.

7 (Source: P.A. 86-1028.)

8 (105 ILCS 5/5-1) (from Ch. 122, par. 5-1)

9 Sec. 5-1. County school units.

10 (a) The territory in each county, exclusive of any school
11 district governed by any special act which requires the
12 district to appoint its own school treasurer, shall constitute
13 a county school unit. County school units of less than
14 2,000,000 inhabitants shall be known as Class I county school
15 units and the office of township trustees, where existing on
16 July 1, 1962, in such units shall be abolished on that date and
17 all books and records of such former township trustees shall
18 be forthwith thereafter transferred to the county board of
19 school trustees. County school units of 2,000,000 or more
20 inhabitants shall be known as Class II county school units and
21 shall retain the office of township trustees unless otherwise
22 provided in subsection (b), (c), or (d), or shall be
23 administered as provided in Section 5-2.2.

24 (b) Notwithstanding subsections (a) and (c), the school
25 board of any elementary school district having a fall, 1989

1 aggregate enrollment of at least 2,500 but less than 6,500
2 pupils and having boundaries that are coterminous with the
3 boundaries of a high school district, and the school board of
4 any high school district having a fall, 1989 aggregate
5 enrollment of at least 2,500 but less than 6,500 pupils and
6 having boundaries that are coterminous with the boundaries of
7 an elementary school district, may, whenever the territory of
8 such school district forms a part of a Class II county school
9 unit, by proper resolution withdraw such school district from
10 the jurisdiction and authority of the trustees of schools of
11 the township in which such school district is located and from
12 the jurisdiction and authority of the township treasurer in
13 such Class II county school unit; provided that the school
14 board of any such school district shall, upon the adoption and
15 passage of such resolution, thereupon elect or appoint its own
16 school treasurer as provided in Section 8-1. Upon the adoption
17 and passage of such resolution and the election or appointment
18 by the school board of its own school treasurer: (1) the
19 trustees of schools in such township shall no longer have or
20 exercise any powers and duties with respect to the school
21 district governed by such school board or with respect to the
22 school business, operations or assets of such school district;
23 and (2) all books and records of the township trustees
24 relating to the school business and affairs of such school
25 district shall be transferred and delivered to the school
26 board of such school district. Upon the effective date of

1 Public Act 88-155, the legal title to, and all right, title,
2 and interest formerly held by the township trustees in any
3 school buildings and school sites used and occupied by the
4 school board of such school district for school purposes, that
5 legal title, right, title, and interest thereafter having been
6 transferred to and vested in the regional board of school
7 trustees under Public Act 87-473 until the abolition of that
8 regional board of school trustees by Public Act 87-969, shall
9 be deemed transferred by operation of law to and shall vest in
10 the school board of that school district.

11 Notwithstanding subsections (a) and (c), the school boards
12 of Oak Park & River Forest District 200, Oak Park Elementary
13 School District 97, and River Forest School District 90 may,
14 by proper resolution, withdraw from the jurisdiction and
15 authority of the trustees of schools of Proviso and Cicero
16 Townships and the township treasurer, provided that the school
17 board shall, upon the adoption and passage of the resolution,
18 elect or appoint its own school treasurer as provided in
19 Section 8-1 of this Code. Upon the adoption and passage of the
20 resolution and the election or appointment by the school board
21 of its own school treasurer: (1) the trustees of schools in the
22 township or townships shall no longer have or exercise any
23 powers or duties with respect to the school district or with
24 respect to the school business, operations, or assets of the
25 school district; (2) all books and records of the trustees of
26 schools and all moneys, securities, loanable funds, and other

1 assets relating to the school business and affairs of the
2 school district shall be transferred and delivered to the
3 school board; and (3) all legal title to and all right, title,
4 and interest formerly held by the trustees of schools in any
5 common school lands, school buildings, or school sites used
6 and occupied by the school board and all rights of property and
7 causes of action pertaining to or constituting a part of the
8 common school lands, buildings, or sites shall be deemed
9 transferred by operation of law to and shall vest in the school
10 board.

11 Notwithstanding subsections (a) and (c), the respective
12 school boards of Berwyn North School District 98, Berwyn South
13 School District 100, Cicero School District 99, and J.S.
14 Morton High School District 201 may, by proper resolution,
15 withdraw from the jurisdiction and authority of the trustees
16 of schools of Cicero Township and the township treasurer,
17 provided that the school board shall, upon the adoption and
18 passage of the resolution, elect or appoint its own school
19 treasurer as provided in Section 8-1 of this Code. Upon the
20 adoption and passage of the resolution and the election or
21 appointment by the school board of its own school treasurer:
22 (1) the trustees of schools in the township shall no longer
23 have or exercise any powers or duties with respect to the
24 school district or with respect to the school business,
25 operations, or assets of the school district; (2) all books
26 and records of the trustees of schools and all moneys,

1 securities, loanable funds, and other assets relating to the
2 school business and affairs of the school district shall be
3 transferred and delivered to the school board; and (3) all
4 legal title to and all right, title, and interest formerly
5 held by the trustees of schools in any common school lands,
6 school buildings, or school sites used and occupied by the
7 school board and all rights of property and causes of action
8 pertaining to or constituting a part of the common school
9 lands, buildings, or sites shall be deemed transferred by
10 operation of law to and shall vest in the school board.

11 Notwithstanding subsections (a) and (c) of this Section
12 and upon final judgment, including the exhaustion of all
13 appeals or a settlement between all parties, regarding claims
14 set forth in the case of Township Trustees of Schools Township
15 38 North, Range 12 East v. Lyons Township High School District
16 No. 204 case N. 13 CH 23386 pending in 2018 in the Circuit
17 Court of Cook County, Illinois, County Department, Chancery
18 Division, and all related pending claims, the school board of
19 Lyons Township High School District 204 may commence, by
20 proper resolution, to withdraw from the jurisdiction and
21 authority of the trustees of schools of Lyons Township and the
22 township treasurer, provided that the school board shall, upon
23 the adoption and passage of the resolution, elect or appoint
24 its own school treasurer as provided in Section 8-1 of this
25 Code. Upon the adoption and passage of the resolution and the
26 election or appointment by the school board of its own school

1 treasurer commencing with the first day of the succeeding
2 fiscal year, but not prior to July 1, 2019: (1) the trustees of
3 schools in the township shall no longer have or exercise any
4 powers or duties with respect to the school district or with
5 respect to the school business, operations, or assets of the
6 school district; (2) all books and records of the trustees of
7 schools and all moneys, securities, loanable funds, and other
8 assets relating to the school business and affairs of the
9 school district shall be transferred and delivered to the
10 school board, allowing for a reasonable period of time not to
11 exceed 90 days to liquidate any pooled investments; and (3)
12 all legal title to and all right, title, and interest formerly
13 held by the trustees of schools in any common school lands,
14 school buildings, or school sites used and occupied by the
15 school board and all rights of property and causes of action
16 pertaining to or constituting a part of the common school
17 lands, buildings, or sites shall be deemed transferred by
18 operation of law to and shall vest in the school board. The
19 changes made to this Section by Public Act 100-921 are
20 prospective only, starting from August 17, 2018 (the effective
21 date of Public Act 100-921), and shall not affect any legal
22 action pending on August 17, 2018 (the effective date of
23 Public Act 100-921) in the Illinois courts in which Lyons
24 Township High School District 204 is a listed party.

25 Notwithstanding subsections (a) and (c), the school boards
26 of Glenbrook High School District 225, Northbrook Elementary

1 School District 27, Northbrook School District 28, Sunset
2 Ridge School District 29, Northbrook/Glenview School District
3 30, West Northfield School District 31, and Glenview Community
4 Consolidated School District 34 may, by proper resolution,
5 withdraw from the jurisdiction and authority of the trustees
6 of schools of Northfield and Maine Townships and the township
7 treasurer, provided that the school board shall, upon the
8 adoption and passage of the resolution, elect or appoint its
9 own school treasurer as provided in Section 8-1 of this Code.
10 Upon the adoption and passage of the resolution and the
11 election or appointment by the school board of its own school
12 treasurer: (1) the trustees of schools in the township or
13 townships shall no longer have or exercise any powers or
14 duties with respect to the school district or with respect to
15 the school business, operations, or assets of the school
16 district; (2) all books and records of the trustees of schools
17 and all moneys, securities, loanable funds, and other assets
18 relating to the school business and affairs of the school
19 district shall be transferred and delivered to the school
20 board; and (3) all legal title to and all right, title, and
21 interest formerly held by the trustees of schools in any
22 common school lands, school buildings, or school sites used
23 and occupied by the school board and all rights of property and
24 causes of action pertaining to or constituting a part of the
25 common school lands, buildings, or sites shall be deemed
26 transferred by operation of law to and shall vest in the school

1 board.

2 (c) Notwithstanding the provisions of subsection (a), the
3 offices of township treasurer and trustee of schools of any
4 township located in a Class II county school unit shall be
5 abolished as provided in this subsection if all of the
6 following conditions are met:

7 (1) During the same 30-day period, each school board
8 of each elementary and unit school district that is
9 subject to the jurisdiction and authority of the township
10 treasurer and trustees of schools of the township in which
11 those offices are sought to be abolished gives written
12 notice by certified mail, return receipt requested to the
13 township treasurer and trustees of schools of that
14 township of the date of a meeting of the school board, to
15 be held not more than 90 nor less than 60 days after the
16 date when the notice is given, at which meeting the school
17 board is to consider and vote upon the question of whether
18 there shall be submitted to the electors of the school
19 district a proposition to abolish the offices of township
20 treasurer and trustee of schools of that township. None of
21 the notices given under this paragraph to the township
22 treasurer and trustees of schools of a township shall be
23 deemed sufficient or in compliance with the requirements
24 of this paragraph unless all of those notices are given
25 within the same 30-day period.

26 (2) Each school board of each elementary and unit

1 school district that is subject to the jurisdiction and
2 authority of the township treasurer and trustees of
3 schools of the township in which those offices are sought
4 to be abolished, by the affirmative vote of at least 5
5 members of the school board at a school board meeting of
6 which notice is given as required by paragraph (1) of this
7 subsection, adopts a resolution requiring the secretary of
8 the school board to certify to the proper election
9 authorities for submission to the electors of the school
10 district at the next consolidated election in accordance
11 with the general election law a proposition to abolish the
12 offices of township treasurer and trustee of schools of
13 that township. None of the resolutions adopted under this
14 paragraph by any elementary or unit school districts that
15 are subject to the jurisdiction and authority of the
16 township treasurer and trustees of schools of the township
17 in which those offices are sought to be abolished shall be
18 deemed in compliance with the requirements of this
19 paragraph or sufficient to authorize submission of the
20 proposition to abolish those offices to a referendum of
21 the electors in any such school district unless all of the
22 school boards of all of the elementary and unit school
23 districts that are subject to the jurisdiction and
24 authority of the township treasurer and trustees of
25 schools of that township adopt such a resolution in
26 accordance with the provisions of this paragraph.

1 district votes in favor of the proposition as submitted to
2 them.

3 If in each elementary and unit school district that is
4 subject to the jurisdiction and authority of the township
5 treasurer and trustees of schools of the township in which
6 those offices are sought to be abolished a majority of the
7 electors in each such district voting at the consolidated
8 election on the proposition to abolish the offices of township
9 treasurer and trustee of schools of that township votes in
10 favor of the proposition as submitted to them, the proposition
11 shall be deemed to have passed; but if in any such elementary
12 or unit school district a majority of the electors voting on
13 that proposition in that district fails to vote in favor of the
14 proposition as submitted to them, then notwithstanding the
15 vote of the electors in any other such elementary or unit
16 school district on that proposition the proposition shall not
17 be deemed to have passed in any of those elementary or unit
18 school districts, and the offices of township treasurer and
19 trustee of schools of the township in which those offices were
20 sought to be abolished shall not be abolished, unless in each
21 of those elementary and unit school districts remaining
22 subject to the jurisdiction and authority of the township
23 treasurer and trustees of schools of that township proceedings
24 are again initiated to abolish those offices and all of the
25 proceedings and conditions prescribed in paragraphs (1)
26 through (4) of this subsection are repeated and met in each of

1 those elementary and unit school districts.

2 Notwithstanding the foregoing provisions of this Section
3 or any other provision of the School Code, the offices of
4 township treasurer and trustee of schools of a township that
5 has a population of less than 200,000 and that contains a unit
6 school district and is located in a Class II county school unit
7 shall also be abolished as provided in this subsection if all
8 of the conditions set forth in paragraphs (1), (2), and (3) of
9 this subsection are met and if the following additional
10 condition is met:

11 The electors in all of the school districts subject to
12 the jurisdiction and authority of the township treasurer
13 and trustees of schools of the township in which those
14 offices are sought to be abolished shall vote at the
15 consolidated election on the proposition to abolish the
16 offices of township treasurer and trustee of schools of
17 that township. If a majority of the electors in all of the
18 school districts combined voting on the proposition vote
19 in favor of the proposition, then the proposition shall be
20 deemed to have passed; but if a majority of the electors
21 voting on the proposition in all of the school district
22 fails to vote in favor of the proposition as submitted to
23 them, then the proposition shall not be deemed to have
24 passed and the offices of township treasurer and trustee
25 of schools of the township in which those offices were
26 sought to be abolished shall not be abolished, unless and

1 until the proceedings detailed in paragraphs (1) through
2 (3) of this subsection and the conditions set forth in
3 this paragraph are met.

4 If the proposition to abolish the offices of township
5 treasurer and trustee of schools of a township is deemed to
6 have passed at the consolidated election as provided in this
7 subsection, those offices shall be deemed abolished by
8 operation of law effective on January 1 of the calendar year
9 immediately following the calendar year in which that
10 consolidated election is held, provided that if after the
11 election, the trustees of schools by resolution elect to
12 abolish the offices of township treasurer and trustee of
13 schools effective on July 1 immediately following the
14 election, then the offices shall be abolished on July 1
15 immediately following the election. On the date that the
16 offices of township treasurer and trustee of schools of a
17 township are deemed abolished by operation of law, the school
18 board of each elementary and unit school district and the
19 school board of each high school district that is subject to
20 the jurisdiction and authority of the township treasurer and
21 trustees of schools of that township at the time those offices
22 are abolished: (i) shall appoint its own school treasurer as
23 provided in Section 8-1; and (ii) unless the term of the
24 contract of a township treasurer expires on the date that the
25 office of township treasurer is abolished, shall pay to the
26 former township treasurer its proportionate share of any

1 aggregate compensation that, were the office of township
2 treasurer not abolished at that time, would have been payable
3 to the former township treasurer after that date over the
4 remainder of the term of the contract of the former township
5 treasurer that began prior to but ends after that date. In
6 addition, on the date that the offices of township treasurer
7 and trustee of schools of a township are deemed abolished as
8 provided in this subsection, the school board of each
9 elementary school, high school, and unit school district that
10 until that date is subject to the jurisdiction and authority
11 of the township treasurer and trustees of schools of that
12 township shall be deemed by operation of law to have agreed and
13 assumed to pay and, when determined, shall pay to the Illinois
14 Municipal Retirement Fund a proportionate share of the
15 unfunded liability existing in that Fund at the time these
16 offices are abolished in that calendar year for all annuities
17 or other benefits then or thereafter to become payable from
18 that Fund with respect to all periods of service performed
19 prior to that date as a participating employee in that Fund by
20 persons serving during those periods of service as a trustee
21 of schools, township treasurer or regular employee in the
22 office of the township treasurer of that township. That
23 unfunded liability shall be actuarially determined by the
24 board of trustees of the Illinois Municipal Retirement Fund,
25 and the board of trustees shall thereupon notify each school
26 board required to pay a proportionate share of that unfunded

1 liability of the aggregate amount of the unfunded liability so
2 determined. The amount so paid to the Illinois Municipal
3 Retirement Fund by each of those school districts shall be
4 credited to the account of the township in that Fund. For each
5 elementary school, high school, and unit school district under
6 the jurisdiction and authority of a township treasurer and
7 trustees of schools of a township in which those offices are
8 abolished as provided in this subsection, each such district's
9 proportionate share of the aggregate compensation payable to
10 the former township treasurer as provided in this paragraph
11 and each such district's proportionate share of the aggregate
12 amount of the unfunded liability payable to the Illinois
13 Municipal Retirement Fund as provided in this paragraph shall
14 be computed in accordance with the ratio that the number of
15 pupils in average daily attendance in each such district for
16 the school year last ending prior to the date on which the
17 offices of township treasurer and trustee of schools of that
18 township are abolished bears to the aggregate number of pupils
19 in average daily attendance in all of those districts as so
20 reported for that school year.

21 Upon abolition of the offices of township treasurer and
22 trustee of schools of a township as provided in this
23 subsection: (i) the Regional Office of Education ~~regional~~
24 ~~board of school trustees~~, in its corporate capacity, shall be
25 deemed the successor in interest to the former trustees of
26 schools of that township with respect to the common school

1 lands and township loanable funds of the township; (ii) all
2 right, title, and interest existing or vested in the former
3 trustees of schools of that township in the common school
4 lands and township loanable funds of the township, and all
5 records, moneys, securities and other assets, rights of
6 property and causes of action pertaining to or constituting a
7 part of those common school lands or township loanable funds,
8 shall be transferred to and deemed vested by operation of law
9 in the Regional Office of Education ~~regional board of school~~
10 ~~trustees~~, which shall hold legal title to, manage, and operate
11 all common school lands and township loanable funds of the
12 township, receive the rents, issues, and profits therefrom,
13 and have and exercise with respect thereto the same powers and
14 duties as are provided by this Code to be exercised by Regional
15 Offices of Education ~~regional boards of school trustees~~ when
16 acting as township land commissioners in counties having at
17 least 220,000 but fewer than 2,000,000 inhabitants; (iii) a
18 Regional Office of Education ~~the regional board of school~~
19 ~~trustees~~ shall select to serve as its treasurer with respect
20 to the common school lands and township loanable funds of the
21 township a person from time to time also serving as the
22 appointed school treasurer of any school district that was
23 subject to the jurisdiction and authority of the township
24 treasurer and trustees of schools of that township at the time
25 those offices were abolished, and the person selected to also
26 serve as treasurer of a Regional Office of Education ~~the~~

1 ~~regional board of school trustees~~ shall have his compensation
2 for services in that capacity fixed by the Regional Office of
3 Education ~~regional board of school trustees~~, to be paid from
4 the township loanable funds, and shall make to the Regional
5 Office of Education ~~regional board of school trustees~~ the
6 reports required to be made by treasurers of township land
7 commissioners, give bond as required by treasurers of township
8 land commissioners, and perform the duties and exercise the
9 powers of treasurers of township land commissioners; (iv) a
10 Regional Office of Education ~~the regional board of school~~
11 ~~trustees~~ shall designate in the manner provided by Section
12 8-7, insofar as applicable, a depository for its treasurer,
13 and the proceeds of all rents, issues, and profits from the
14 common school lands and township loanable funds of that
15 township shall be deposited and held in the account maintained
16 for those purposes with that depository and shall be expended
17 and distributed therefrom as provided in Section 15-24 and
18 other applicable provisions of this Code; and (v) whenever
19 there is vested in the trustees of schools of a township at the
20 time that office is abolished under this subsection the legal
21 title to any school buildings or school sites used or occupied
22 for school purposes by any elementary school, high school, or
23 unit school district subject to the jurisdiction and authority
24 of those trustees of school at the time that office is
25 abolished, the legal title to those school buildings and
26 school sites shall be deemed transferred by operation of law

1 to and invested in the school board of that school district, in
2 its corporate capacity under Section 10-22.35B of this Code,
3 the same to be held, sold, exchanged, leased, or otherwise
4 transferred in accordance with applicable provisions of this
5 Code.

6 Notwithstanding Section 2-3.25g of this Code, a waiver of
7 a mandate established under this Section may not be requested.

8 (d) Notwithstanding any other provision of law, any school
9 district that forms a part of a Class II county school unit
10 may, by a resolution adopted by at least two-thirds of the
11 members of the school board of a school district, withdraw a
12 school district from the jurisdiction and authority of the
13 trustees of schools of the township in which such school
14 district is located and from the jurisdiction and authority of
15 the township treasurer of the township in which such school
16 district is located, provided that the school board of the
17 school district shall, upon the adoption and passage of such
18 resolution, thereupon elect or appoint its own school
19 treasurer as provided in Section 8-1 of this Code. The
20 appointed school treasurer may include a township treasurer.
21 The school board may enter into a contractual or
22 intergovernmental agreement with an appointed school treasurer
23 for school treasurer services.

