

1 AN ACT concerning school district reorganization.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The School Code is amended by changing
5 Sections 2-3.35, 7-1, 7-2, 7-4, 7-6, 11A-9, 18-8.2, and
6 18-8.5 as follows:

7 (105 ILCS 5/2-3.35) (from Ch. 122, par. 2-3.35)

8 Sec. 2-3.35. Department of School District Organization.

9 To establish a Department of School District Organization
10 to assist local school districts in studying school district
11 organization problems so as to improve educational
12 opportunities for the students and:

13 (1) to provide consultant service to local school
14 districts to help them determine and understand the
15 necessary quality educational program needed for the
16 youth of today, and the necessary services and resources
17 to develop and support it.

18 (2) to provide consultant service to school
19 districts that need to reorganize through consolidation,
20 joint agreements, etc., in order to provide for a quality
21 educational program.

22 (3) to provide consultant service to school
23 districts needing help to solve internal organizational
24 problems that must be solved to provide a quality
25 educational program.

26 (4) to provide information annually to the State
27 Superintendent of Education ~~School--Problems--Commission~~
28 regarding progress made in improving school district
29 organization as well as school district reorganization.
30 Such factual information should provide a basis for
31 legislation to solve organizational problems for school

1 districts when they cannot or will not be solved at the
2 local school district level.

3 (5) may make area surveys of strengths and
4 weaknesses of local school districts and recommend, where
5 necessary, a course of action to meet adequate standards.

6 (6) to make grants to those school districts
7 interested in investigating the possibility of
8 reorganizing for the purpose of either consolidation or
9 annexation. A district may submit an application, on a
10 form provided by the State Board of Education, for a
11 grant in order to hire an outside consultant to conduct a
12 feasibility study. The grant shall be for one year, and
13 a copy of the completed study must be provided to the
14 State Board of Education, along with an itemized listing
15 of the costs incurred, at the end of the year.

16 (Source: Laws 1967, p. 2639.)

17 (105 ILCS 5/7-1) (from Ch. 122, par. 7-1)

18 Sec. 7-1. Districts in one educational service region -
19 changing boundaries.

20 (a) School district boundaries lying entirely within any
21 educational service region may be changed by detachment,
22 annexation, division or dissolution or any combination
23 thereof by the regional board of school trustees of such
24 region, or by the State Superintendent of Education as
25 provided in subsection (1) of Section 7-6, when petitioned by
26 the boards of each district affected or by a majority of the
27 registered voters in each district affected or by two-thirds
28 of the registered voters in any territory proposed to be
29 detached from one or more districts or in each of one or more
30 districts proposed to be annexed to another district.
31 Registered voters shall be determined by the official voter
32 registration lists as of the date the petition is filed. No
33 signatures shall be added after the date the petition is

1 filed. If there are no registered voters within the
2 territory proposed to be detached from one or more districts,
3 then the petition may be signed by all of the owners of
4 record of the real estate of the territory. Notwithstanding
5 ~~any other provisions of this Article, if pursuant to a~~
6 ~~petition filed under this subsection all of the territory of~~
7 ~~a school district is to be annexed to another school~~
8 ~~district, any action by the regional board of school trustees~~
9 ~~or State Superintendent of Education in granting or approving~~
10 ~~the petition and any change in school district boundaries~~
11 ~~pursuant to that action is subject to and the change in~~
12 ~~school district boundaries shall not be made except upon~~
13 ~~approval at a regular scheduled election, in the manner~~
14 ~~provided by Section 7-7.7, of a proposition for the~~
15 ~~annexation of all of the territory of that school district to~~
16 ~~the other school district.~~

17 Each page of the circulated petition shall include the
18 full prayer of the petition, and each signature contained
19 therein shall match the official signature and address of the
20 registered voters as recorded in the office of the election
21 authority having jurisdiction over the county. Each
22 petitioner shall also record the date of his signing. Each
23 page of the petition shall be signed by a circulator who has
24 witnessed the signature of each petitioner on that page. The
25 length of time for signatures to be valid, before filing of
26 the petition, shall not exceed 6 months.

27 Where there is only one school building in an approved
28 operating district, the building and building site may not be
29 included in any detachment proceeding unless petitioned by
30 two-thirds of the registered voters within the entire
31 district wherein the school is located.

32 (b) Any elementary or high school district with 100 or
33 more of its students residing upon territory located entirely
34 within a military base or installation operated and

1 maintained by the government of the United States, or any
2 unit school district or any combination of the above
3 mentioned districts with 300 or more of its students residing
4 upon territory located entirely within a military base or
5 installation operated and maintained by the government of the
6 United States, shall, upon the filing with the regional board
7 of school trustees of a petition adopted by resolution of the
8 board of education or a petition signed by a majority of the
9 registered voters residing upon such military base or
10 installation, have all of the territory lying entirely within
11 such military base or installation detached from such school
12 district, and a new school district comprised of such
13 territory shall be created. The petition shall be filed with
14 and decided solely by the regional board of school trustees
15 of the region in which the regional superintendent of schools
16 has supervision of the school district affected. The
17 regional board of school trustees shall have no authority to
18 deny the detachment and creation of a new school district
19 requested in a proper petition filed under this subsection.
20 This subsection shall apply only to those school districts
21 having a population of not fewer than 1,000 and not more than
22 500,000 residents, as ascertained by any special or general
23 census.

24 The new school district shall tuition its students to the
25 same districts that its students were previously attending
26 and the districts from which the new district was detached
27 shall continue to educate the students from the new district,
28 until the federal government provides other arrangements.
29 The federal government shall pay for the education of such
30 children as required by Section 6 of Public Law 81-874.

31 If a school district created under this subsection (b)
32 has not elected a school board and has not become operational
33 within 2 years after the date of detachment, then this
34 district is automatically dissolved and the territory of this

1 district reverts to the school district from which the
2 territory was detached or any successor district thereto.
3 Any school district created under this subsection (b) on or
4 before September 1, 1996 that has not elected a school board
5 and has not been operational since September 1, 1996 is
6 automatically dissolved on the effective date of this
7 amendatory Act of 1999, and on this date the territory of
8 this district reverts to the school district from which the
9 territory was detached. For the automatic dissolution of a
10 school district created under this subsection (b), the
11 regional superintendent of schools who has supervision of the
12 school district from which the territory was detached shall
13 certify to the regional board of school trustees that the
14 school district created under this subsection (b) has been
15 automatically dissolved.

16 (Source: P.A. 90-459, eff. 8-17-97; 91-460, eff. 8-6-99.)

17 (105 ILCS 5/7-2) (from Ch. 122, par. 7-2)

18 Sec. 7-2. Districts in two or more counties; Change of
19 boundaries. Boundaries of existing school districts lying
20 within two or more counties may be changed by detachment,
21 annexation, division, dissolution or any combination thereof
22 by the concurrent action of, taken following a joint hearing
23 before, the regional