24 Upon adoption and passage of the resolution and the
25 election or appointment by the school board of its own school
26 treasurer commencing with the first day of the succeeding

1 fiscal year, but not prior to July 1, 2025: (1) the trustees of
2 schools in the township or townships shall no longer have or
3 exercise any powers or duties with respect to the school
4 district or with respect to the school business, operations,
5 or assets of the school district; (2) all books and records of
6 the trustees of schools and all moneys, securities, loanable
7 funds, and other assets relating to the school business and
8 affairs of the school district shall be transferred and
9 delivered to the school board; and (3) all legal title to and
10 all right, title, and interest formerly held by the trustees
11 of schools in any common school lands, school buildings, or
12 school sites used and occupied by the school board and all
13 rights of property and causes of action pertaining to or
14 constituting a part of the common school lands, buildings, or
15 sites shall be deemed transferred by operation of law to and
16 shall vest in the school board.

17 (Source: P.A. 103-144, eff. 6-30-23; 103-790, eff. 8-9-24;
18 104-417, eff. 8-15-25.)

19 (105 ILCS 5/5-17) (from Ch. 122, par. 5-17)

20 Sec. 5-17. Payment of claims - Apportionment and
21 distribution of funds. At the regular meetings, the trustees
22 shall appropriate and pay from the income of the permanent
23 township fund, if it is sufficient, all valid claims for the
24 following:

25 1. The compensation of the treasurer.

1 2. The cost of publishing the annual statement.

2 3. The cost of a record book, if any.

3 4. The cost of dividing school lands and making plats.

4 If the income of the permanent township fund is not
5 sufficient to meet such items the additional amount needed may
6 be taken from the total of other funds subject to
7 distribution, each district -- exclusive of any district which
8 has withdrawn from the jurisdiction and authority of the
9 trustees of schools of the township and which has elected or
10 appointed its own school treasurer as provided in subsection
11 (b) of Section 5-1 -- being charged as its share of such items
12 the proportion which the amount of school funds of the
13 district handled by the township treasurer bears to the total
14 amount of all school funds handled by such treasurer.

15 In Class II county school units (excluding therefrom,
16 however, any township therein in which the offices of township
17 treasurer and trustee of schools have been abolished as
18 provided in subsection (c) of Section 5-1) if any balance of
19 the income from the permanent township fund in any township
20 remains after paying such items, such balance shall be
21 apportioned and distributed to the districts and parts of
22 districts in the township -- including any district which has
23 withdrawn from the jurisdiction and authority of the trustees
24 of schools of the township and which has elected or appointed
25 its own school treasurer as provided in subsection (b) of
26 Section 5-1 -- in which schools have been kept as required by

1 law during the preceding year ending June 30, according to the
2 number of pupils in average daily attendance in grades one to
3 eight inclusive. At the semi-annual meetings in all such
4 townships all remaining funds subject to distribution shall be
5 apportioned and distributed to the districts and parts of
6 districts in the township in which schools have been kept as
7 required by law during the preceding year ending June 30, in
8 the manner and subject to the limitations prescribed in
9 Sections 18-2 through 18-11 for the distribution of the common
10 school fund among the counties, provided that -- except for
11 any balance of the income from the permanent township fund
12 remaining after payment of the items set forth in
13 subparagraphs 1, 2, 3 and 4 of this Section -- no funds shall
14 be apportioned or distributed to any school district which has
15 withdrawn from the jurisdiction and authority of the trustees
16 of schools and appointed its own school treasurer pursuant to
17 Section 5-1; and the trustees shall direct the treasurer to
18 make a regular monthly apportionment and distribution between
19 semi-annual meetings, in the manner prescribed by those
20 sections, of any available funds on hand from the common
21 school fund. The funds distributed shall be credited to the
22 respective districts and parts of districts.

23 In Class I county school units and in any township forming
24 a part of a Class II county school unit in which township the
25 offices of township treasurer and trustee of schools have been
26 abolished as provided in subsection (c) of Section 5-1, if any

1 balance of income from the permanent township fund in any
2 township remains after paying such items, such balance or a
3 part thereof equal to but not greater than the then current tax
4 levy or tax levies for common school purposes by all the school
5 districts or parts of school districts in said township on
6 property in said township in process of collection in the
7 county wherein the township having such fund is located,
8 shall, upon an order drawn by the treasurer and signed by the
9 president and secretary of the township land commissioners or
10 Regional Office of Education ~~regional board of school~~
11 ~~trustees~~, be paid annually on or before February 1 to the
12 County Treasurer of the county in which such township is
13 situated. It shall then be the duty of the County Treasurer to
14 apply and credit the sum so received upon all tax bills for
15 school purposes of the taxpayers in the township, said sum to
16 be applied and credited proportionately upon the basis of the
17 value of assessed property represented by each such tax bill.
18 Any sum received by the County Treasurer in excess of the
19 amount required to discharge in full the amount of all taxes
20 for school purposes so extended against taxable property
21 within the township shall be held by the County Treasurer and
22 applied to taxes subsequently extended for such purposes:
23 Provided, that if a petition, signed by at least 5% of the
24 legal voters of the township, is presented to the regional
25 superintendent of schools of the educational service region in
26 which the township is located requesting a vote on the

1 proposition that such balance of the income from the permanent
2 township fund shall be apportioned and distributed to the
3 districts and parts of districts in the township in which
4 schools have been kept as required by law during the preceding
5 year ending June 30, according to the number of pupils in
6 average daily attendance in grades one to eight, inclusive,
7 upon an order drawn by the treasurer and signed by the
8 president and secretary of the township land commissioners or
9 Regional Office of Education ~~regional board of school~~
10 ~~trustees~~, to be paid annually on or before February 1, the
11 regional superintendent of schools shall certify to the proper
12 election authority the proposition for submission to the
13 voters of the township in accordance with the general election
14 law. The treasurer shall cause a copy of the order to be
15 published in one or more newspapers published in the county
16 school unit within 10 days after the order is drawn. If no
17 newspaper is published in the county school unit, the order
18 shall be published in a newspaper having general circulation
19 within the county school unit. The publication of the order
20 shall include a notice of (1) the specific number of voters
21 required to sign a petition requesting that the proposition to
22 apportion and distribute to the several school districts the
23 excess of the income from the permanent township fund be
24 submitted to the voters of the township; (2) the time within
25 which the petition must be filed; and (3) the date of the
26 prospective referendum. The treasurer shall provide a petition

1 form to any individual requesting one. If the proposition
2 receives a majority of the votes cast thereon, it shall
3 supersede the preceding provisions for the distribution of
4 such balance.

5 (Source: P.A. 94-1105, eff. 6-1-07.)

6 (105 ILCS 5/6-17) (from Ch. 122, par. 6-17)

7 Sec. 3-17 ~~6-17~~. Election of president - Terms of members.
8 Except as otherwise provided in Section 2A-54 of the Election
9 Code, on the third Monday in May, following the first
10 election, or if such day is a holiday then the next day, the
11 regional superintendent of schools who shall be the ex-officio
12 secretary of the board shall convene the newly elected
13 regional board of school trustees for the purpose of
14 organization. Except as provided in Section 2A-54 of the
15 Election Code, at this meeting the members shall elect a
16 president from among their number who shall serve as president
17 for a term of 2 years and shall determine by lot the length of
18 the term of each member so that 2 shall serve for a term of 2
19 years, 2 for 4 years and 3 for 6 years from the third Monday of
20 the month following the date of their election. Except as
21 provided in Section 2A-54 of the Election Code, thereafter
22 members shall be elected to serve for a term of 6 years from
23 the third Monday of the month following the date of their
24 election or until their successors are elected and qualified.

25 All succeeding meetings for the purpose of organization

1 shall be held on the third Monday in May following the
2 election; however, in case the third Monday in May is a holiday
3 the organization meeting shall be held on the next day.

4 If educational service regions are consolidated under
5 Section 3A-3 or 3A-4 of this Act, however, the expiring terms
6 of members of each regional board of school trustees in those
7 regions being consolidated shall be extended so as to
8 terminate on the first Monday of August of the year that
9 consolidation takes effect, as defined in Section 3A-5 of this
10 Act, and, on such day, the Regional Superintendent of the
11 consolidated region shall convene all the members of each
12 regional board of school trustees in the consolidated region,
13 and shall by lot select from among such trustees an interim
14 regional board of school trustees for the consolidated region
15 in accord with the specifications as to membership and
16 residency in Section 6-2. The interim board so selected shall
17 serve until their successors are elected at the succeeding
18 regular election of regional school trustees and have
19 qualified. A single regional board of school trustees shall be
20 elected at such succeeding regular election to take office on
21 the third Monday of the month following such election. The
22 board elected for the consolidated region shall be convened on
23 such third Monday of the month following such election for
24 organizational purposes, to elect a president and determine
25 terms for its members by lot as provided in this Section. The
26 respective regional boards of school trustees of educational

1 service regions involved in consolidations under Section 3A-3
2 or 3A-4 shall cease to exist at the time the board elected for
3 the consolidated region is so organized.

4 Beginning on the effective date of this amendatory Act of
5 the 104th General Assembly, the expiring terms of members of
6 each regional board of school trustees shall be extended so as
7 to terminate on the August 7, 2028.

8 This Section is repealed on August 7, 2028.

9 (Source: P.A. 93-847, eff. 7-30-04.)

10 (105 ILCS 5/7-01b)

11 Sec. 7-01b. Definition. In this Article, "legal resident
12 voter" means a person who is registered to vote at the time a
13 circulated petition is filed and when the Regional Office of
14 Education ~~regional board of school trustees~~ renders a
15 decision, at the address shown opposite his or her signature
16 on the petition, and resides in the detaching territory or
17 dissolving school district.

18 (Source: P.A. 100-374, eff. 8-25-17.)

19 (105 ILCS 5/7-04) (from Ch. 122, par. 7-04)

20 Sec. 7-04. Districts in educational service regions of
21 2,000,000 or more inhabitants.

22 (a) In all proceedings under this Article to change by
23 detachment, annexation, division, dissolution, or any
24 combination of those methods the boundaries of any school

1 district (other than a school district organized under Article
2 34) located in an educational service region of 2,000,000 or
3 more inhabitants ~~in which the regional board of school~~
4 ~~trustees is abolished as provided in subsection (a) of Section~~
5 ~~6-2~~, the trustees of schools of the township that has
6 jurisdiction and authority over the detaching or dissolving
7 school district, as the successor ~~under subsection (b) of~~
8 ~~Section 6-2 to the former regional board of school trustees~~
9 ~~with respect~~ to all territory located in that school township,
10 shall have, exercise, and perform all powers, duties, and
11 responsibilities required under this Article to be exercised
12 and performed in those proceedings ~~by a regional board of~~
13 ~~school trustees~~; provided that if any detaching or dissolving
14 school district involved in those proceedings is not under the
15 jurisdiction and authority of the trustees of schools of a
16 township referred to in subsection (b) of Section 5-1, a
17 hearing panel as established in this Section shall have,
18 exercise, and perform all powers, duties, and responsibilities
19 required under this Article to be exercised and performed in
20 those proceedings with respect to the detaching or dissolving
21 school district ~~by a regional board of school trustees~~.

22 (a-5) As applicable, the hearing panel shall be made up of
23 3 persons who have a demonstrated interest and background in
24 education. Each hearing panel member must reside within an
25 educational service region of 2,000,000 or more inhabitants
26 but not within the boundaries of a school district organized

1 under Article 34 of this Code and may not be a current school
2 board member of the detaching or dissolving or annexing school
3 district or a current employee of the detaching or dissolving
4 or annexing school district or hold any county office. None of
5 the hearing panel members may reside within the same school
6 district. All 3 persons must be selected by the chief
7 administrative officer of the educational service center in
8 which the chief administrative officer has supervision and
9 control, as defined in Section 3-14.2 of this Code, of the
10 detaching or dissolving school district. The members of a
11 hearing panel as established in this Section shall serve
12 without remuneration; however, the necessary expenses,
13 including travel, attendant upon any meeting or hearing in
14 relation to a proceeding under this Article must be paid.

15 (a-10) The petition must be filed with the trustees of
16 schools of the township with jurisdiction and authority over
17 the detaching or dissolving school district or with the chief
18 administrative officer of the educational service center in
19 which the chief administrative officer has supervision and
20 control, as defined in Section 3-14.2 of this Code, of the
21 detaching or dissolving school district, as applicable. The
22 chief administrative officer of the educational service center
23 or a person designated by the trustees of schools of the
24 township, as applicable, shall have, exercise, and perform all
25 powers, duties, and responsibilities required under this
26 Article that are otherwise assigned to regional

1 superintendents of schools.

2 (b) Except as otherwise provided in this Section, all
3 other provisions of this Article shall apply to any
4 proceedings under this Article to change the boundaries of any
5 school district located in an educational service region
6 having 2,000,000 or more inhabitants in the same manner that
7 those provisions apply to any proceedings to change the
8 boundaries of any school district located in any other
9 educational service region; ~~provided, that any reference in~~
10 ~~those other provisions to the regional board of school~~
11 ~~trustees shall mean, with respect to all territory within an~~
12 ~~educational service region containing 2,000,000 or more~~
13 ~~inhabitants that formerly was served by a regional board of~~
14 ~~school trustees abolished under subsection (a) of Section 6-2,~~
15 ~~the trustees of schools of the township that is the successor~~
16 ~~under subsection (b) of Section 6-2 to the former regional~~
17 ~~board of school trustees with respect to the territory~~
18 ~~included within that school township or school district or the~~
19 ~~hearing panel as established by this Section.~~

20 (Source: P.A. 100-374, eff. 8-25-17.)

21 (105 ILCS 5/7-1) (from Ch. 122, par. 7-1)

22 Sec. 7-1. Changing boundaries by detachment or
23 dissolution.

24 (a) School district boundaries may be changed by
25 detachment, annexation, division or dissolution or any

1 combination thereof by a Regional Office of Education ~~the~~
2 ~~regional board of school trustees~~ or by the State
3 Superintendent of Education as provided in subsection (1) of
4 Section 7-6.

5 The petition must be filed with and decided solely by the
6 Regional Office of Education ~~regional board of school trustees~~
7 of the region in which the regional superintendent of schools
8 has supervision and control, as defined in Section 3-14.2 of
9 this Code, of the detaching or dissolving school district. The
10 petition may be filed in any office operated by the regional
11 superintendent with supervision and control, as defined in
12 Section 3-14.2 of this Code, of the detaching or dissolving
13 school district.

14 A petition for boundary change must be filed by the school
15 board of the detaching or dissolving district, by a majority
16 of the legal resident voters in the dissolving district, or by
17 two-thirds of a combination of the legal resident voters and
18 the owners of record of any real estate with no legal resident
19 voters in any territory proposed to be detached. If any of the
20 territory proposed to be detached contains real estate with no
21 legal resident voters, petitioners shall deliver the petition
22 by certified mail, return receipt requested, to all owners of
23 record of any real estate with no legal resident voters. Proof
24 of such delivery must be presented as evidence at the hearing
25 required under Section 7-6 of this Code. Any owner of record of
26 real estate with no legal resident voters in any territory

1 proposed to be detached may either sign the petition in person
2 and before the circulator as described in this Section or
3 return the petition with his or her notarized signature to be
4 included as a petitioner. No person may sign a petition in the
5 capacity of both a legal resident voter and owner of record. If
6 there are no legal resident voters within the territory
7 proposed to be detached, then the petition must be signed by
8 all of the owners of record of the real estate of the
9 territory. Legal resident voters shall be determined by the
10 official voter registration lists as of the date the petition
11 is filed. No signatures shall be added or withdrawn after the
12 date the petition is filed. The length of time for signatures
13 to be valid, before filing of the petition, shall not exceed 6
14 months. Notwithstanding any provision to the contrary
15 contained in the Election Code, the regional superintendent of
16 schools shall make all determinations regarding the validity
17 of the petition, including, without limitation, signatures on
18 the petition. If the regional superintendent determines that
19 the petition is not in proper order or not in compliance with
20 any applicable petition requirements, the regional
21 superintendent may not accept the petition for filing and may
22 return the petition to the petitioners. Any party who is
23 dissatisfied with the determination of the regional
24 superintendent regarding the validity of the petition may
25 appeal the regional superintendent's decision to the Regional
26 Office of Education ~~regional board of school trustees~~ by

1 motion, and the motion must be heard by the Regional Office of
2 Education ~~regional board of school trustees~~ prior to any
3 hearing on the merits of the petition.

4 Petitions for detachment and dissolution shall include the
5 full prayer of the petition with a general description of the
6 territory at the top of each page. Each signature contained
7 therein shall match the official signature and address of the
8 legal resident voters as recorded in the office of the county
9 clerk or board of election commissioners, and each petitioner
10 shall record the date of his or her signing. Except in
11 instances of a notarized signature of an owner of record of
12 real estate with no legal resident voters in any territory
13 proposed to be detached, each page of the circulated petition
14 shall be signed by a circulator stating that he or she has
15 witnessed the signature of each petitioner on that page.
16 Detachment petitions containing 10 or fewer signatures may be
17 notarized in lieu of a circulator statement. Each petition
18 shall include an accurate legal description and map of the
19 territory proposed to be detached. If a petition proposes to
20 dissolve an entire district, then the full name and number of
21 the district and a map are sufficient. Each petition shall
22 include the names of petitioners; the district to be dissolved
23 or the district from which the territory is proposed to be
24 detached; the district or districts to which the territory is
25 proposed to be annexed; evidence that the detaching or
26 dissolving territory is compact and contiguous with the

1 annexing district or districts or otherwise meets the
2 requirements set forth in Section 7-4 of this Code; the
3 referendum date, if applicable; and facts that support
4 favorable findings for the factors to be considered by the
5 Regional Office of Education ~~regional board of school trustees~~
6 pursuant to Section 7-6 of this Code.

7 Where there is only one school building in an approved
8 operating district, the building and building site may not be
9 included in any detachment proceeding.

10 Notwithstanding any other provisions of this Code, if,
11 pursuant to a petition filed under this subsection (a), all of
12 the territory of a school district is to be annexed to another
13 school district, then any action by the Regional Office of
14 Education ~~regional board of school trustees~~ in granting or
15 approving the petition and any change in school district
16 boundaries pursuant to that action is subject to and the
17 change in school district boundaries may not be made except
18 upon approval, at a regular scheduled election, in the manner
19 provided by Section 7-7.7 of this Code, of a proposition for
20 the annexation of all of the territory of that school district
21 to the other school district.

22 No petition may be filed under this Section to form a new
23 school district under this Article; however, such a petition
24 may be filed under this Section to form a new school district
25 if the boundaries of such new school district lie entirely
26 within the boundaries of a military base or installation

1 operated and maintained by the government of the United
2 States.

3 (b) Any elementary or high school district with 100 or
4 more of its students residing upon territory located entirely
5 within a military base or installation operated and maintained
6 by the government of the United States, or any unit school
7 district or any combination of the above mentioned districts
8 with 300 or more of its students residing upon territory
9 located entirely within a military base or installation
10 operated and maintained by the government of the United
11 States, shall, upon the filing with the Regional Office of
12 Education ~~regional board of school trustees~~ of a petition
13 adopted by resolution of the board of education or a petition
14 signed by a majority of the registered voters residing upon
15 such military base or installation, have all of the territory
16 lying entirely within such military base or installation
17 detached from such school district, and a new school district
18 comprised of such territory shall be created. The petition
19 shall be filed with and decided solely by the Regional Office
20 of Education ~~regional board of school trustees~~ of the region
21 in which the regional superintendent of schools has
22 supervision and control, as defined by Section 3-14.2 of this
23 Code, of the school district affected. The Regional Office of
24 Education ~~regional board of school trustees~~ shall have no
25 authority to deny the detachment and creation of a new school
26 district requested in a proper petition filed under this

1 subsection. This subsection shall apply only to those school
2 districts having a population of not fewer than 1,000 and not
3 more than 500,000 residents, as ascertained by any special or
4 general census.

5 The new school district shall tuition its students to the
6 same districts that its students were previously attending and
7 the districts from which the new district was detached shall
8 continue to educate the students from the new district, until
9 the federal government provides other arrangements. The
10 federal government shall pay for the education of such
11 children as required by Section 6 of Public Law 81-874.

12 If a school district created under this subsection (b) has
13 not elected a school board and has not become operational
14 within 2 years after the date of detachment, then this
15 district is automatically dissolved and the territory of this
16 district reverts to the school district from which the
17 territory was detached or any successor district thereto. Any
18 school district created under this subsection (b) on or before
19 September 1, 1996 that has not elected a school board and has
20 not been operational since September 1, 1996 is automatically
21 dissolved on the effective date of this amendatory Act of
22 1999, and on this date the territory of this district reverts
23 to the school district from which the territory was detached.
24 For the automatic dissolution of a school district created
25 under this subsection (b), the regional superintendent of
26 schools who has supervision and control, as defined by Section

1 3-14.2 of this Code, of the school district from which the
2 territory was detached shall certify to the Regional Office of
3 Education ~~regional board of school trustees~~ that the school
4 district created under this subsection (b) has been
5 automatically dissolved.

6 (Source: P.A. 100-374, eff. 8-25-17.)

7 (105 ILCS 5/7-2a) (from Ch. 122, par. 7-2a)

8 Sec. 7-2a. (a) (Blank).

9 (b) Any school district with a population of less than
10 5,000 residents or an enrollment of less than 750 students, as
11 determined by the district's most recent fall enrollment
12 counts as posted on the State Board of Education's website,
13 shall be dissolved and its territory annexed as provided in
14 Section 7-11 of this Code by the Regional Office of Education
15 ~~regional board of school trustees~~ upon the filing of a
16 petition adopted by resolution of the board of education or
17 signed by a majority of the legal resident voters of the
18 district seeking such dissolution. No petition shall be
19 adopted or signed under this subsection until the board of
20 education or the petitioners, as the case may be, shall have
21 given at least 10 days' notice to be published once in a
22 newspaper having general circulation in the district and shall
23 have conducted a public informational meeting to inform the
24 residents of the district of the proposed dissolution and to
25 answer questions concerning the proposed dissolution. The

1 petition shall be filed with and decided solely by the
2 Regional Office of Education ~~regional board of school trustees~~
3 of the region in which the regional superintendent of schools
4 has supervision and control, as defined by Section 3-14.2 of
5 this Code, of the school district being dissolved.

6 The Regional Office of Education ~~regional board of school~~
7 ~~trustees~~ shall not act on a petition filed by a board of
8 education if within 45 days after giving the first notice of
9 the hearing required under Section 7-11 of this Code a
10 petition in opposition to the petition of the board to
11 dissolve, signed by a majority of the legal resident voters of
12 the district, is filed with the Regional Office of Education
13 ~~regional board of school trustees~~. In such an event, the
14 dissolution petition is dismissed on procedural grounds by
15 operation of law and the Regional Office of Education ~~regional~~
16 ~~board of school trustees~~ shall have no further authority to
17 consider the petition. A dissolution petition dismissed as the
18 result of a valid opposition petition is not subject to the
19 limitation on successive petitions as provided in Section 7-8
20 of this Code, and a new petition may be filed upon receipt of
21 the Regional Office of Education's ~~regional board of school~~
22 ~~trustees'~~ notice stating that the original petition was
23 dismissed by operation of law.

24 For all petitions under this Section, the legal resident
25 voters must be determined by the official voter registration
26 lists as of the date the petition is filed. No signatures may

1 be added or withdrawn after the date the petition is filed. The
2 length of time for signatures to be valid, before filing of the
3 petition, may not exceed 6 months. Notwithstanding any
4 provision to the contrary contained in the Election Code, the
5 regional superintendent of schools shall make all
6 determinations regarding the validity of the petition,
7 including, without limitation, signatures on the petition. Any
8 party who is dissatisfied with the determination of the
9 regional superintendent regarding the validity of the petition
10 may appeal the regional superintendent's decision to the
11 Regional Office of Education ~~regional board of school trustees~~
12 by motion, and the motion must be heard by the Regional Office
13 of Education ~~regional board of school trustees~~ prior to any
14 hearing on annexing the territory of a district being
15 dissolved. If no opposition petition is timely filed, the
16 Regional Office of Education ~~regional board of school trustees~~
17 shall have no authority to deny dissolution requested in a
18 proper petition for dissolution filed under this Section, but
19 shall exercise its discretion in accordance with Section 7-11
20 of this Code on the issue of annexing the territory of a
21 district being dissolved, giving consideration to but not
22 being bound by the wishes expressed by the residents of the
23 various school districts that may be affected by such
24 annexation.

25 (Source: P.A. 99-657, eff. 7-28-16; 100-374, eff. 8-25-17.)

1 (105 ILCS 5/7-2b) (from Ch. 122, par. 7-2b)

2 Sec. 7-2b. Annexation of non-coterminous territory from an
3 elementary or high school district.

4 (a) Any contiguous portion of a high school district that
5 constitutes 5% or less of the equalized assessed value of the
6 district and 5% or less of the territory of the district shall
7 upon petition of two-thirds of the registered voters of the
8 territory proposed to be detached and annexed be so detached
9 and annexed by the a Regional Office of Education ~~regional~~
10 ~~board of school trustees~~ if granting such petition shall make
11 the affected segment of the boundaries of the high school
12 district the territory is proposed to be annexed to identical,
13 for the entirety of such affected segment, to the boundaries
14 of the elementary school district in which the territory is
15 located.

16 Any contiguous portion of an elementary school district
17 that constitutes 5% or less of the equalized assessed value of
18 the district and 5% or less of the territory of the district
19 shall upon petition of two-thirds of the registered voters of
20 the territory proposed to be detached and annexed be so
21 detached and annexed by the a Regional Office of Education
22 ~~regional board of school trustees~~ if granting such petition
23 shall make the affected segment of the boundaries of the
24 elementary school district the territory is proposed to be
25 annexed to identical, for the entirety of such affected
26 segment, to the boundaries of the high school district in

1 which the territory is located.

2 A Regional Office of Education ~~The regional board of~~
3 ~~school trustees~~ shall have no authority or discretion to hear
4 any evidence or consider any issues except those that may be
5 necessary to determine whether the limitations and conditions
6 of this Section have been met.

7 No district may lose more than 5% of its equalized
8 assessed value or more than 5% of its territory through
9 petitions filed under this Section. If a petition seeks to
10 detach territory that would result in a cumulative total of
11 more than 5% of a district's equalized assessed value or more
12 than 5% of the district's territory being detached under this
13 Section, the petition shall be denied without prejudice to its
14 being filed pursuant to Section 7-6 of this Code.
15 Notwithstanding any other provision of this Section, this
16 paragraph shall apply to any detachments effected pursuant to
17 the provisions of this Section as they existed prior to the
18 effective date of this amendatory Act of the 91st General
19 Assembly.

20 (b) At any time prior to the granting of the petition
21 calling for the detachment and annexation of non-coterminous
22 territory under this Section, the Committee of Ten designated
23 in the petition may amend the petition to withdraw the
24 detachment and annexation proposal and substitute in its place
25 a proposal to require the school district from which the
26 territory would have been detached to pay the per capita

1 tuition costs for each pupil residing in the non-coterminous
2 territory to attend the school district to which the territory
3 would have been annexed. If such amended petition is granted,
4 the school district from which the territory would have been
5 detached shall pay to the school district to which the
6 territory would have been annexed the per capita tuition costs
7 as determined under Section 10-20.12a for each pupil residing
8 in the territory who chooses to attend the school district to
9 which the territory would have been annexed. Notwithstanding
10 the provisions of Section 10-22.5, the school district to
11 which the territory would have been annexed shall admit any
12 pupil that resides in the non-coterminous territory and
13 provide such pupils with any services of the school. The
14 payment and collection of tuition and any other such matters
15 as may need to be resolved shall be established by an
16 intergovernmental agreement developed between the two affected
17 school districts. Section 7-6 of this Code shall apply to
18 petitions filed under this Section except as otherwise
19 provided in this Section.

20 The changes made by this amendatory Act of the 91st
21 General Assembly shall not apply to petitions pending on the
22 effective date of this amendatory Act of the 91st General
23 Assembly.

24 (Source: P.A. 91-46, eff. 6-30-99.)

25 (105 ILCS 5/7-2.4) (from Ch. 122, par. 7-2.4)

1 Sec. 7-2.4. A petition for detachment of territory from a
2 special charter district with annexation to another school
3 district, for detachment of territory from a school district
4 with annexation to a special charter district, or for
5 dissolution of a school district with annexation to a special
6 charter district must be filed with the governing body of the
7 special charter district, and a certified copy thereof must be
8 sent to each other detaching, dissolving, or annexing school
9 district and to the Regional Office of Education ~~regional~~
10 ~~board of school trustees~~ of the region in which the regional
11 superintendent has supervision and control, as defined in
12 Section 3-14.2 of this Code, of the detaching or dissolving
13 district. A petition for such annexation or detachment of
14 territory must be filed by the school board of the detaching or
15 dissolving district, by a majority of the legal resident
16 voters in the dissolving district, or by two-thirds of a
17 combination of the legal resident voters and the owners of
18 record of any real estate with no legal resident voters in any
19 territory proposed to be detached. If any of the territory
20 proposed to be detached contains real estate with no legal
21 resident voters, petitioners shall deliver the petition by
22 certified mail, return receipt requested, to all owners of
23 record of any real estate with no legal resident voters. Proof
24 of the delivery must be presented as evidence at any hearing
25 required by Section 7-2.6 of this Code. Any owner of record of
26 real estate with no legal resident voters in any territory

1 proposed to be detached may either sign the petition in person
2 and before the circulator as described in Section 7-1 of this
3 Code or return the petition with his or her notarized
4 signature to be included as a petitioner. No person may sign a
5 petition in the capacity of both a legal resident voter and
6 owner of record. If there are no legal resident voters within
7 the territory proposed to be detached, then the petition must
8 be signed by all of the owners of record of the real estate of
9 the territory. Petitions must contain all of the elements set
10 forth in subsection (a) of Section 7-1 of this Code.

11 Where there is only one school building in an approved
12 operating school district, the building and building site may
13 not be included in any detachment proceeding.

14 (Source: P.A. 100-374, eff. 8-25-17.)

15 (105 ILCS 5/7-2.5) (from Ch. 122, par. 7-2.5)

16 Sec. 7-2.5. If no objection to the dissolution or
17 detachment of territory prayed for in a petition under Section
18 7-2.4 of this Code is filed with the special charter school
19 district or with the Regional Office of Education ~~regional~~
20 ~~board of school trustees~~ within 30 days after the filing of
21 such petition, the dissolution or detachment of territory
22 takes effect, subject to Section 7-9 of this Code. However, if
23 an objection to the proposed dissolution or detachment of
24 territory is filed with either the special charter district or
25 a Regional Office of Education ~~the regional board of school~~

1 ~~trustees, a Regional Office of Education~~ ~~the regional board of~~
2 ~~school trustees,~~ within 15 days after receiving the objection,
3 shall appoint 2 legal resident voters from the district or
4 districts under its jurisdiction and involved in the proposed
5 dissolution or detachment of territory, subject to the
6 approval of the boards of education of the districts involved
7 in the proposed dissolution or detachment of territory, and
8 the board or governing body of the special charter district
9 shall appoint 2 legal resident voters from the special charter
10 district. Those 4 appointees shall meet within 20 days of
11 their appointment and by a majority vote select 3 persons who
12 reside outside the jurisdiction of the districts involved in
13 the proposed dissolution or detachment of territory and who
14 have a demonstrated interest and background in education. If a
15 majority of the original 4 appointees cannot agree on the
16 selection of the 3 additional members within 20 days of their
17 appointment, the State Board of Education shall select the 3
18 additional persons, subject to the same criteria as required
19 when selection is by the 4 appointees. The 4 appointees and the
20 3 additional persons selected under this Section constitute
21 the Hearing Board and 4 members shall constitute a quorum.

22 Within 10 days after the Hearing Board has been selected
23 the regional superintendent of schools of the region in which
24 the special charter district is located shall call an
25 organization meeting of said Hearing Board.

26 (Source: P.A. 100-374, eff. 8-25-17.)

1 (105 ILCS 5/7-4) (from Ch. 122, par. 7-4)

2 Sec. 7-4. Requirements for granting petitions. No petition
3 shall be granted under Section 7-1 of this Code:

4 (a) If there will be any non-high school territory
5 resulting from the granting of the petition.

6 (b) (Blank).

7 (c) Unless the territory within any district whose
8 boundaries are affected by the granting of a petition
9 shall after the granting thereof be compact and
10 contiguous, except as provided in Section 7-6 of this Code
11 or as otherwise provided in this subdivision (c). The fact
12 that a district is divided by territory lying within the
13 corporate limits of the city of Chicago shall not render
14 it non-compact or non-contiguous. If, pursuant to a
15 petition filed under Section 7-1 of this Code, all of the
16 territory of a district is to be annexed to another
17 district, then the annexing district and the annexed
18 district need not be contiguous if the following
19 requirements are met and documented within 2 calendar
20 years prior to the petition filing date:

21 (1) the distance between each district
22 administrative office is documented as no more than 30
23 miles;

24 (2) every district contiguous to the district
25 wishing to be annexed determines that it is not

1 interested in participating in a petition filed under
2 Section 7-1 of this Code, through a vote of its school
3 board, and documents that non-interest in a letter to
4 a Regional Office of Education ~~the regional board of~~
5 ~~school trustees~~ containing approved minutes that
6 record the school board vote; and

7 (3) documentation of meeting these requirements
8 are presented as evidence at the hearing required
9 under Section 7-6 of this Code.

10 (d) (Blank).

11 (Source: P.A. 100-374, eff. 8-25-17.)

12 (105 ILCS 5/7-5) (from Ch. 122, par. 7-5)

13 Sec. 7-5. Detachment set aside upon petition. If there is
14 a recognized school district which as a result of detachment
15 is without a school building, the detachment may be set aside
16 by the Regional Office of Education ~~regional board of school~~
17 ~~trustees~~ of the region in which the regional superintendent of
18 schools had supervision and control, as defined in Section
19 3-14.2 of this Code, prior to the detachment upon petition by
20 two-thirds of the eligible voters in the school district after
21 such detachment and the detached area. The Regional Office of
22 Education ~~regional board of school trustees~~ shall conduct a
23 hearing upon the petition as prescribed and in the manner
24 provided in Section 7-6 of this Code.

25 (Source: P.A. 100-374, eff. 8-25-17.)

1 (105 ILCS 5/7-6) (from Ch. 122, par. 7-6)

2 Sec. 7-6. Petition filing; notice; hearing; decision.

3 (a) An employee of a Regional Office of Education ~~The~~
4 ~~secretary of the regional board of school trustees or his or~~
5 ~~her designee,~~ the chief administrative officer of an
6 educational service center under Section 7-04 of this Code or
7 his or her designee, or the person designated by the trustees
8 of schools of the township in accordance with subsection
9 (a-10) of Section 7-04 of this Code, as appropriate, shall
10 receive the filing of the petition, make the determination of
11 validity in accordance with subsection (a) of Section 7-1 of
12 this Section, publish the notice, conduct the hearing, and
13 issue the final order. Upon the filing of a petition with an
14 employee of a Regional Office of Education ~~the secretary of~~
15 ~~the regional board of school trustees~~ under the provisions of
16 Section 7-1 of this Code, the secretary shall cause a copy of
17 such petition to be given to the president of the school board
18 of each detaching or dissolving and annexing school district
19 and shall cause a notice thereof to be published once in a
20 newspaper having general circulation within the area of the
21 detaching or dissolving and annexing territory described in
22 the petition.

23 (b) (Blank).

24 (b-5) If a petition filed under Section 7-1 of this Code
25 proposes to annex all the territory of a school district to

1 another school district, the petition shall request the
2 submission of a proposition at a regular scheduled election
3 for the purpose of voting for or against the annexation of the
4 territory described in the petition to the school district
5 proposing to annex that territory. No petition filed or
6 election held under this Article shall be null and void,
7 invalidated, or deemed in noncompliance with the Election Code
8 because of a failure to publish a notice with respect to the
9 petition or referendum as required under subsection (g) of
10 Section 28-2 of that Code for petitions that are not filed
11 under this Article or Article 11E of this Code.

12 (c) When a petition contains more than 10 signatures the
13 petition shall designate a committee of 10 of the petitioners
14 as attorney in fact for all petitioners, any 7 of whom may make
15 binding stipulations on behalf of all petitioners as to any
16 question with respect to the petition or hearing, and a
17 Regional Office of Education ~~the regional board of school~~
18 ~~trustees~~ may accept such stipulation in lieu of evidence or
19 proof of the matter stipulated. The committee of petitioners
20 shall have the same power to stipulate to accountings or
21 waiver thereof between school districts; however, a Regional
22 Office of Education ~~the regional board of school trustees~~ may
23 refuse to accept such stipulation. Those designated as the
24 committee of 10 shall serve in that capacity until such time as
25 the regional superintendent of schools or the committee of 10
26 determines that, because of death, resignation, transfer of

1 residency from the territory, or failure to qualify, the
2 office of a particular member of the committee of 10 is vacant.
3 Upon determination that a vacancy exists, the remaining
4 members shall appoint a petitioner to fill the designated
5 vacancy on the committee of 10. The appointment of any new
6 members by the committee of 10 shall be made by a simple
7 majority vote of the remaining designated members.

8 (d) The petition may be amended to withdraw not to exceed a
9 total of 10% of the territory in the petition at any time prior
10 to the hearing; provided that the petition shall after
11 amendment comply with the requirements as to the number of
12 signatures required on an original petition.

13 (e) The petitioners shall pay the expenses of publishing
14 the notice and any transcript taken at the hearing and mailing
15 the final order; and, in case of an appeal from the decision of
16 a Regional Office of Education ~~the regional board of school~~
17 ~~trustees~~ or State Superintendent of Education in cases
18 determined under subsection (l) of this Section, the
19 appellants shall pay the cost of preparing the record for
20 appeal. The regional superintendent of schools with whom the
21 petition is filed may request a deposit at the time of filing
22 to cover expenses as provided in this subsection (e).

23 (f) The notice shall state when the petition was filed,
24 the description of the detaching territory or name of the
25 dissolving district, the name of the annexing district, the
26 prayer of the petition, and the day and time on and location in

1 which the hearing upon the petition will be held, which shall
2 not be more than 30 nor less than 15 calendar days after the
3 publication of notice.

4 (g) Prior to the hearing, an employee of a Regional Office
5 of Education ~~the secretary of the regional board of school~~
6 ~~trustees~~ shall submit to a Regional Office of Education ~~the~~
7 ~~regional board of school trustees~~ maps showing the districts
8 involved and a written report of the financial and educational
9 conditions of the districts involved and the probable effect
10 of the proposed changes. The reports and maps submitted must
11 be made a part of the record of the proceedings of a Regional
12 Office of Education ~~the regional board of school trustees~~. A
13 copy of the report and maps submitted must be sent by an
14 employee of a Regional Office of Education ~~the secretary of~~
15 ~~the regional board of school trustees~~ to the president of the
16 school board of each detaching or dissolving and annexing
17 school district not less than 5 days prior to the day upon
18 which the hearing is to be held.

19 (h) On the hearing day or on a day to which a Regional
20 Office of Education ~~the regional board of school trustees~~
21 shall continue the hearing, a Regional Office of Education ~~the~~
22 ~~regional board of school trustees~~ shall hear the petition but
23 may adjourn the hearing from time to time or may continue the
24 matter for want of sufficient notice or other good cause.

25 (h-5) Except for motions and briefs challenging the
26 validity of a petition or otherwise challenging the

1 jurisdiction of a Regional Office of Education ~~the regional~~
2 ~~board of school trustees~~ to conduct a hearing on a petition and
3 except for motions and briefs related to the type of evidence a
4 Regional Office of Education ~~the regional board of school~~
5 ~~trustees~~ may consider under subsection (i) of this Section, no
6 other motions, pleadings, briefs, discovery requests, or other
7 like documents may be filed with a Regional Office of
8 Education ~~the regional board of school trustees~~ or served on
9 other parties, and a Regional Office of Education ~~the regional~~
10 ~~board of school trustees~~ shall have no authority to consider
11 such documents, except that if a legal issue arises during a
12 hearing, then a Regional Office of Education ~~the regional~~
13 ~~board of school trustees~~ may, at its discretion, request
14 briefs to be submitted to it on that issue.

15 (i) A Regional Office of Education ~~The regional board of~~
16 ~~school trustees~~ shall hear evidence as to the school needs and
17 conditions of the territory in the area within and adjacent
18 thereto and the effect detachment will have on those needs and
19 conditions and as to the ability of the detaching or
20 dissolving and annexing school districts to meet the standards
21 of recognition as prescribed by the State Board of Education,
22 shall take into consideration the division of funds and assets
23 that will result from the change of boundaries, and shall
24 determine whether it is in the best interests of the schools of
25 the area and the direct educational welfare of the pupils that
26 such change in boundaries be granted. If non-high school

1 territory is contained in the petition, the normal high school
2 attendance pattern of the pupils must be taken into
3 consideration. However, upon resolution by a Regional Office
4 of Education ~~the regional board of school trustees~~, the
5 secretary thereof shall conduct the hearing upon any boundary
6 petition and present a transcript of such hearing to the
7 trustees, who shall base their decision upon the transcript,
8 maps, and information and any presentation of counsel. In the
9 instance of a change of boundaries through detachment:

10 (1) When considering the effect the detachment will
11 have on the direct educational welfare of the pupils, a
12 Regional Office of Education ~~the regional board of school~~
13 ~~trustees~~ shall consider a comparison of the school report
14 cards for the schools of the detaching and annexing
15 districts and the school district report cards for the
16 detaching and annexing districts only if there is no more
17 than a 3% difference in the minority, low-income, and
18 English learner student populations of the relevant
19 schools of the districts.

20 (2) The community of interest of the petitioners and
21 their children and the effect detachment will have on the
22 whole child may be considered only if a Regional Office of
23 Education ~~the regional board of school trustees~~ first
24 determines that there would be a significant direct
25 educational benefit to the petitioners' children if the
26 change in boundaries were allowed.

1 (3) When petitioners cite an annexing district
2 attendance center or centers in the petition or during
3 testimony, a Regional Office of Education ~~the regional~~
4 ~~board of school trustees~~ may consider the difference in
5 the distances from the detaching area to the current
6 attendance centers and the cited annexing district
7 attendance centers only if the difference is no less than
8 10 miles shorter to one of the cited annexing district
9 attendance centers than it is to the corresponding current
10 attendance center.

11 (4) A Regional Office of Education ~~The regional board~~
12 ~~of school trustees~~ may not grant a petition if doing so
13 will increase the percentage of minority or low-income
14 students or English learners by more than 3% at the
15 attendance center where students in the detaching
16 territory currently attend, provided that if the
17 percentage of any one of those groups also decreases at
18 that attendance center, a Regional Office of Education ~~the~~
19 ~~regional board~~ may grant the petition upon consideration
20 of other factors under this Section and this Article.

21 (5) A Regional Office of Education ~~The regional board~~
22 ~~of school trustees~~ may not consider whether changing the
23 boundaries will increase the property values of the
24 petitioners' property.

25 The factors in subdivisions (1) through (5) of this
26 subsection (i) are applicable whether or not there are

1 children residing in the petitioning area at the time the
2 hearing is conducted.

3 If a Regional Office of Education ~~the regional board of~~
4 ~~school trustees~~ grants a petition to change school district
5 boundaries, then the annexing school district shall determine
6 the attendance center or centers that children from the
7 petitioning area shall attend.

8 (j) At the hearing, any resident in any detaching,
9 dissolving, or annexing school district or any representative
10 of a detaching, dissolving, or annexing school district may
11 appear in person or by an attorney in support of the petition
12 or to object to the granting of the petition and may present
13 evidence in support of his or her position through either oral
14 or written testimony.

15 (k) At the conclusion of the hearing, the regional
16 superintendent of schools ~~as secretary to the regional board~~
17 ~~of school trustees~~ shall, within 30 days, enter an order
18 either granting or denying the petition. The regional
19 superintendent of schools shall deliver a certified copy of
20 the order by certified mail, return receipt requested, to the
21 petitioners or committee of petitioners, as applicable; the
22 president of the school board of each detaching or dissolving
23 and annexing district; any person providing testimony in
24 support of or opposition to the petition at the hearing; and
25 any attorney who appears for a person. The regional
26 superintendent of schools shall also deliver a copy of the

1 order to the regional superintendent of schools who has
2 supervision and control, as defined in Section 3-14.2 of this
3 Code, of the annexing district if different from the regional
4 superintendent of schools with whom the petition was filed.
5 The regional superintendent of schools is not required to send
6 a copy of a Regional Office of Education ~~the regional board of~~
7 ~~school trustees~~ order to those attending the hearing but not
8 participating. The final order shall be in writing and include
9 findings of fact, conclusions of law, and the decision to
10 grant or deny the petition.

11 (1) Notwithstanding the foregoing provisions of this
12 Section, if within 12 months after a petition is submitted
13 under the provisions of Section 7-1 of this Code the petition
14 is not approved or denied by a Regional Office of Education ~~the~~
15 ~~regional board of school trustees~~ and the order approving or
16 denying that petition entered and a copy thereof served as
17 provided in this Section, petitioners may submit a copy of the
18 petition directly to the State Superintendent of Education for
19 approval or denial. The copy of the petition as so submitted
20 shall be accompanied by a record of all proceedings had with
21 respect to the petition up to the time the copy of the petition
22 is submitted to the State Superintendent of Education
23 (including a copy of any notice given or published, any
24 certificate or other proof of publication, copies of any maps
25 or written report of the financial and educational conditions
26 of the school districts affected if furnished by an employee

1 of a Regional Office of Education ~~the secretary of the~~
2 ~~regional board of school trustees~~, copies of any amendments to
3 the petition and stipulations made, accepted or refused, a
4 transcript of any hearing or part of a hearing held, continued
5 or adjourned on the petition, and any orders entered with
6 respect to the petition or any hearing held thereon). The
7 petitioners submitting the petition and record of proceedings
8 to the State Superintendent of Education shall give written
9 notice by certified mail, return receipt requested, to a
10 Regional Office of Education ~~the regional board of school~~
11 ~~trustees~~ and to the secretary of that board and to the
12 detaching or dissolving and annexing school districts that the
13 petition has been submitted to the State Superintendent of
14 Education for approval or denial and shall furnish a copy of
15 the notice so given to the State Superintendent of Education.
16 The cost of assembling the record of proceedings for
17 submission to the State Superintendent of Education shall be
18 the responsibility of the petitioners that submit the petition
19 and record of proceedings to the State Superintendent of
20 Education. When a petition is submitted to the State
21 Superintendent of Education in accordance with the provisions
22 of this paragraph:

23 (1) A Regional Office of Education ~~The regional board~~
24 ~~of school trustees~~ loses all jurisdiction over the
25 petition and shall have no further authority to hear,
26 approve, deny or otherwise act with respect to the

1 petition.

2 (2) All jurisdiction over the petition and the right
3 and duty to hear, approve, deny or otherwise act with
4 respect to the petition is transferred to and shall be
5 assumed and exercised by the State Superintendent of
6 Education.

7 (3) The State Superintendent of Education shall not be
8 required to repeat any proceedings that were conducted in
9 accordance with the provisions of this Section prior to
10 the time jurisdiction over the petition is transferred to
11 him, but the State Superintendent of Education shall be
12 required to give and publish any notices and hold or
13 complete any hearings that were not given, held or
14 completed by a Regional Office of Education ~~the regional~~
15 ~~board of school trustees~~ or its secretary as required by
16 this Section prior to the time jurisdiction over the
17 petition is transferred to the State Superintendent of
18 Education.

19 (4) If so directed by the State Superintendent of
20 Education, the regional superintendent of schools shall
21 submit to the State Superintendent of Education and to
22 such school boards as the State Superintendent of
23 Education shall prescribe accurate maps and a written
24 report of the financial and educational conditions of the
25 districts affected and the probable effect of the proposed
26 boundary changes.

1 (5) The State Superintendent is authorized to conduct
2 further hearings, or appoint a hearing officer to conduct
3 further hearings, on the petition even though a hearing
4 thereon was held as provided in this Section prior to the
5 time jurisdiction over the petition is transferred to the
6 State Superintendent of Education.

7 (6) The State Superintendent of Education or the
8 hearing officer shall hear evidence and approve or deny
9 the petition and shall enter an order to that effect and
10 deliver and serve the same as required in other cases to be
11 done by ~~the regional board of school trustees and the~~
12 regional superintendent of schools ~~as secretary of that~~
13 ~~board.~~

14 (m) (Blank).

15 (n) Within 10 days after service of a copy of the order
16 granting or denying the petition, any person so served may
17 petition for a rehearing. The petition for rehearing shall
18 specify the reason for the request. A Regional Office of
19 Education ~~The regional board of school trustees~~ shall first
20 determine whether there is sufficient cause for a rehearing.
21 If so determined, then a Regional Office of Education ~~the~~
22 ~~regional board of school trustees~~ shall allow the petition to
23 be heard anew in its entirety in accordance with all
24 procedures in this Article. The party requesting a rehearing
25 shall pay the expenses of publishing the notice and of any
26 transcript taken at the hearing. The filing of a petition for

1 rehearing shall operate as a stay of enforcement until a
2 Regional Office of Education or the ~~the regional board of~~
3 ~~school trustees or~~ State Superintendent of Education in cases
4 determined under subsection (1) of this Section enters the
5 final order on such petition for rehearing.

6 (o) If a petition is required under the provisions of
7 subsection (b-5) of this Section to request submission of a
8 proposition at a regular scheduled election for the purpose of
9 voting for or against the annexation of the territory
10 described in the petition to the school district proposing to
11 annex that territory, and if the petition is granted or
12 approved by a Regional Office of Education ~~the regional board~~
13 ~~of school trustees~~ or by the State Superintendent of
14 Education, the proposition shall be placed on the ballot at
15 the next regular scheduled election.

16 (Source: P.A. 99-475, eff. 1-1-16; 100-374, eff. 8-25-17.)

17 (105 ILCS 5/7-7) (from Ch. 122, par. 7-7)

18 Sec. 7-7. Administrative Review Law. The decision of a
19 Regional Office of Education ~~the regional board of school~~
20 ~~trustees~~ or the decision of the State Superintendent of
21 Education in cases determined pursuant to subsection (1) of
22 Section 7-6 of this Code shall be deemed an "administrative
23 decision" as defined in Section 3-101 of the Code of Civil
24 Procedure; and any resident, petitioner, or board of education
25 entitled to receive a certified copy of a Regional Office of

1 Education's ~~the regional board of school trustees'~~ order may,
2 within 35 days after a copy of the decision sought to be
3 reviewed was served by certified mail, return receipt
4 requested, upon the resident, petitioner, or board of
5 education, thereby file a complaint for a judicial review of
6 such decision in accordance with the Administrative Review Law
7 and the rules adopted pursuant thereto. The commencement of
8 any action for judicial review shall operate as a stay of
9 enforcement, and no further proceedings shall be had until
10 final disposition of such review. The circuit court of the
11 county in which the dissolving district or detaching territory
12 is located shall have sole jurisdiction to entertain a
13 complaint for such review. In instances in which the
14 dissolving district or detaching territory overlies more than
15 one county, the circuit court of the county where a majority of
16 the territory of the dissolving district or a majority of the
17 territory of the detaching territory is located shall have
18 sole jurisdiction to entertain a complaint for such review.

19 (Source: P.A. 100-374, eff. 8-25-17.)

20 (105 ILCS 5/7-7.5)

21 Sec. 7-7.5. Holding of elections.

22 (a) Elections provided by this Article shall be conducted
23 in accordance with the general election law.

24 (b) The notice shall be in substantially the following
25 form:

1 NOTICE OF REFERENDUM FOR ANNEXATION
2 BY (Name of Annexing District)
3 OF ALL TERRITORY OF (Name Of
4 District Or Districts All Of
5 Whose Territory Is To Be Annexed)

6 NOTICE is hereby given that on (insert date), a
7 referendum will be held in part(s) of County
8 (Counties) for the purpose of voting for or against the
9 proposition to annex all of the territory comprising
10 (name of each such school district) of County,
11 Illinois to (name of annexing school district) of
12 County, Illinois.

13 The territory which now comprises all of the territory
14 of (name of the school district or districts) of
15 County, Illinois, which territory is the same as
16 the territory which is proposed to be annexed to
17 (name of annexing school district) of County,
18 Illinois, is described as follows: (Here describe such
19 territory.)

20 The territory which now comprises (name of
21 annexing school district) of County, Illinois,
22 which district it is proposed shall annex the territory
23 above described in this Notice, is described as follows:
24 (Here describe such territory.)

25 The election is called and will be held pursuant to an
26 order of a Regional Office of Education ~~the regional board~~

1 ~~of school trustees~~ (or, State Superintendent of Education)
 2 dated on (insert date), which order states that the change
 3 of boundaries pursuant to the annexation granted or
 4 approved by the order shall be made if a majority of those
 5 voters in each of the affected school districts who vote
 6 on the proposition at the election vote in favor thereof.

7 Dated (insert date).

8 Regional Office of Education ~~Board of School Trustees~~

9 (or State

10 Superintendent of Education)

11 By.....

12 (Source: P.A. 90-459, eff. 8-17-97; 91-357, eff. 7-29-99.)

13 (105 ILCS 5/7-9) (from Ch. 122, par. 7-9)

14 Sec. 7-9. Effective date of change. In the event that the
 15 granting of a petition has become final, through failure to
 16 seek administrative review, by the final decision of a court
 17 on review if no further appeal is taken, or upon certification
 18 of election results in the event of a dissolution, the change
 19 in boundaries shall become effective the following July 1. The
 20 school boards of the districts as they existed prior to the
 21 change shall exercise the same power and authority over such
 22 territory until such date, unless accelerated or postponed by
 23 stipulation of the school boards of each detaching or
 24 dissolving and annexing school district and approval by a
 25 Regional Office of Education ~~the regional board of school~~

1 ~~trustees~~ with which the original petition is required to be
2 filed.

3 (Source: P.A. 100-374, eff. 8-25-17.)

4 (105 ILCS 5/7-11) (from Ch. 122, par. 7-11)

5 Sec. 7-11. Annexation of dissolved non-operating
6 districts. If any school district has become dissolved as
7 provided in Section 5-32 of this Code, or if a petition for
8 dissolution is filed under Section 7-2a of this Code, a
9 Regional Office of Education ~~the regional board of school~~
10 ~~trustees~~ shall attach the territory of such dissolved district
11 to one or more districts and, if the territory is added to 2 or
12 more districts, shall divide the property of the dissolved
13 district among the districts to which its territory is added,
14 in the manner provided for the division of property in case of
15 the organization of a new district from a part of another
16 district. The Regional Office of Education ~~regional board of~~
17 ~~school trustees~~ of the region in which the regional
18 superintendent has supervision and control, as defined in
19 Section 3-14.2 of this Code, over the school district that is
20 dissolved shall have all power necessary to annex the
21 territory of the dissolved district as provided in this
22 Section, including the power to attach the territory to a
23 school district under the supervision and control of the
24 regional superintendent of another educational service region
25 and, in the case of Leepertown CCSD 175, the power to attach

1 the territory to a non-contiguous school district if deemed in
2 the best interests of the schools of the area and the
3 educational welfare of the pupils involved. The annexation of
4 the territory of a dissolved school district under this
5 Section shall entitle the school districts involved in the
6 annexation to payments from the State Board of Education in
7 the same manner and to the same extent authorized in the case
8 of other annexations under this Article. Other provisions of
9 this Article 7 of this Code shall apply to and govern
10 dissolutions and annexations under this Section and Section
11 7-2a of this Code, except that it is the intent of the General
12 Assembly that in the case of conflict the provisions of this
13 Section and Section 7-2a of this Code shall control over the
14 other provisions of this Article.

15 The Regional Office of Education ~~regional board of school~~
16 ~~trustees~~ shall give notice of a hearing, to be held not less
17 than 50 days nor more than 70 days after a school district is
18 dissolved under Section 5-32 of this Code or a petition is
19 filed under Section 7-2a of this Code, on the disposition of
20 the territory of such school district by publishing a notice
21 thereof at least once each week for 2 successive weeks in at
22 least one newspaper having a general circulation within the
23 area of the territory involved. At such hearing, the Regional
24 Office of Education ~~regional board of school trustees~~ shall
25 hear evidence as to the school needs and conditions of the
26 territory and of the area within and adjacent thereto, and

1 shall take into consideration the educational welfare of the
2 pupils of the territory and the normal high school attendance
3 pattern of the children. In the case of an elementary school
4 district, except for Leepertown CCSD 175, if all the eighth
5 grade graduates of such district customarily attend high
6 school in the same high school district, the Regional Office
7 of Education ~~regional board of school trustees~~ shall, unless
8 it be impossible because of the restrictions of a special
9 charter district, annex the territory of the district to a
10 contiguous elementary school district whose eighth grade
11 graduates customarily attend that high school, and that has an
12 elementary school building nearest to the center of the
13 territory to be annexed, but if such eighth grade graduates
14 customarily attend more than one high school the Regional
15 Office of Education ~~regional board of school trustees~~ shall
16 determine the attendance pattern of such graduates and divide
17 the territory of the district among the contiguous elementary
18 districts whose graduates attend the same respective high
19 schools.

20 At the conclusion of the hearing, the regional
21 superintendent of schools, ~~as secretary to the regional board~~
22 ~~of school trustees,~~ shall, within 10 days, enter an order
23 detailing the annexation of the dissolved district. The
24 regional superintendent of schools shall deliver a certified
25 copy of the order by certified mail, return receipt requested,
26 to the petitioners or committee of petitioners, as applicable;

1 the president of the school board of each dissolving and
2 annexing district; any person providing testimony in support
3 of or opposition to the petition at the hearing; and any
4 attorney who appears for any person. The regional
5 superintendent of schools shall also deliver a copy of the
6 order to the regional superintendent of schools who has
7 supervision and control, as defined in Section 3-14.2 of this
8 Code, of the annexing district, if different from the regional
9 superintendent of schools with whom the petition was filed.
10 The regional superintendent of schools is not required to send
11 a copy of the Regional Office of Education's ~~regional board of~~
12 ~~school trustees'~~ order to those attending the hearing but not
13 participating. The final order shall be in writing and include
14 findings of fact, conclusions of law, and the annexation
15 decision. The decision of the Regional Office of Education
16 ~~regional board of school trustees~~ shall be deemed an
17 "administrative decision" as defined in Section 3-101 of the
18 Code of Civil Procedure, and any resident, petitioner, or
19 school board entitled to receive a certified copy of the
20 Regional Office of Education's ~~regional board of school~~
21 ~~trustees'~~ order may, within 10 days after a copy of the
22 decision sought to be reviewed was served by certified mail,
23 return receipt requested, upon the resident, petitioner, or
24 school board, thereby file a complaint for the judicial review
25 of such decision in accordance with the Administrative Review
26 Law and the rules adopted pursuant thereto. The commencement

1 of any action for review shall operate as a stay of
2 enforcement, and no further proceedings shall be had until
3 final disposition of such review. The final decision of the
4 Regional Office of Education ~~regional board of school trustees~~
5 or of any court upon judicial review shall become effective
6 under Section 7-9 of this Code in the case of a petition for
7 dissolution filed under Section 7-2a of this Code, and a final
8 decision shall become effective immediately following the date
9 no further appeal is allowable in the case of a district
10 dissolved under Section 5-32 of this Code.

11 Notwithstanding the foregoing provisions of this Section
12 or any other provision of law to the contrary, the school board
13 of the Mt. Morris School District is authorized to donate to
14 the City of Mount Morris, Illinois the school building and
15 other real property used as a school site by the Mt. Morris
16 School District at the time of its dissolution, by appropriate
17 resolution adopted by the school board of the district prior
18 to the dissolution of the district; and upon the adoption of a
19 resolution by the school board donating the school building
20 and school site to the City of Mount Morris, Illinois as
21 authorized by this Section, the Regional Office of Education
22 ~~regional board of school trustees~~ or other school officials
23 holding legal title to the school building and school site so
24 donated shall immediately convey the same to the City of Mt.
25 Morris, Illinois.

26 (Source: P.A. 100-374, eff. 8-25-17.)

1 (105 ILCS 5/8-1) (from Ch. 122, par. 8-1)

2 Sec. 8-1. Treasurers.

3 (a) Except as otherwise provided in subsections (b) and
4 (c), in Class II county school units the trustees of schools
5 shall appoint a treasurer who shall be ex-officio clerk of the
6 board. The term of the township treasurer shall be for a 2 year
7 period beginning and ending on the first of July. The
8 treasurer shall not be a trustee, or school board member. He
9 shall attend all meetings and keep a record of the official
10 proceedings of the trustees of schools. Such record shall be
11 open to public inspection. All proceedings, when recorded,
12 shall be signed by the president and the clerk. If the clerk is
13 absent, or refuses to perform any of his duties, a clerk pro
14 tempore may be appointed. For sufficient cause the treasurer
15 may be removed from office by the trustees of schools. In case
16 of a vacancy the trustees of schools shall elect a treasurer
17 for the unexpired term.

18 (b) In Class I county school units, and in each school
19 district which forms a part of a Class II county school unit
20 but which has withdrawn from the jurisdiction and authority of
21 the trustees of schools of the township in which such school
22 district is located and from the jurisdiction and authority of
23 the township treasurer in such Class II county school unit as
24 provided in subsection (b) of Section 5-1, each school board
25 shall either elect one of its members to serve as treasurer

1 without salary for a period of one year or appoint someone, not
2 a member of the school board, as its treasurer, and, except as
3 provided in this Section the board shall fix his compensation.
4 An appointed treasurer shall serve at the pleasure of the
5 board. An appointed treasurer shall be at least 21 years of
6 age, of approved integrity, but not a member of the county
7 board of school trustees. The records of the treasurer shall
8 be open to public inspection. Two or more such districts may
9 appoint the same treasurer. In case of a vacancy caused by the
10 death, resignation or the removal from office of the school
11 treasurer the school board shall appoint a treasurer. The
12 school board may determine the temporary incapacity of its
13 treasurer occasioned by illness, absence from the district or
14 any other cause which prevents the prompt performance of his
15 duties and appoint an acting treasurer to serve until the
16 board determines such temporary incapacity no longer exists.

17 (c) The school board of each elementary school, high
18 school and unit school district that forms a part of a Class II
19 county school unit and that was under the jurisdiction and
20 authority of the township treasurer and trustees of schools of
21 a township at the time those offices were abolished in that
22 township as provided in subsection (c) of Section 5-1 shall
23 appoint a person to serve as treasurer of the school board. The
24 term of each school treasurer appointed under this subsection
25 shall be for a 2 year period beginning and ending on the first
26 day of July. A person appointed under this subsection to serve

1 as treasurer of a school board shall not be the superintendent
2 of schools of the school district. A person appointed and
3 serving under this subsection as treasurer of a school board
4 may concurrently serve as a ~~the~~ treasurer of a Regional Office
5 of Education ~~the regional board of school trustees~~, if
6 selected to serve in that capacity by a Regional Office of
7 Education ~~the regional board of school trustees~~, as provided
8 in subsection (c) of Section 5-1. The school board shall fix
9 the compensation of its school treasurer, and for sufficient
10 cause may remove the school treasurer from office. However, if
11 a member of the school board is also school treasurer, he or
12 she shall perform his or her duties as school treasurer
13 without compensation. In the case of a vacancy, the school
14 board shall appoint a school treasurer for the unexpired term.
15 The school board may determine the temporary incapacity of its
16 treasurer due to illness, absence from the district, or other
17 cause that prevents the prompt performance of his duties and
18 may appoint an acting treasurer to serve until the school
19 board determines that the temporary incapacity of its
20 treasurer no longer exists.

21 (d) After October 1, 1977, each treasurer in a Class I
22 county school unit appointed under this Section for his first
23 term shall have a financial background or related experience
24 or 12 semester hours of credit of college level accounting.

25 (e) After August 14, 1989, any treasurer appointed under
26 this Section for his first term in Class II county school

1 units, including any person appointed by a school board to
2 serve as its treasurer as provided in subsection (c) of this
3 Section, shall be a certified public accountant or a certified
4 chief school business official as defined in part (3) of
5 Section 21-7.3 of this Act. Experience as a township treasurer
6 in a Class II county school unit prior to July 1, 1989 shall be
7 deemed the equivalent of certification.

8 (f) Concurrently with the election or appointment of its
9 own school treasurer by the school board of a school district
10 which forms a part of a Class II county school unit but which
11 no longer is subject to the jurisdiction and authority of a
12 township treasurer or trustees of schools of a township
13 because the district has withdrawn from the jurisdiction and
14 authority of the township treasurer and trustees of schools of
15 the township or because those offices have been abolished as
16 provided in subsection (b) or (c) of Section 5-1, all funds,
17 accounts, moneys, notes, bonds, mortgages and effects then
18 held by such township treasurer on behalf or for the use and
19 benefit of, or then credited by such township treasurer to any
20 fund or account of such school district shall thereupon be
21 transferred and paid over by such township treasurer to the
22 school treasurer elected or appointed by the school board of
23 such school district. In addition the school treasurer of such
24 school district shall have the right, at all reasonable times,
25 to inspect all cash books, loan books, district account books
26 and journals kept by such township treasurer as provided in

1 Section 8-5 and to copy or otherwise reproduce such portions
2 thereof as such school treasurer deems necessary for the
3 performance of his duties.

4 (g) Upon the abolition of the offices of the township
5 treasurer and trustee of schools of a township as provided in
6 subsection (c) of Section 5-1, and subject to the limitation
7 of subsection (b) of Section 8-5 with respect to certain
8 records to be surrendered to a Regional Office of Education
9 ~~the regional board of school trustees~~, and except as otherwise
10 provided in subsection (c) of Section 5-1 with respect to the
11 common school lands and township loanable funds of that
12 township and with respect to the records, books and accounts
13 relating to those common school lands and township loanable
14 funds, all school funds and accounts, moneys, notes, bonds,
15 securities, district account books and other documents,
16 records and effects then held by the former township treasurer
17 on behalf or for the use and benefit of, or then credited by
18 the former township treasurer to any fund or account of any
19 school district that was under the jurisdiction and authority
20 of the township treasurer at the time the office of that
21 township treasurer was abolished shall thereupon be
22 transferred and paid over by the former township treasurer to
23 the appropriate school treasurer appointed by the school board
24 of each such district under subsection (c) of this Section
25 8-1.

26 (h) If the school district of a school treasurer elected

1 or appointed under this Section is receiving emergency State
2 financial assistance under Article 1B, that school treasurer
3 is subject to the provisions of Article 1B.

4 (Source: P.A. 103-790, eff. 8-9-24.)

5 (105 ILCS 5/8-5) (from Ch. 122, par. 8-5)

6 Sec. 8-5. Books and accounts.

7 (a) The township treasurer shall be provided by the
8 trustees of schools with a cash book, a loan book, a district
9 account book, and a journal. In the cash book he shall enter in
10 separate accounts all moneys received and paid out, with the
11 amount, date, from whom, to whom and on what account received
12 or paid out; or, if loaned, the date, to whom, and the amount.
13 Moneys received shall be charged to debit account, and moneys
14 paid out shall be credited as follows: First, to the principal
15 of the township fund; second, to the interest of the township
16 fund; third, to the common school fund and other funds;
17 fourth, to the taxes received from the county or town
18 collector, and for what districts received; fifth, donations;
19 sixth, moneys coming from all other sources; in all cases
20 entering the date when received, and when paid out.

21 In the loan book he shall enter a record of all school
22 funds loaned, with the amount to whom, date, time, when due,
23 and the rate of interest, the interest paid, and a description
24 of the securities.

25 In the district account book he shall post from the cash

1 book all receipts and expenditures on account of any district,
2 with the amount, date, from or to whom, and from what sources
3 and for what purposes.

4 In the journal he shall record at length the acts and
5 proceedings of the trustees of schools, their orders, by-laws
6 and resolutions.

7 The township treasurer shall keep his accounts in the
8 manner directed by the State Board of Education, the regional
9 superintendent of schools or the trustees of schools; and they
10 shall be subject at all times to the inspection of the
11 trustees, the directors or school board members or other
12 persons authorized by this Act or of any committee appointed
13 by the voters of the township at the election of trustees to
14 examine them.

15 (b) Concurrently with the abolition of the offices of
16 township treasurer and trustee of schools of a township as
17 provided in subsection (c) of Section 5-1, the former township
18 treasurer whose office has been so abolished shall surrender
19 to the school treasurer of each school district served by that
20 township treasurer at the time that office is abolished the
21 district account book theretofore maintained for that school
22 district by the former township treasurer, and in addition
23 shall surrender to a Regional Office of Education ~~the regional~~
24 ~~board of school trustees~~ the cash books, loan books and
25 journals referred to in subsection (a) of this Section 8-5;
26 provided that the school board and school treasurer of each

1 such school district, the State Board of Education, the
2 regional superintendent and such other persons as may be
3 authorized by law shall have the right, at all reasonable
4 times, to inspect, and to copy or otherwise reproduce any
5 portions of the cash books, loan books and journals
6 surrendered by the former township treasurer to a Regional
7 Office of Education ~~the regional board of school trustees~~ as
8 required by this subsection.

9 (Source: P.A. 87-473.)

10 (105 ILCS 5/10-22.31) (from Ch. 122, par. 10-22.31)

11 Sec. 10-22.31. Special education.

12 (a) To enter into joint agreements with other school
13 boards to provide the needed special educational facilities
14 and to employ a director and other professional workers as
15 defined in Section 14-1.10 and to establish facilities as
16 defined in Section 14-1.08 for the types of children described
17 in Sections 14-1.02 and 14-1.03a. The director (who may be
18 employed under a contract as provided in subsection (c) of
19 this Section) and other professional workers may be employed
20 by one district, which shall be reimbursed on a mutually
21 agreed basis by other districts that are parties to the joint
22 agreement. Such agreements may provide that one district may
23 supply professional workers for a joint program conducted in
24 another district. Such agreement shall provide that any
25 full-time professional worker who is employed by a joint

1 agreement program and spends over 50% of his or her time in one
2 school district shall not be required to work a different
3 teaching schedule than the other professional worker in that
4 district. Such agreement shall include, but not be limited to,
5 provisions for administration, staff, programs, financing,
6 housing, transportation, an advisory body, and the method or
7 methods to be employed for disposing of property upon the
8 withdrawal of a school district or dissolution of the joint
9 agreement and shall specify procedures for the withdrawal of
10 districts from the joint agreement as long as these procedures
11 are consistent with this Section. Such agreement may be
12 amended at any time as provided in the joint agreement or, if
13 the joint agreement does not so provide, then such agreement
14 may be amended at any time upon the adoption of concurring
15 resolutions by the school boards of all member districts,
16 provided that no later than 6 months after August 28, 2009 (the
17 effective date of Public Act 96-783), all existing agreements
18 shall be amended to be consistent with Public Act 96-783. Such
19 an amendment may include the removal of a school district from
20 or the addition of a school district to the joint agreement
21 without a petition as otherwise required in this Section if
22 all member districts adopt concurring resolutions to that
23 effect. A fully executed copy of any such agreement or
24 amendment entered into on or after January 1, 1989 shall be
25 filed with the State Board of Education. Petitions for
26 withdrawal shall be made to a Regional Office of Education or

1 ~~Regional Offices of Education the regional board or boards of~~
2 ~~school trustees~~ exercising oversight or governance over any of
3 the districts in the joint agreement. Upon receipt of a
4 petition for withdrawal, a Regional Office of Education ~~the~~
5 ~~regional board of school trustees~~ shall publish notice of and
6 conduct a hearing or, in instances in which more than one a
7 Regional Office of Education ~~regional board of school trustees~~
8 exercises oversight or governance over any of the districts in
9 the joint agreement, a joint hearing, in accordance with rules
10 adopted by the State Board of Education. In instances in which
11 a single Regional Office of Education ~~regional board of school~~
12 ~~trustees~~ holds the hearing, approval of the petition must be
13 by a two-thirds majority vote of the school trustees. In
14 instances in which a joint hearing of 2 or more a Regional
15 Offices of Education ~~regional boards of school trustees~~ is
16 required, approval of the petition must be by a two-thirds
17 majority of all those school trustees present and voting.
18 ~~Notwithstanding the provisions of Article 6 of this Code, in~~
19 ~~instances in which the competent regional board or boards of~~
20 ~~school trustees has been abolished, petitions for withdrawal~~
21 ~~shall be made to the school boards of those districts that fall~~
22 ~~under the oversight or governance of the abolished regional~~
23 ~~board of school trustees in accordance with rules adopted by~~
24 ~~the State Board of Education.~~ If any petition is approved
25 pursuant to this subsection (a), the withdrawal takes effect
26 as provided in Section 7-9 of this Act. The changes to this

1 Section made by Public Act 96-769 apply to all changes to
2 special education joint agreement membership initiated after
3 July 1, 2009.

4 (b) To either (1) designate an administrative district to
5 act as fiscal and legal agent for the districts that are
6 parties to the joint agreement, or (2) designate a governing
7 board composed of one member of the school board of each
8 cooperating district and designated by such boards to act in
9 accordance with the joint agreement. No such governing board
10 may levy taxes and no such governing board may incur any
11 indebtedness except within an annual budget for the joint
12 agreement approved by the governing board and by the boards of
13 at least a majority of the cooperating school districts or a
14 number of districts greater than a majority if required by the
15 joint agreement. The governing board may appoint an executive
16 board of at least 7 members to administer the joint agreement
17 in accordance with its terms. However, if 7 or more school
18 districts are parties to a joint agreement that does not have
19 an administrative district: (i) at least a majority of the
20 members appointed by the governing board to the executive
21 board shall be members of the school boards of the cooperating
22 districts; or (ii) if the governing board wishes to appoint
23 members who are not school board members, they shall be
24 superintendents from the cooperating districts.

25 (c) To employ a full-time director of special education of
26 the joint agreement program under a one-year or multi-year

1 contract. No such contract can be offered or accepted for less
2 than one year. Such contract may be discontinued at any time by
3 mutual agreement of the contracting parties, or may be
4 extended for an additional one-year or multi-year period at
5 the end of any year.

6 The contract year is July 1 through the following June
7 30th, unless the contract specifically provides otherwise.
8 Notice of intent not to renew a contract when given by a
9 controlling board or administrative district must be in
10 writing stating the specific reason therefor. Notice of intent
11 not to renew the contract must be given by the controlling
12 board or the administrative district at least 90 days before
13 the contract expires. Failure to do so will automatically
14 extend the contract for one additional year.

15 By accepting the terms of the contract, the director of a
16 special education joint agreement waives all rights granted
17 under Sections 24-11 through 24-16 for the duration of his or
18 her employment as a director of a special education joint
19 agreement.

20 (d) To designate a district that is a party to the joint
21 agreement as the issuer of bonds or notes for the purposes and
22 in the manner provided in this Section. It is not necessary for
23 such district to also be the administrative district for the
24 joint agreement, nor is it necessary for the same district to
25 be designated as the issuer of all series of bonds or notes
26 issued hereunder. Any district so designated may, from time to

1 time, borrow money and, in evidence of its obligation to repay
2 the borrowing, issue its negotiable bonds or notes for the
3 purpose of acquiring, constructing, altering, repairing,
4 enlarging and equipping any building or portion thereof,
5 together with any land or interest therein, necessary to
6 provide special educational facilities and services as defined
7 in Section 14-1.08. Title in and to any such facilities shall
8 be held in accordance with the joint agreement.

9 Any such bonds or notes shall be authorized by a
10 resolution of the board of education of the issuing district.
11 The resolution may contain such covenants as may be deemed
12 necessary or advisable by the district to assure the payment
13 of the bonds or notes. The resolution shall be effective
14 immediately upon its adoption.

15 Prior to the issuance of such bonds or notes, each school
16 district that is a party to the joint agreement shall agree,
17 whether by amendment to the joint agreement or by resolution
18 of the board of education, to be jointly and severally liable
19 for the payment of the bonds and notes. The bonds or notes
20 shall be payable solely and only from the payments made
21 pursuant to such agreement.

22 Neither the bonds or notes nor the obligation to pay the
23 bonds or notes under any joint agreement shall constitute an
24 indebtedness of any district, including the issuing district,
25 within the meaning of any constitutional or statutory
26 limitation.

1 As long as any bonds or notes are outstanding and unpaid,
2 the agreement by a district to pay the bonds and notes shall be
3 irrevocable notwithstanding the district's withdrawal from
4 membership in the joint special education program.

5 (e) If a district whose employees are on strike was, prior
6 to the strike, sending students with disabilities to special
7 educational facilities and services in another district or
8 cooperative, the district affected by the strike shall
9 continue to send such students during the strike and shall be
10 eligible to receive appropriate State reimbursement.

11 (f) With respect to those joint agreements that have a
12 governing board composed of one member of the school board of
13 each cooperating district and designated by those boards to
14 act in accordance with the joint agreement, the governing
15 board shall have, in addition to its other powers under this
16 Section, the authority to issue bonds or notes for the
17 purposes and in the manner provided in this subsection. The
18 governing board of the joint agreement may from time to time
19 borrow money and, in evidence of its obligation to repay the
20 borrowing, issue its negotiable bonds or notes for the purpose
21 of acquiring, constructing, altering, repairing, enlarging and
22 equipping any building or portion thereof, together with any
23 land or interest therein, necessary to provide special
24 educational facilities and services as defined in Section
25 14-1.08 and including also facilities for activities of
26 administration and educational support personnel employees.

1 Title in and to any such facilities shall be held in accordance
2 with the joint agreement.

3 Any such bonds or notes shall be authorized by a
4 resolution of the governing board. The resolution may contain
5 such covenants as may be deemed necessary or advisable by the
6 governing board to assure the payment of the bonds or notes and
7 interest accruing thereon. The resolution shall be effective
8 immediately upon its adoption.

9 Each school district that is a party to the joint
10 agreement shall be automatically liable, by virtue of its
11 membership in the joint agreement, for its proportionate share
12 of the principal amount of the bonds and notes plus interest
13 accruing thereon, as provided in the resolution. Subject to
14 the joint and several liability hereinafter provided for, the
15 resolution may provide for different payment schedules for
16 different districts except that the aggregate amount of
17 scheduled payments for each district shall be equal to its
18 proportionate share of the debt service in the bonds or notes
19 based upon the fraction that its equalized assessed valuation
20 bears to the total equalized assessed valuation of all the
21 district members of the joint agreement as adjusted in the
22 manner hereinafter provided. In computing that fraction the
23 most recent available equalized assessed valuation at the time
24 of the issuance of the bonds and notes shall be used, and the
25 equalized assessed valuation of any district maintaining
26 grades K to 12 shall be doubled in both the numerator and

1 denominator of the fraction used for all of the districts that
2 are members of the joint agreement. In case of default in
3 payment by any member, each school district that is a party to
4 the joint agreement shall automatically be jointly and
5 severally liable for the amount of any deficiency. The bonds
6 or notes and interest thereon shall be payable solely and only
7 from the funds made available pursuant to the procedures set
8 forth in this subsection. No project authorized under this
9 subsection may require an annual contribution for bond
10 payments from any member district in excess of 0.15% of the
11 value of taxable property as equalized or assessed by the
12 Department of Revenue in the case of districts maintaining
13 grades K-8 or 9-12 and 0.30% of the value of taxable property
14 as equalized or assessed by the Department of Revenue in the
15 case of districts maintaining grades K-12. This limitation on
16 taxing authority is expressly applicable to taxing authority
17 provided under Section 17-9 and other applicable Sections of
18 this Act. Nothing contained in this subsection shall be
19 construed as an exception to the property tax limitations
20 contained in Section 17-2, 17-2.2a, 17-5, or any other
21 applicable Section of this Act.

22 Neither the bonds or notes nor the obligation to pay the
23 bonds or notes under any joint agreement shall constitute an
24 indebtedness of any district within the meaning of any
25 constitutional or statutory limitation.

26 As long as any bonds or notes are outstanding and unpaid,

1 the obligation of a district to pay its proportionate share of
2 the principal of and interest on the bonds and notes as
3 required in this Section shall be a general obligation of the
4 district payable from any and all sources of revenue
5 designated for that purpose by the board of education of the
6 district and shall be irrevocable notwithstanding the
7 district's withdrawal from membership in the joint special
8 education program.

9 (g) A member district wishing to withdraw from a joint
10 agreement may obtain from its school board a written
11 resolution approving the withdrawal. The withdrawing district
12 must then present a written petition for withdrawal from the
13 joint agreement to the other member districts. Under no
14 circumstances may the petition be presented to the other
15 member districts less than 12 months from the date of the
16 proposed withdrawal, unless the member districts agree to
17 waive this timeline. Upon approval by school board written
18 resolution of all of the remaining member districts, the
19 petitioning member district shall notify the State Board of
20 Education of the approved withdrawal in writing and must
21 submit a comprehensive plan developed under subsection (g-5)
22 for review by the State Board. If the petition for withdrawal
23 is not approved, the petitioning member district may appeal
24 the disapproval decision to the trustees of schools of the
25 township that has jurisdiction and authority over the
26 withdrawing district. If a withdrawing district is not under

1 the jurisdiction and authority of the trustees of schools of a
2 township, a hearing panel shall be established by the chief
3 administrative officer of the intermediate service center
4 having jurisdiction over the withdrawing district. The hearing
5 panel shall be made up of 3 persons who have a demonstrated
6 interest and background in education. Each hearing panel
7 member must reside within an educational service region of
8 2,000,000 or more inhabitants but not within the withdrawing
9 district and may not be a current school board member or
10 employee of the withdrawing district or hold any county
11 office. None of the hearing panel members may reside within
12 the same school district. The hearing panel shall serve
13 without remuneration; however, the necessary expenses,
14 including travel, attendant upon any meeting or hearing in
15 relation to these proceedings must be paid. Prior to the
16 hearing, the withdrawing district shall (i) provide written
17 notification to all parents or guardians of students with
18 disabilities residing within the district of its intent to
19 withdraw from the special education joint agreement; (ii) hold
20 a public hearing to allow for members of the community,
21 parents or guardians of students with disabilities, or any
22 other interested parties an opportunity to review the plan for
23 educating students after the withdrawal and to provide
24 feedback on the plan; and (iii) prepare and provide a
25 comprehensive plan as outlined under subsection (g-5). The
26 trustees of schools of the township having jurisdiction and

1 authority over the withdrawing district or the hearing panel
2 established by the chief administrative officer of the
3 intermediate service center having jurisdiction over the
4 withdrawing district shall convene and hear testimony to
5 determine whether the withdrawing district has presented
6 sufficient evidence that the district, standing alone, will
7 provide a full continuum of services and support to all its
8 students with disabilities in the foreseeable future. If the
9 trustees of schools of the township having jurisdiction and
10 authority over the withdrawing district or the hearing panel
11 established by the chief administrative officer of the
12 intermediate service center having jurisdiction over the
13 withdrawing district approves the petition for withdrawal,
14 then the petitioning member district shall be withdrawn from
15 the joint agreement effective the following July 1 and shall
16 notify the State Board of Education of the approved withdrawal
17 in writing.

18 (g-5) Each withdrawing district shall develop a
19 comprehensive plan that includes the administrative policies
20 and procedures outlined in Sections 226.50, 226.100, 226.110,
21 226.180, 226.230, 226.250, 226.260, 226.300, 226.310, 226.320,
22 226.330, 226.340, 226.350, 226.500, 226.520, 226.530, 226.540,
23 226.560, 226.700, 226.740, 226.800, and 226.820 and Subpart G
24 of Part 226 of Title 23 of the Illinois Administrative Code and
25 all relevant portions of the federal Individuals with
26 Disabilities Education Act. The withdrawing district must also

1 demonstrate its ability to provide education for a wide range
2 of students with disabilities, including a full continuum of
3 support and services. To demonstrate an appropriate plan for
4 educating all currently enrolled students with disabilities
5 upon withdrawal from the joint agreement, the withdrawing
6 district must provide a written plan for educating and placing
7 all currently eligible students with disabilities.

8 (h) The changes to this Section made by Public Act 96-783
9 apply to withdrawals from or dissolutions of special education
10 joint agreements initiated after August 28, 2009 (the
11 effective date of Public Act 96-783).

12 (i) Notwithstanding subsections (a), (g), and (h) of this
13 Section or any other provision of this Code to the contrary, an
14 elementary school district that maintains grades up to and
15 including grade 8, that had a 2014-2015 best 3 months' average
16 daily attendance of 5,209.57, and that had a 2014 equalized
17 assessed valuation of at least \$451,500,000, but not more than
18 \$452,000,000, may withdraw from its special education joint
19 agreement program consisting of 6 school districts upon
20 submission and approval of the comprehensive plan, in
21 compliance with the applicable requirements of Section 14-4.01
22 of this Code, in addition to the approval by the school board
23 of the elementary school district and notification to and the
24 filing of an intent to withdraw statement with the governing
25 board of the joint agreement program. Such notification and
26 statement shall specify the effective date of the withdrawal,

1 which in no case shall be less than 60 days after the date of
2 the filing of the notification and statement. Upon receipt of
3 the notification and statement, the governing board of the
4 joint agreement program shall distribute a copy to each member
5 district of the joint agreement and shall initiate any
6 appropriate allocation of assets and liabilities among the
7 remaining member districts to take effect upon the date of the
8 withdrawal. The withdrawal shall take effect upon the date
9 specified in the notification and statement.

10 (j) Notwithstanding any other provision of law, for any
11 member district entering into, amending, renewing, or
12 withdrawing from a joint agreement after the effective date of
13 this amendatory Act of the 104th General Assembly, the
14 following criteria shall be met:

15 (1) For a member district withdrawing from a joint
16 agreement, the member district's school board shall hold a
17 public hearing on the member district's intent to withdraw
18 at least 18 months before the member district's proposed
19 withdrawal date. A written notice of the member district's
20 intent to withdraw and the details of the public hearing
21 shall be sent to the other member districts of the joint
22 agreement no less than 10 days before the public hearing.

23 (2) A member district that intends to withdraw from a
24 joint agreement shall adopt a comprehensive plan in
25 accordance with subsection (g-5). The plan shall be
26 submitted to the member district's regional office of

1 education or intermediate service center, whichever is
2 applicable, and shall be accompanied by evidence of the
3 public hearing conducted under paragraph (1) of this
4 subsection (j) and a copy of the approved resolution to
5 withdraw.

6 (3) Upon the receipt of a member district's
7 comprehensive plan under paragraph (2) of this subsection
8 (j), the regional superintendent of schools or the
9 executive director of the intermediate service center,
10 whichever is applicable, shall ensure the following
11 criteria are met:

12 (A) notice of withdrawal was provided to all
13 member districts;

14 (B) a public hearing that complies with paragraph
15 (1) of this subsection (j) was held by the withdrawing
16 member district's school board;

17 (C) a resolution has been passed by the
18 withdrawing member district's school board; and

19 (D) a comprehensive plan for the withdrawing
20 member district that complies with subsection (g-5) is
21 in place.

22 Upon certification that the criteria in this paragraph
23 (3) have been satisfied, the regional superintendent of
24 schools or the executive director of the intermediate
25 service center shall notify the State Board of Education
26 and the other member districts of the joint agreement of

1 his or her approval of the member district's withdrawal.

2 If any of the criteria in items (A) through (D) of this
3 paragraph (3) have not been satisfied, the regional
4 superintendent of schools or the executive director of the
5 intermediate service center shall notify the withdrawing
6 member district of the outstanding criteria to be
7 satisfied and the process for resubmission of the member
8 district's withdrawal plan.

9 (4) A joint agreement shall include (i) provisions for
10 the dissolution of assets in the event the joint agreement
11 is dissolved and (ii) provisions for the distribution of
12 assets in the event a member district withdraws from the
13 joint agreement. Upon its withdrawal from a joint
14 agreement, a member district shall waive any claims to the
15 joint agreement's assets, except for any assets designated
16 for distribution upon the dissolution of the joint
17 agreement. A withdrawn member district shall, within 12
18 months after withdrawal, remit payment to the joint
19 agreement for its proportional share of any debt or
20 liabilities incurred by the joint agreement prior to the
21 member district's notice of withdrawal.

22 (5) A joint agreement shall include a requirement for
23 an annual presentation of the joint agreement's fiscal
24 year budget and the calculation of member and usage fees
25 to all member districts.

26 A school district that meets all of the requirements of

1 this subsection (j) shall be withdrawn from the joint
2 agreement on the date that the school district specifies in
3 both the notice sent to other school districts pursuant to the
4 joint agreement and the resolution passed by the board as long
5 as the notice was given at least 18 months before, as specified
6 in paragraph (1) of this subsection (j), the date specified.

7 (Source: P.A. 104-218, eff. 1-1-26.)

8 (105 ILCS 5/10-22.31a) (from Ch. 122, par. 10-22.31a)

9 Sec. 10-22.31a. Joint educational programs. To enter into
10 joint agreements with other school boards or public
11 institutions of higher education to establish any type of
12 educational program which any district may establish
13 individually, to provide the needed educational facilities and
14 to employ a director and other professional workers for such
15 program. The director and other professional workers may be
16 employed by one district which shall be reimbursed on a
17 mutually agreed basis by other districts that are parties to
18 the joint agreement. Such agreements may provide that one
19 district may supply professional workers for a joint program
20 conducted in another district. Such agreement shall be
21 executed on forms provided by the State Board of Education and
22 shall include, but not be limited to, provisions for
23 administration, staff, programs, financing, housing,
24 transportation and advisory body and provide for the
25 withdrawal of districts from the joint agreement by petition

1 to a Regional Office of Education ~~the regional board of school~~
2 ~~trustees~~. Such petitions for withdrawal shall be made to a
3 Regional Office of Education ~~the regional board of school~~
4 ~~trustees~~ of the region having supervision and control over the
5 administrative district and shall be acted upon in the manner
6 provided in Article 7 for the detachment of territory from a
7 school district.

8 To designate an administrative district to act as fiscal
9 and legal agent for the districts that are parties to such a
10 joint agreement.

11 (Source: P.A. 86-198; 86-1318.)

12 (105 ILCS 5/11E-135)

13 Sec. 11E-135. Incentives. For districts reorganizing under
14 this Article and for a district or districts that annex all of
15 the territory of one or more entire other school districts in
16 accordance with Article 7 of this Code, the following payments
17 shall be made from appropriations made for these purposes:

18 (a)(1) For a combined school district, as defined in
19 Section 11E-20 of this Code, or for a unit district, as defined
20 in Section 11E-25 of this Code, for its first year of
21 existence, the general State aid and supplemental general
22 State aid calculated under Section 18-8.05 of this Code or the
23 evidence-based funding calculated under Section 18-8.15 of
24 this Code, as applicable, shall be computed for the new
25 district and for the previously existing districts for which

1 property is totally included within the new district. If the
2 computation on the basis of the previously existing districts
3 is greater, a supplementary payment equal to the difference
4 shall be made for the first 4 years of existence of the new
5 district.

6 (2) For a school district that annexes all of the
7 territory of one or more entire other school districts as
8 defined in Article 7 of this Code, for the first year during
9 which the change of boundaries attributable to the annexation
10 becomes effective for all purposes, as determined under
11 Section 7-9 of this Code, the general State aid and
12 supplemental general State aid calculated under Section
13 18-8.05 of this Code or the evidence-based funding calculated
14 under Section 18-8.15 of this Code, as applicable, shall be
15 computed for the annexing district as constituted after the
16 annexation and for the annexing and each annexed district as
17 constituted prior to the annexation; and if the computation on
18 the basis of the annexing and annexed districts as constituted
19 prior to the annexation is greater, then a supplementary
20 payment equal to the difference shall be made for the first 4
21 years of existence of the annexing school district as
22 constituted upon the annexation.

23 (3) For 2 or more school districts that annex all of the
24 territory of one or more entire other school districts, as
25 defined in Article 7 of this Code, for the first year during
26 which the change of boundaries attributable to the annexation

1 becomes effective for all purposes, as determined under
2 Section 7-9 of this Code, the general State aid and
3 supplemental general State aid calculated under Section
4 18-8.05 of this Code or the evidence-based funding calculated
5 under Section 18-8.15 of this Code, as applicable, shall be
6 computed for each annexing district as constituted after the
7 annexation and for each annexing and annexed district as
8 constituted prior to the annexation; and if the aggregate of
9 the general State aid and supplemental general State aid or
10 evidence-based funding, as applicable, as so computed for the
11 annexing districts as constituted after the annexation is less
12 than the aggregate of the general State aid and supplemental
13 general State aid or evidence-based funding, as applicable, as
14 so computed for the annexing and annexed districts, as
15 constituted prior to the annexation, then a supplementary
16 payment equal to the difference shall be made and allocated
17 between or among the annexing districts, as constituted upon
18 the annexation, for the first 4 years of their existence. The
19 total difference payment shall be allocated between or among
20 the annexing districts in the same ratio as the pupil
21 enrollment from that portion of the annexed district or
22 districts that is annexed to each annexing district bears to
23 the total pupil enrollment from the entire annexed district or
24 districts, as such pupil enrollment is determined for the
25 school year last ending prior to the date when the change of
26 boundaries attributable to the annexation becomes effective

1 for all purposes. The amount of the total difference payment
2 and the amount thereof to be allocated to the annexing
3 districts shall be computed by the State Board of Education on
4 the basis of pupil enrollment and other data that shall be
5 certified to the State Board of Education, on forms that it
6 shall provide for that purpose, by the regional superintendent
7 of schools for each educational service region in which the
8 annexing and annexed districts are located.

9 (4) For a school district conversion, as defined in
10 Section 11E-15 of this Code, or a multi-unit conversion, as
11 defined in subsection (b) of Section 11E-30 of this Code, if in
12 their first year of existence the newly created elementary
13 districts and the newly created high school district, from a
14 school district conversion, or the newly created elementary
15 district or districts and newly created combined high school -
16 unit district, from a multi-unit conversion, qualify for less
17 general State aid under Section 18-8.05 of this Code or
18 evidence-based funding under Section 18-8.15 of this Code than
19 would have been payable under Section 18-8.05 or 18-8.15, as
20 applicable, for that same year to the previously existing
21 districts, then a supplementary payment equal to that
22 difference shall be made for the first 4 years of existence of
23 the newly created districts. The aggregate amount of each
24 supplementary payment shall be allocated among the newly
25 created districts in the proportion that the deemed pupil
26 enrollment in each district during its first year of existence

1 bears to the actual aggregate pupil enrollment in all of the
2 districts during their first year of existence. For purposes
3 of each allocation:

4 (A) the deemed pupil enrollment of the newly created
5 high school district from a school district conversion
6 shall be an amount equal to its actual pupil enrollment
7 for its first year of existence multiplied by 1.25;

8 (B) the deemed pupil enrollment of each newly created
9 elementary district from a school district conversion
10 shall be an amount equal to its actual pupil enrollment
11 for its first year of existence reduced by an amount equal
12 to the product obtained when the amount by which the newly
13 created high school district's deemed pupil enrollment
14 exceeds its actual pupil enrollment for its first year of
15 existence is multiplied by a fraction, the numerator of
16 which is the actual pupil enrollment of the newly created
17 elementary district for its first year of existence and
18 the denominator of which is the actual aggregate pupil
19 enrollment of all of the newly created elementary
20 districts for their first year of existence;

21 (C) the deemed high school pupil enrollment of the
22 newly created combined high school - unit district from a
23 multi-unit conversion shall be an amount equal to its
24 actual grades 9 through 12 pupil enrollment for its first
25 year of existence multiplied by 1.25; and

26 (D) the deemed elementary pupil enrollment of each

1 newly created district from a multi-unit conversion shall
2 be an amount equal to each district's actual grade K
3 through 8 pupil enrollment for its first year of
4 existence, reduced by an amount equal to the product
5 obtained when the amount by which the newly created
6 combined high school - unit district's deemed high school
7 pupil enrollment exceeds its actual grade 9 through 12
8 pupil enrollment for its first year of existence is
9 multiplied by a fraction, the numerator of which is the
10 actual grade K through 8 pupil enrollment of each newly
11 created district for its first year of existence and the
12 denominator of which is the actual aggregate grade K
13 through 8 pupil enrollment of all such newly created
14 districts for their first year of existence.

15 The aggregate amount of each supplementary payment under
16 this subdivision (4) and the amount thereof to be allocated to
17 the newly created districts shall be computed by the State
18 Board of Education on the basis of pupil enrollment and other
19 data, which shall be certified to the State Board of
20 Education, on forms that it shall provide for that purpose, by
21 the regional superintendent of schools for each educational
22 service region in which the newly created districts are
23 located.

24 (5) For a partial elementary unit district, as defined in
25 subsection (a) or (c) of Section 11E-30 of this Code, if, in
26 the first year of existence, the newly created partial

1 elementary unit district qualifies for less general State aid
2 and supplemental general State aid under Section 18-8.05 of
3 this Code or less evidence-based funding under Section 18-8.15
4 of this Code, as applicable, than would have been payable
5 under those Sections for that same year to the previously
6 existing districts that formed the partial elementary unit
7 district, then a supplementary payment equal to that
8 difference shall be made to the partial elementary unit
9 district for the first 4 years of existence of that newly
10 created district.

11 (6) For an elementary opt-in, as described in subsection
12 (d) of Section 11E-30 of this Code, the general State aid or
13 evidence-based funding difference shall be computed in
14 accordance with paragraph (5) of this subsection (a) as if the
15 elementary opt-in was included in an optional elementary unit
16 district at the optional elementary unit district's original
17 effective date. If the calculation in this paragraph (6) is
18 less than that calculated in paragraph (5) of this subsection
19 (a) at the optional elementary unit district's original
20 effective date, then no adjustments may be made. If the
21 calculation in this paragraph (6) is more than that calculated
22 in paragraph (5) of this subsection (a) at the optional
23 elementary unit district's original effective date, then the
24 excess must be paid as follows:

25 (A) If the effective date for the elementary opt-in is
26 one year after the effective date for the optional

1 elementary unit district, 100% of the calculated excess
2 shall be paid to the optional elementary unit district in
3 each of the first 4 years after the effective date of the
4 elementary opt-in.

5 (B) If the effective date for the elementary opt-in is
6 2 years after the effective date for the optional
7 elementary unit district, 75% of the calculated excess
8 shall be paid to the optional elementary unit district in
9 each of the first 4 years after the effective date of the
10 elementary opt-in.

11 (C) If the effective date for the elementary opt-in is
12 3 years after the effective date for the optional
13 elementary unit district, 50% of the calculated excess
14 shall be paid to the optional elementary unit district in
15 each of the first 4 years after the effective date of the
16 elementary opt-in.

17 (D) If the effective date for the elementary opt-in is
18 4 years after the effective date for the optional
19 elementary unit district, 25% of the calculated excess
20 shall be paid to the optional elementary unit district in
21 each of the first 4 years after the effective date of the
22 elementary opt-in.

23 (E) If the effective date for the elementary opt-in is
24 5 years after the effective date for the optional
25 elementary unit district, the optional elementary unit
26 district is not eligible for any additional incentives due

1 to the elementary opt-in.

2 (6.5) For a school district that annexes territory
3 detached from another school district whereby the enrollment
4 of the annexing district increases by 90% or more as a result
5 of the annexation, for the first year during which the change
6 of boundaries attributable to the annexation becomes effective
7 for all purposes as determined under Section 7-9 of this Code,
8 the general State aid and supplemental general State aid or
9 evidence-based funding, as applicable, calculated under this
10 Section shall be computed for the district gaining territory
11 and the district losing territory as constituted after the
12 annexation and for the same districts as constituted prior to
13 the annexation; and if the aggregate of the general State aid
14 and supplemental general State aid or evidence-based funding,
15 as applicable, as so computed for the district gaining
16 territory and the district losing territory as constituted
17 after the annexation is less than the aggregate of the general
18 State aid and supplemental general State aid or evidence-based
19 funding, as applicable, as so computed for the district
20 gaining territory and the district losing territory as
21 constituted prior to the annexation, then a supplementary
22 payment shall be made to the annexing district for the first 4
23 years of existence after the annexation, equal to the
24 difference multiplied by the ratio of student enrollment in
25 the territory detached to the total student enrollment in the
26 district losing territory for the year prior to the effective

1 date of the annexation. The amount of the total difference and
2 the proportion paid to the annexing district shall be computed
3 by the State Board of Education on the basis of pupil
4 enrollment and other data that must be submitted to the State
5 Board of Education in accordance with Section 7-14A of this
6 Code. The changes to this Section made by Public Act 95-707 are
7 intended to be retroactive and applicable to any annexation
8 taking effect on or after July 1, 2004. For annexations that
9 are eligible for payments under this paragraph (6.5) and that
10 are effective on or after July 1, 2004, but before January 11,
11 2008 (the effective date of Public Act 95-707), the first
12 required yearly payment under this paragraph (6.5) shall be
13 paid in the fiscal year of January 11, 2008 (the effective date
14 of Public Act 95-707). Subsequent required yearly payments
15 shall be paid in subsequent fiscal years until the payment
16 obligation under this paragraph (6.5) is complete.

17 (7) Claims for financial assistance under this subsection
18 (a) may not be recomputed except as expressly provided under
19 Section 18-8.05 or 18-8.15 of this Code.

20 (8) Any supplementary payment made under this subsection
21 (a) must be treated as separate from all other payments made
22 pursuant to Section 18-8.05 or 18-8.15 of this Code.

23 (b) (1) After the formation of a combined school district,
24 as defined in Section 11E-20 of this Code, or a unit district,
25 as defined in Section 11E-25 of this Code, a computation shall
26 be made to determine the difference between the salaries

1 effective in each of the previously existing districts on June
2 30, prior to the creation of the new district. For the first 4
3 years after the formation of the new district, a supplementary
4 State aid reimbursement shall be paid to the new district
5 equal to the difference between the sum of the salaries earned
6 by each of the certificated members of the new district, while
7 employed in one of the previously existing districts during
8 the year immediately preceding the formation of the new
9 district, and the sum of the salaries those certificated
10 members would have been paid during the year immediately prior
11 to the formation of the new district if placed on the salary
12 schedule of the previously existing district with the highest
13 salary schedule.

14 (2) After the territory of one or more school districts is
15 annexed by one or more other school districts as defined in
16 Article 7 of this Code, a computation shall be made to
17 determine the difference between the salaries effective in
18 each annexed district and in the annexing district or
19 districts as they were each constituted on June 30 preceding
20 the date when the change of boundaries attributable to the
21 annexation became effective for all purposes, as determined
22 under Section 7-9 of this Code. For the first 4 years after the
23 annexation, a supplementary State aid reimbursement shall be
24 paid to each annexing district as constituted after the
25 annexation equal to the difference between the sum of the
26 salaries earned by each of the certificated members of the

1 annexing district as constituted after the annexation, while
2 employed in an annexed or annexing district during the year
3 immediately preceding the annexation, and the sum of the
4 salaries those certificated members would have been paid
5 during the immediately preceding year if placed on the salary
6 schedule of whichever of the annexing or annexed districts had
7 the highest salary schedule during the immediately preceding
8 year.

9 (3) For each new high school district formed under a
10 school district conversion, as defined in Section 11E-15 of
11 this Code, the State shall make a supplementary payment for 4
12 years equal to the difference between the sum of the salaries
13 earned by each certified member of the new high school
14 district, while employed in one of the previously existing
15 districts, and the sum of the salaries those certified members
16 would have been paid if placed on the salary schedule of the
17 previously existing district with the highest salary schedule.

18 (4) For each newly created partial elementary unit
19 district, the State shall make a supplementary payment for 4
20 years equal to the difference between the sum of the salaries
21 earned by each certified member of the newly created partial
22 elementary unit district, while employed in one of the
23 previously existing districts that formed the partial
24 elementary unit district, and the sum of the salaries those
25 certified members would have been paid if placed on the salary
26 schedule of the previously existing district with the highest

1 salary schedule. The salary schedules used in the calculation
2 shall be those in effect in the previously existing districts
3 for the school year prior to the creation of the new partial
4 elementary unit district.

5 (5) For an elementary district opt-in, as described in
6 subsection (d) of Section 11E-30 of this Code, the salary
7 difference incentive shall be computed in accordance with
8 paragraph (4) of this subsection (b) as if the opted-in
9 elementary district was included in the optional elementary
10 unit district at the optional elementary unit district's
11 original effective date. If the calculation in this paragraph
12 (5) is less than that calculated in paragraph (4) of this
13 subsection (b) at the optional elementary unit district's
14 original effective date, then no adjustments may be made. If
15 the calculation in this paragraph (5) is more than that
16 calculated in paragraph (4) of this subsection (b) at the
17 optional elementary unit district's original effective date,
18 then the excess must be paid as follows:

19 (A) If the effective date for the elementary opt-in is
20 one year after the effective date for the optional
21 elementary unit district, 100% of the calculated excess
22 shall be paid to the optional elementary unit district in
23 each of the first 4 years after the effective date of the
24 elementary opt-in.

25 (B) If the effective date for the elementary opt-in is
26 2 years after the effective date for the optional

1 elementary unit district, 75% of the calculated excess
2 shall be paid to the optional elementary unit district in
3 each of the first 4 years after the effective date of the
4 elementary opt-in.

5 (C) If the effective date for the elementary opt-in is
6 3 years after the effective date for the optional
7 elementary unit district, 50% of the calculated excess
8 shall be paid to the optional elementary unit district in
9 each of the first 4 years after the effective date of the
10 elementary opt-in.

11 (D) If the effective date for the elementary opt-in is
12 4 years after the effective date for the partial
13 elementary unit district, 25% of the calculated excess
14 shall be paid to the optional elementary unit district in
15 each of the first 4 years after the effective date of the
16 elementary opt-in.

17 (E) If the effective date for the elementary opt-in is
18 5 years after the effective date for the optional
19 elementary unit district, the optional elementary unit
20 district is not eligible for any additional incentives due
21 to the elementary opt-in.

22 (5.5) After the formation of a cooperative high school by
23 2 or more school districts under Section 10-22.22c of this
24 Code, a computation shall be made to determine the difference
25 between the salaries effective in each of the previously
26 existing high schools on June 30 prior to the formation of the

1 cooperative high school. For the first 4 years after the
2 formation of the cooperative high school, a supplementary
3 State aid reimbursement shall be paid to the cooperative high
4 school equal to the difference between the sum of the salaries
5 earned by each of the certificated members of the cooperative
6 high school while employed in one of the previously existing
7 high schools during the year immediately preceding the
8 formation of the cooperative high school and the sum of the
9 salaries those certificated members would have been paid
10 during the year immediately prior to the formation of the
11 cooperative high school if placed on the salary schedule of
12 the previously existing high school with the highest salary
13 schedule.

14 (5.10) After the annexation of territory detached from
15 another school district whereby the enrollment of the annexing
16 district increases by 90% or more as a result of the
17 annexation, a computation shall be made to determine the
18 difference between the salaries effective in the district
19 gaining territory and the district losing territory as they
20 each were constituted on June 30 preceding the date when the
21 change of boundaries attributable to the annexation became
22 effective for all purposes as determined under Section 7-9 of
23 this Code. For the first 4 years after the annexation, a
24 supplementary State aid reimbursement shall be paid to the
25 annexing district equal to the difference between the sum of
26 the salaries earned by each of the certificated members of the

1 annexing district as constituted after the annexation while
2 employed in the district gaining territory or the district
3 losing territory during the year immediately preceding the
4 annexation and the sum of the salaries those certificated
5 members would have been paid during such immediately preceding
6 year if placed on the salary schedule of whichever of the
7 district gaining territory or district losing territory had
8 the highest salary schedule during the immediately preceding
9 year. To be eligible for supplementary State aid reimbursement
10 under this Section, the intergovernmental agreement to be
11 submitted pursuant to Section 7-14A of this Code must show
12 that staff members were transferred from the control of the
13 district losing territory to the control of the district
14 gaining territory in the annexation. The changes to this
15 Section made by Public Act 95-707 are intended to be
16 retroactive and applicable to any annexation taking effect on
17 or after July 1, 2004. For annexations that are eligible for
18 payments under this paragraph (5.10) and that are effective on
19 or after July 1, 2004, but before January 11, 2008 (the
20 effective date of Public Act 95-707), the first required
21 yearly payment under this paragraph (5.10) shall be paid in
22 the fiscal year of January 11, 2008 (the effective date of
23 Public Act 95-707). Subsequent required yearly payments shall
24 be paid in subsequent fiscal years until the payment
25 obligation under this paragraph (5.10) is complete.

26 (5.15) After the deactivation of a school facility in

1 accordance with Section 10-22.22b of this Code, a computation
2 shall be made to determine the difference between the salaries
3 effective in the sending school district and each receiving
4 school district on June 30 prior to the deactivation of the
5 school facility. For the lesser of the first 4 years after the
6 deactivation of the school facility or the length of the
7 deactivation agreement, including any renewals of the original
8 deactivation agreement, a supplementary State aid
9 reimbursement shall be paid to each receiving district equal
10 to the difference between the sum of the salaries earned by
11 each of the certificated members transferred to that receiving
12 district as a result of the deactivation while employed in the
13 sending district during the year immediately preceding the
14 deactivation and the sum of the salaries those certificated
15 members would have been paid during the year immediately
16 preceding the deactivation if placed on the salary schedule of
17 the sending or receiving district with the highest salary
18 schedule.

19 (6) The supplementary State aid reimbursement under this
20 subsection (b) shall be treated as separate from all other
21 payments made pursuant to Section 18-8.05 of this Code. In the
22 case of the formation of a new district or cooperative high
23 school or a deactivation, reimbursement shall begin during the
24 first year of operation of the new district or cooperative
25 high school or the first year of the deactivation, and in the
26 case of an annexation of the territory of one or more school

1 districts by one or more other school districts or the
2 annexation of territory detached from a school district
3 whereby the enrollment of the annexing district increases by
4 90% or more as a result of the annexation, reimbursement shall
5 begin during the first year when the change in boundaries
6 attributable to the annexation becomes effective for all
7 purposes as determined pursuant to Section 7-9 of this Code,
8 except that for an annexation of territory detached from a
9 school district that is effective on or after July 1, 2004, but
10 before January 11, 2008 (the effective date of Public Act
11 95-707), whereby the enrollment of the annexing district
12 increases by 90% or more as a result of the annexation,
13 reimbursement shall begin during the fiscal year of January
14 11, 2008 (the effective date of Public Act 95-707). Each year
15 that the new, annexing, or receiving district or cooperative
16 high school, as the case may be, is entitled to receive
17 reimbursement, the number of eligible certified members who
18 are employed on October 1 in the district or cooperative high
19 school shall be certified to the State Board of Education on
20 prescribed forms by October 15 and payment shall be made on or
21 before November 15 of that year.

22 (c)(1) For the first year after the formation of a
23 combined school district, as defined in Section 11E-20 of this
24 Code or a unit district, as defined in Section 11E-25 of this
25 Code, a computation shall be made totaling each previously
26 existing district's audited fund balances in the educational

1 fund, working cash fund, operations and maintenance fund, and
2 transportation fund for the year ending June 30 prior to the
3 referendum for the creation of the new district. The new
4 district shall be paid supplementary State aid equal to the
5 sum of the differences between the deficit of the previously
6 existing district with the smallest deficit and the deficits
7 of each of the other previously existing districts.

8 (2) For the first year after the annexation of all of the
9 territory of one or more entire school districts by another
10 school district, as defined in Article 7 of this Code,
11 computations shall be made, for the year ending June 30 prior
12 to the date that the change of boundaries attributable to the
13 annexation is allowed by the affirmative decision issued by a
14 Regional Office of Education ~~the regional board of school~~
15 ~~trustees~~ under Section 7-6 of this Code, notwithstanding any
16 effort to seek administrative review of the decision, totaling
17 the annexing district's and totaling each annexed district's
18 audited fund balances in their respective educational, working
19 cash, operations and maintenance, and transportation funds.
20 The annexing district as constituted after the annexation
21 shall be paid supplementary State aid equal to the sum of the
22 differences between the deficit of whichever of the annexing
23 or annexed districts as constituted prior to the annexation
24 had the smallest deficit and the deficits of each of the other
25 districts as constituted prior to the annexation.

26 (3) For the first year after the annexation of all of the

1 territory of one or more entire school districts by 2 or more
2 other school districts, as defined by Article 7 of this Code,
3 computations shall be made, for the year ending June 30 prior
4 to the date that the change of boundaries attributable to the
5 annexation is allowed by the affirmative decision of a
6 Regional Office of Education ~~the regional board of school~~
7 ~~trustees~~ under Section 7-6 of this Code, notwithstanding any
8 action for administrative review of the decision, totaling
9 each annexing and annexed district's audited fund balances in
10 their respective educational, working cash, operations and
11 maintenance, and transportation funds. The annexing districts
12 as constituted after the annexation shall be paid
13 supplementary State aid, allocated as provided in this
14 paragraph (3), in an aggregate amount equal to the sum of the
15 differences between the deficit of whichever of the annexing
16 or annexed districts as constituted prior to the annexation
17 had the smallest deficit and the deficits of each of the other
18 districts as constituted prior to the annexation. The
19 aggregate amount of the supplementary State aid payable under
20 this paragraph (3) shall be allocated between or among the
21 annexing districts as follows:

22 (A) the regional superintendent of schools for each
23 educational service region in which an annexed district is
24 located prior to the annexation shall certify to the State
25 Board of Education, on forms that it shall provide for
26 that purpose, the value of all taxable property in each

1 annexed district, as last equalized or assessed by the
2 Department of Revenue prior to the annexation, and the
3 equalized assessed value of each part of the annexed
4 district that was annexed to or included as a part of an
5 annexing district;

6 (B) using equalized assessed values as certified by
7 the regional superintendent of schools under clause (A) of
8 this paragraph (3), the combined audited fund balance
9 deficit of each annexed district as determined under this
10 Section shall be apportioned between or among the annexing
11 districts in the same ratio as the equalized assessed
12 value of that part of the annexed district that was
13 annexed to or included as a part of an annexing district
14 bears to the total equalized assessed value of the annexed
15 district; and

16 (C) the aggregate supplementary State aid payment
17 under this paragraph (3) shall be allocated between or
18 among, and shall be paid to, the annexing districts in the
19 same ratio as the sum of the combined audited fund balance
20 deficit of each annexing district as constituted prior to
21 the annexation, plus all combined audited fund balance
22 deficit amounts apportioned to that annexing district
23 under clause (B) of this subsection, bears to the
24 aggregate of the combined audited fund balance deficits of
25 all of the annexing and annexed districts as constituted
26 prior to the annexation.

1 (4) For the new elementary districts and new high school
2 district formed through a school district conversion, as
3 defined in Section 11E-15 of this Code or the new elementary
4 district or districts and new combined high school - unit
5 district formed through a multi-unit conversion, as defined in
6 subsection (b) of Section 11E-30 of this Code, a computation
7 shall be made totaling each previously existing district's
8 audited fund balances in the educational fund, working cash
9 fund, operations and maintenance fund, and transportation fund
10 for the year ending June 30 prior to the referendum
11 establishing the new districts. In the first year of the new
12 districts, the State shall make a one-time supplementary
13 payment equal to the sum of the differences between the
14 deficit of the previously existing district with the smallest
15 deficit and the deficits of each of the other previously
16 existing districts. A district with a combined balance among
17 the 4 funds that is positive shall be considered to have a
18 deficit of zero. The supplementary payment shall be allocated
19 among the newly formed high school and elementary districts in
20 the manner provided by the petition for the formation of the
21 districts, in the form in which the petition is approved by the
22 regional superintendent of schools or State Superintendent of
23 Education under Section 11E-50 of this Code.

24 (5) For each newly created partial elementary unit
25 district, as defined in subsection (a) or (c) of Section
26 11E-30 of this Code, a computation shall be made totaling the

1 audited fund balances of each previously existing district
2 that formed the new partial elementary unit district in the
3 educational fund, working cash fund, operations and
4 maintenance fund, and transportation fund for the year ending
5 June 30 prior to the referendum for the formation of the
6 partial elementary unit district. In the first year of the new
7 partial elementary unit district, the State shall make a
8 one-time supplementary payment to the new district equal to
9 the sum of the differences between the deficit of the
10 previously existing district with the smallest deficit and the
11 deficits of each of the other previously existing districts. A
12 district with a combined balance among the 4 funds that is
13 positive shall be considered to have a deficit of zero.

14 (6) For an elementary opt-in as defined in subsection (d)
15 of Section 11E-30 of this Code, the deficit fund balance
16 incentive shall be computed in accordance with paragraph (5)
17 of this subsection (c) as if the opted-in elementary was
18 included in the optional elementary unit district at the
19 optional elementary unit district's original effective date.
20 If the calculation in this paragraph (6) is less than that
21 calculated in paragraph (5) of this subsection (c) at the
22 optional elementary unit district's original effective date,
23 then no adjustments may be made. If the calculation in this
24 paragraph (6) is more than that calculated in paragraph (5) of
25 this subsection (c) at the optional elementary unit district's
26 original effective date, then the excess must be paid as

1 follows:

2 (A) If the effective date for the elementary opt-in is
3 one year after the effective date for the optional
4 elementary unit district, 100% of the calculated excess
5 shall be paid to the optional elementary unit district in
6 the first year after the effective date of the elementary
7 opt-in.

8 (B) If the effective date for the elementary opt-in is
9 2 years after the effective date for the optional
10 elementary unit district, 75% of the calculated excess
11 shall be paid to the optional elementary unit district in
12 the first year after the effective date of the elementary
13 opt-in.

14 (C) If the effective date for the elementary opt-in is
15 3 years after the effective date for the optional
16 elementary unit district, 50% of the calculated excess
17 shall be paid to the optional elementary unit district in
18 the first year after the effective date of the elementary
19 opt-in.

20 (D) If the effective date for the elementary opt-in is
21 4 years after the effective date for the optional
22 elementary unit district, 25% of the calculated excess
23 shall be paid to the optional elementary unit district in
24 the first year after the effective date of the elementary
25 opt-in.

26 (E) If the effective date for the elementary opt-in is

1 5 years after the effective date for the optional
2 elementary unit district, the optional elementary unit
3 district is not eligible for any additional incentives due
4 to the elementary opt-in.

5 (6.5) For the first year after the annexation of territory
6 detached from another school district whereby the enrollment
7 of the annexing district increases by 90% or more as a result
8 of the annexation, a computation shall be made totaling the
9 audited fund balances of the district gaining territory and
10 the audited fund balances of the district losing territory in
11 the educational fund, working cash fund, operations and
12 maintenance fund, and transportation fund for the year ending
13 June 30 prior to the date that the change of boundaries
14 attributable to the annexation is allowed by the affirmative
15 decision of a Regional Office of Education ~~the regional board~~
16 ~~of school trustees~~ under Section 7-6 of this Code,
17 notwithstanding any action for administrative review of the
18 decision. The annexing district as constituted after the
19 annexation shall be paid supplementary State aid equal to the
20 difference between the deficit of whichever district included
21 in this calculation as constituted prior to the annexation had
22 the smallest deficit and the deficit of each other district
23 included in this calculation as constituted prior to the
24 annexation, multiplied by the ratio of equalized assessed
25 value of the territory detached to the total equalized
26 assessed value of the district losing territory. The regional

1 superintendent of schools for the educational service region
2 in which a district losing territory is located prior to the
3 annexation shall certify to the State Board of Education the
4 value of all taxable property in the district losing territory
5 and the value of all taxable property in the territory being
6 detached, as last equalized or assessed by the Department of
7 Revenue prior to the annexation. To be eligible for
8 supplementary State aid reimbursement under this Section, the
9 intergovernmental agreement to be submitted pursuant to
10 Section 7-14A of this Code must show that fund balances were
11 transferred from the district losing territory to the district
12 gaining territory in the annexation. The changes to this
13 Section made by Public Act 95-707 are intended to be
14 retroactive and applicable to any annexation taking effect on
15 or after July 1, 2004. For annexations that are eligible for
16 payments under this paragraph (6.5) and that are effective on
17 or after July 1, 2004, but before January 11, 2008 (the
18 effective date of Public Act 95-707), the required payment
19 under this paragraph (6.5) shall be paid in the fiscal year of
20 January 11, 2008 (the effective date of Public Act 95-707).

21 (7) For purposes of any calculation required under
22 paragraph (1), (2), (3), (4), (5), (6), or (6.5) of this
23 subsection (c), a district with a combined fund balance that
24 is positive shall be considered to have a deficit of zero. For
25 purposes of determining each district's audited fund balances
26 in its educational fund, working cash fund, operations and

1 maintenance fund, and transportation fund for the specified
2 year ending June 30, as provided in paragraphs (1), (2), (3),
3 (4), (5), (6), and (6.5) of this subsection (c), the balance of
4 each fund shall be deemed decreased by an amount equal to the
5 amount of the annual property tax theretofore levied in the
6 fund by the district for collection and payment to the
7 district during the calendar year in which the June 30 fell,
8 but only to the extent that the tax so levied in the fund
9 actually was received by the district on or before or
10 comprised a part of the fund on such June 30. For purposes of
11 determining each district's audited fund balances, a
12 calculation shall be made for each fund to determine the
13 average for the 3 years prior to the specified year ending June
14 30, as provided in paragraphs (1), (2), (3), (4), (5), (6), and
15 (6.5) of this subsection (c), of the district's expenditures
16 in the categories "purchased services", "supplies and
17 materials", and "capital outlay", as those categories are
18 defined in rules of the State Board of Education. If this
19 3-year average is less than the district's expenditures in
20 these categories for the specified year ending June 30, as
21 provided in paragraphs (1), (2), (3), (4), (5), (6), and (6.5)
22 of this subsection (c), then the 3-year average shall be used
23 in calculating the amounts payable under this Section in place
24 of the amounts shown in these categories for the specified
25 year ending June 30, as provided in paragraphs (1), (2), (3),
26 (4), (5), (6), and (6.5) of this subsection (c). Any deficit

1 because of State aid not yet received may not be considered in
2 determining the June 30 deficits. The same basis of accounting
3 shall be used by all previously existing districts and by all
4 annexing or annexed districts, as constituted prior to the
5 annexation, in making any computation required under
6 paragraphs (1), (2), (3), (4), (5), (6), and (6.5) of this
7 subsection (c).

8 (8) The supplementary State aid payments under this
9 subsection (c) shall be treated as separate from all other
10 payments made pursuant to Section 18-8.05 of this Code.

11 (d)(1) Following the formation of a combined school
12 district, as defined in Section 11E-20 of this Code, a new unit
13 district, as defined in Section 11E-25 of this Code, a new
14 elementary district or districts and a new high school
15 district formed through a school district conversion, as
16 defined in Section 11E-15 of this Code, a new partial
17 elementary unit district, as defined in Section 11E-30 of this
18 Code, or a new elementary district or districts formed through
19 a multi-unit conversion, as defined in subsection (b) of
20 Section 11E-30 of this Code, or the annexation of all of the
21 territory of one or more entire school districts by one or more
22 other school districts, as defined in Article 7 of this Code, a
23 supplementary State aid reimbursement shall be paid for the
24 number of school years determined under the following table to
25 each new or annexing district equal to the sum of \$4,000 for
26 each certified employee who is employed by the district on a

1 full-time basis for the regular term of the school year:

2 Reorganized District's Rank

3 Reorganized District's Rank

4 by type of district (unit,

5 in Average Daily Attendance

6 high school, elementary) By Quintile

7 in Equalized Assessed Value

8 Per Pupil by Quintile

9 3rd, 4th,

10 1st 2nd or 5th

11 Quintile Quintile Quintile

12 1st Quintile 1 year 1 year 1 year

13 2nd Quintile 1 year 2 years 2 years

14 3rd Quintile 2 years 3 years 3 years

15 4th Quintile 2 years 3 years 3 years

16 5th Quintile 2 years 3 years 3 years

17 The State Board of Education shall make a one-time calculation
 18 of a reorganized district's quintile ranks. The average daily
 19 attendance used in this calculation shall be the best 3
 20 months' average daily attendance for the district's first
 21 year. The equalized assessed value per pupil shall be the
 22 district's real property equalized assessed value used in
 23 calculating the district's first-year general State aid claim,
 24 under Section 18-8.05 of this Code, or first-year

1 evidence-based funding claim, under Section 18-8.15 of this
2 Code, as applicable, divided by the best 3 months' average
3 daily attendance.

4 No annexing or resulting school district shall be entitled
5 to supplementary State aid under this subsection (d) unless
6 the district acquires at least 30% of the average daily
7 attendance of the district from which the territory is being
8 detached or divided.

9 If a district results from multiple reorganizations that
10 would otherwise qualify the district for multiple payments
11 under this subsection (d) in any year, then the district shall
12 receive a single payment only for that year based solely on the
13 most recent reorganization.

14 (2) For an elementary opt-in, as defined in subsection (d)
15 of Section 11E-30 of this Code, the full-time certified staff
16 incentive shall be computed in accordance with paragraph (1)
17 of this subsection (d), equal to the sum of \$4,000 for each
18 certified employee of the elementary district that opts-in who
19 is employed by the optional elementary unit district on a
20 full-time basis for the regular term of the school year. The
21 calculation from this paragraph (2) must be paid as follows:

22 (A) If the effective date for the elementary opt-in is
23 one year after the effective date for the optional
24 elementary unit district, 100% of the amount calculated in
25 this paragraph (2) shall be paid to the optional
26 elementary unit district for the number of years

1 calculated in paragraph (1) of this subsection (d) at the
2 optional elementary unit district's original effective
3 date, starting in the second year after the effective date
4 of the elementary opt-in.

5 (B) If the effective date for the elementary opt-in is
6 2 years after the effective date for the optional
7 elementary unit district, 75% of the amount calculated in
8 this paragraph (2) shall be paid to the optional
9 elementary unit district for the number of years
10 calculated in paragraph (1) of this subsection (d) at the
11 optional elementary unit district's original effective
12 date, starting in the second year after the effective date
13 of the elementary opt-in.

14 (C) If the effective date for the elementary opt-in is
15 3 years after the effective date for the optional
16 elementary unit district, 50% of the amount calculated in
17 this paragraph (2) shall be paid to the optional
18 elementary unit district for the number of years
19 calculated in paragraph (1) of this subsection (d) at the
20 optional elementary unit district's original effective
21 date, starting in the second year after the effective date
22 of the elementary opt-in.

23 (D) If the effective date for the elementary opt-in is
24 4 years after the effective date for the optional
25 elementary unit district, 25% of the amount calculated in
26 this paragraph (2) shall be paid to the optional

1 elementary unit district for the number of years
2 calculated in paragraph (1) of this subsection (d) at the
3 optional elementary unit district's original effective
4 date, starting in the second year after the effective date
5 of the elementary opt-in.

6 (E) If the effective date for the elementary opt-in is
7 5 years after the effective date for the optional
8 elementary unit district, the optional elementary unit
9 district is not eligible for any additional incentives due
10 to the elementary opt-in.

11 (2.5) Following the formation of a cooperative high school
12 by 2 or more school districts under Section 10-22.22c of this
13 Code, a supplementary State aid reimbursement shall be paid
14 for 3 school years to the cooperative high school equal to the
15 sum of \$4,000 for each certified employee who is employed by
16 the cooperative high school on a full-time basis for the
17 regular term of any such school year. If a cooperative high
18 school results from multiple agreements that would otherwise
19 qualify the cooperative high school for multiple payments
20 under this Section in any year, the cooperative high school
21 shall receive a single payment for that year based solely on
22 the most recent agreement.

23 (2.10) Following the annexation of territory detached from
24 another school district whereby the enrollment of the annexing
25 district increases 90% or more as a result of the annexation, a
26 supplementary State aid reimbursement shall be paid to the

1 annexing district equal to the sum of \$4,000 for each
2 certified employee who is employed by the annexing district on
3 a full-time basis and shall be calculated in accordance with
4 subsection (a) of this Section. To be eligible for
5 supplementary State aid reimbursement under this Section, the
6 intergovernmental agreement to be submitted pursuant to
7 Section 7-14A of this Code must show that certified staff
8 members were transferred from the control of the district
9 losing territory to the control of the district gaining
10 territory in the annexation. The changes to this Section made
11 by Public Act 95-707 are intended to be retroactive and
12 applicable to any annexation taking effect on or after July 1,
13 2004. For annexations that are eligible for payments under
14 this paragraph (2.10) and that are effective on or after July
15 1, 2004, but before January 11, 2008 (the effective date of
16 Public Act 95-707), the first required yearly payment under
17 this paragraph (2.10) shall be paid in the second fiscal year
18 after January 11, 2008 (the effective date of Public Act
19 95-707). Any subsequent required yearly payments shall be paid
20 in subsequent fiscal years until the payment obligation under
21 this paragraph (2.10) is complete.

22 (2.15) Following the deactivation of a school facility in
23 accordance with Section 10-22.22b of this Code, a
24 supplementary State aid reimbursement shall be paid for the
25 lesser of 3 school years or the length of the deactivation
26 agreement, including any renewals of the original deactivation

1 agreement, to each receiving school district equal to the sum
2 of \$4,000 for each certified employee who is employed by that
3 receiving district on a full-time basis for the regular term
4 of any such school year who was originally transferred to the
5 control of that receiving district as a result of the
6 deactivation. Receiving districts are eligible for payments
7 under this paragraph (2.15) based on the certified employees
8 transferred to that receiving district as a result of the
9 deactivation and are not required to receive at least 30% of
10 the deactivating district's average daily attendance as
11 required under paragraph (1) of this subsection (d) to be
12 eligible for payments.

13 (3) The supplementary State aid reimbursement payable
14 under this subsection (d) shall be separate from and in
15 addition to all other payments made to the district pursuant
16 to any other Section of this Article.

17 (4) During May of each school year for which a
18 supplementary State aid reimbursement is to be paid to a new,
19 annexing, or receiving school district or cooperative high
20 school pursuant to this subsection (d), the school board or
21 governing board shall certify to the State Board of Education,
22 on forms furnished to the school board or governing board by
23 the State Board of Education for purposes of this subsection
24 (d), the number of certified employees for which the district
25 or cooperative high school is entitled to reimbursement under
26 this Section, together with the names, certificate numbers,

1 and positions held by the certified employees.

2 (5) Upon certification by the State Board of Education to
3 the State Comptroller of the amount of the supplementary State
4 aid reimbursement to which a school district or cooperative
5 high school is entitled under this subsection (d), the State
6 Comptroller shall draw his or her warrant upon the State
7 Treasurer for the payment thereof to the school district or
8 cooperative high school and shall promptly transmit the
9 payment to the school district or cooperative high school
10 through the appropriate school treasurer.

11 (Source: P.A. 100-465, eff. 8-31-17.)

12 (105 ILCS 5/15-24) (from Ch. 122, par. 15-24)

13 Sec. 15-24. Management of permanent funds. The common
14 school lands and township loanable funds in Class I counties
15 shall be managed and operated by township land commissioners
16 who shall receive no salary. In counties of fewer than 220,000
17 inhabitants, there shall be 3 land commissioners, who shall be
18 elected in the same manner as provided for the election of
19 school directors, who shall serve the same terms as school
20 directors and shall be organized in the same manner as school
21 directors. In counties having 220,000 inhabitants or more but
22 fewer than 2,000,000 inhabitants, employees of a Regional
23 Office of Education ~~the members of the regional board of~~
24 ~~school trustees~~ shall be the township land commissioners,
25 except that township land commissioners elected in any such

1 county prior to the effective date of this amendatory Act of
2 1963 shall continue to serve until the end of the term for
3 which they were elected. The township land commissioners shall
4 hold title to, manage and operate all common school lands and
5 township loanable funds of such township and receive the
6 rents, issues and profits therefrom. Elections shall be
7 conducted in accordance with the general election law. The
8 land commissioners shall appoint a treasurer for a term of 2
9 years and fix his salary which shall not be changed during such
10 term. The proceeds of the rents, issues and profits from such
11 land and fund shall be promptly deposited with him upon its
12 receipt by the land commissioners. After the payment of the
13 necessary expenses incidental to the operation of such land
14 and fund by orders drawn on the treasurer and signed by the
15 president and secretary of the land commissioners, including
16 actual expenses of the land commissioners, the net income from
17 such land and fund including accumulated income undistributed
18 at the effective date of this Act shall, upon an order drawn by
19 such treasurer and signed by the president and secretary of
20 such township land commissioners be distributed annually on or
21 before February 1 as provided in this Act.

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

23 (105 ILCS 5/15-26) (from Ch. 122, par. 15-26)

24 Sec. 15-26. Liquidation of permanent fund. Upon a petition
25 signed by at least one hundred voters of any school township

1 filed with the regional superintendent of schools asking that
2 the permanent funds of such township be liquidated and
3 distributed to the schools of said township, said regional
4 superintendent of schools shall certify the proposition to the
5 proper election authorities for submission to the electorate
6 at a regular scheduled election in said township the
7 proposition to liquidate such permanent funds and distribute
8 the proceeds thereof to the schools of the said school
9 township. Such funds may be deposited by the district either
10 in the educational or operations and maintenance fund, or in
11 both in such proportion as the school board shall determine.
12 If the said proposition receives a majority of the votes cast
13 upon such proposition the township land commissioners shall
14 proceed to sell the lands included in the assets of the
15 permanent fund and liquidate the permanent funds of said
16 school township and distribute same in the manner provided in
17 this Article; if the average income from the permanent funds
18 of any school township for a period of three years amounts to
19 less than \$2500 a Regional Office of Education ~~the regional~~
20 ~~board of school trustees~~ or the township land commissioners
21 shall proceed forthwith to liquidate such funds and sell the
22 lands included in the assets of the permanent fund without any
23 petition or election.

24 The expenses of liquidation shall be paid out of the
25 moneys obtained from the liquidation. Upon completion of every
26 sale of lands the township land commissioners or a Regional

1 Office of Education ~~the regional board of school trustees~~, as
2 the case may be, shall deliver to the purchaser a certificate
3 of purchase including the name and residence of the purchaser
4 and the price and description of the land.

5 (Source: P.A. 86-970.)

6 (105 ILCS 5/16-2) (from Ch. 122, par. 16-2)

7 Sec. 16-2. Joint use of site and building. Whenever the
8 school boards of two or more school districts have agreed upon
9 the joint use of any school site and compensation to be paid
10 therefor, and any such site has been selected in the manner
11 required by law, it is lawful for such districts to use the
12 same school site and after payment of the compensation, the
13 trustees of schools of the township or a Regional Office of
14 Education ~~regional board of school trustees~~, as the case may
15 be, by proper instrument in writing shall declare that title
16 to such site is held for the joint use of such districts
17 according to the terms of such agreement, and such districts
18 shall be further authorized to construct, maintain and use a
19 building jointly for the benefit of the inhabitants thereof.
20 Notwithstanding any other provisions of this Section:

21 (1) If legal title to the selected site is held in the name
22 of the school board of a school district that has agreed to the
23 joint use of the site with any other school districts, and if
24 those other school districts are also districts whose school
25 boards, under subsection (a) of Section 10-22.35B of this

1 Code, are to hold legal title to school buildings and school
2 sites of the district, then upon the execution of the
3 agreement and payment of the compensation in accordance with
4 the terms of the agreement the school boards of the districts
5 shall be deemed to hold legal title to the site as tenants in
6 common, and the required deed or deeds of conveyance shall be
7 executed and delivered by the president and secretary or clerk
8 of the school boards to reflect that legal title to the
9 selected site is held in that manner.

10 (2) If one more but not all of the school boards that are
11 party to the agreement are school boards that, under
12 subsection (a) of Section 10-22.35B of this Code, are to hold
13 legal title to the school buildings and school sites of the
14 district, the interest in the selected site of each school
15 board that is to hold legal title to the school buildings and
16 school sites of the district shall be that of a tenant in
17 common; and the required deed or deeds of conveyance shall be
18 executed and delivered by the president and secretary or clerk
19 of the trustees of schools of the township, Regional Office of
20 Education ~~regional board of school trustees~~, township land
21 commissioners, or school boards, as the case may be, to
22 reflect that tenancy in common interest of the appropriate
23 school board or school boards with the trustees of schools of
24 the township, Regional Office of Education ~~regional board of~~
25 ~~school trustees~~ or township land commissioners, as the case
26 may be, in the legal title to the selected site.

1 (Source: P.A. 100-374, eff. 8-25-17.)

2 (105 ILCS 5/16-3) (from Ch. 122, par. 16-3)

3 Sec. 16-3. Transfer of site to purchasing district.

4 Whenever the school board of any school district determines
5 that any schoolhouse site with or without a building thereon
6 is of no further use to the district and agrees with the school
7 board of any other school district, within or adjacent to the
8 boundaries of which the site is situated, upon the sale
9 thereof to such district and the price to be paid therefor, and
10 such sites are selected by the purchasing district in the
11 manner prescribed by law, after the payment of the
12 compensation the trustees of schools of the township, Regional
13 Office of Education ~~regional board of school trustees,~~
14 township land commissioners, or school board having legal
15 title to the site shall, by proper deed of conveyance or
16 instrument in writing, convey legal title to, or transfer the
17 use of the site to, the purchasing district in accordance with
18 applicable provisions of this Code.

19 (Source: P.A. 88-155.)

20 (105 ILCS 5/16-6) (from Ch. 122, par. 16-6)

21 Sec. 16-6. Compensation determined under eminent domain.

22 Whenever any lot or parcel of land is needed by any
23 university, college, township high school or other educational
24 institution established and supported by this State or by a

1 township therein, or by a school district, as a site for a
2 building or for any educational purpose, including sites
3 purchased under authority of Section 10-22.31b, and
4 compensation for the lot or parcel of land cannot be agreed
5 upon between the owners thereof and the trustees, board of
6 education, or other corporate authority of the educational
7 institution, or school district, the corporate authority of
8 the educational institution or school district may have the
9 compensation determined in the manner provided by law for the
10 exercise of the right of eminent domain. In Class I counties
11 and in any school district which is situated in a Class II
12 county school unit but which no longer is subject to the
13 jurisdiction and authority of a township treasurer or trustees
14 of schools of a township because the district has withdrawn
15 from the jurisdiction and authority of the township treasurer
16 and trustees of schools of the township or because those
17 offices have been abolished as provided in subsection (b) or
18 (c) of Section 5-1, the school board shall engage counsel, pay
19 all expenses and institute suit without any authorization by a
20 Regional Office of Education ~~the regional board of school~~
21 ~~trustees~~; and the proceedings shall be in the name of the
22 school board for the use of the school district. But no tract
23 of land outside the limits of any incorporated city or village
24 and within 40 rods of the dwelling of the owner of the land
25 shall be taken by the board of directors created in Section
26 10-1 of this Act without the owner's consent: provided,

1 however, that a tract of land outside the limits of any
2 incorporated city or village lying not less than 200 feet from
3 the dwelling of the owner of the land which adjoins and is
4 adjacent to a school site being used for school purposes may be
5 taken by the board in the manner provided by law for the
6 exercise of the right of eminent domain for the purpose of
7 enlarging such school site for educational and recreational
8 purposes.

9 (Source: P.A. 87-473; 88-155.)

10 (105 ILCS 5/6-1 rep.)

11 (105 ILCS 5/6-2 rep.)

12 (105 ILCS 5/6-2.1 rep.)

13 (105 ILCS 5/6-3 rep.)

14 (105 ILCS 5/6-4 rep.)

15 (105 ILCS 5/6-5 rep.)

16 (105 ILCS 5/6-10 rep.)

17 (105 ILCS 5/6-12 rep.)

18 (105 ILCS 5/6-18 rep.)

19 (105 ILCS 5/6-19 rep.)

20 (105 ILCS 5/6-20 rep.)

21 (105 ILCS 5/6-21 rep.)

22 Section 25. The School Code is amended by repealing
23 Sections 6-1, 6-2, 6-2.1, 6-3, 6-4, 6-5, 6-10, 6-12, 6-18,
24 6-19, 6-20, and 6-21.

1 Section 30. The Code of Civil Procedure is amended by
2 changing Section 3-105 as follows:

3 (735 ILCS 5/3-105) (from Ch. 110, par. 3-105)

4 Sec. 3-105. Service of summons. Summons issued in any
5 action to review the final administrative decision of any
6 administrative agency shall be served by registered or
7 certified mail on the administrative agency and on each of the
8 other defendants except in the case of a review of a final
9 administrative decision of a Regional Office of Education ~~the~~
10 ~~regional board of school trustees~~, regional superintendent of
11 schools, or State Superintendent of Education, as the case may
12 be, when a committee of 10 has been designated as provided in
13 Section 7-6 of the School Code, and in such case only the
14 administrative agency involved and each of the committee of 10
15 shall be served. The method of service shall be as provided in
16 the Act governing the procedure before the administrative
17 agency, but if no method is provided, summons shall be deemed
18 to have been served either when a copy of the summons is
19 personally delivered or when a copy of the decision is
20 deposited in the United States mail, in a sealed envelope or
21 package, with postage prepaid, addressed to the party affected
22 by the decision at his or her last known residence or place of
23 business. The form of the summons and the issuance of alias
24 summons shall be according to rules of the Supreme Court. No
25 action for administrative review shall be dismissed for lack

1 of jurisdiction based upon the failure to serve summons on an
2 employee, agent, or member of an administrative agency, board,
3 committee, or government entity, acting in his or her official
4 capacity, where the administrative agency, board, committee,
5 or government entity has been served as provided in this
6 Section. Service on the director or agency head, in his or her
7 official capacity, shall be deemed service on the
8 administrative agency, board, committee, or government entity.
9 No action for administrative review shall be dismissed for
10 lack of jurisdiction based upon the failure to serve summons
11 on an administrative agency, board, committee, or government
12 entity, acting, where the director or agency head, in his or
13 her official capacity, has been served as provided in this
14 Section. Service on the administrative agency shall be made by
15 the clerk of the court by sending a copy of the summons
16 addressed to the agency at its main office in the State. The
17 clerk of the court shall also mail a copy of the summons to
18 each of the other defendants, addressed to the last known
19 place of residence or principal place of business of each such
20 defendant. The plaintiff shall, by affidavit filed with the
21 complaint, designate the last known address of each defendant
22 upon whom service shall be made. The certificate of the clerk
23 of the court that he or she has served such summons in
24 pursuance of this Section shall be evidence that he or she has
25 done so.

26 The changes to this Section made by this amendatory Act of

1 the 95th General Assembly apply to all actions filed on or
2 after the effective date of this amendatory Act of the 95th
3 General Assembly.

4 (Source: P.A. 95-831, eff. 8-14-08.)

5 Section 35. The Local Governmental and Governmental
6 Employees Tort Immunity Act is amended by changing Section
7 1-206 as follows:

8 (745 ILCS 10/1-206) (from Ch. 85, par. 1-206)

9 Sec. 1-206. "Local public entity" includes a county,
10 township, municipality, municipal corporation, school
11 district, school board, educational service region, Regional
12 Office of Education ~~regional board of school trustees,~~
13 trustees of schools of townships, treasurers of schools of
14 townships, community college district, community college
15 board, forest preserve district, park district, fire
16 protection district, sanitary district, museum district,
17 emergency telephone system board, and all other local
18 governmental bodies. "Local public entity" also includes
19 library systems and any intergovernmental agency or similar
20 entity formed pursuant to the Constitution of the State of
21 Illinois or the Intergovernmental Cooperation Act as well as
22 any not-for-profit corporation organized for the purpose of
23 conducting public business. It does not include the State or
24 any office, officer, department, division, bureau, board,

1 commission, university or similar agency of the State.

2 The changes made by this amendatory Act of the 94th
3 General Assembly do not apply to an action or proceeding
4 accruing on or before its effective date.

5 (Source: P.A. 94-424, eff. 8-2-05.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.

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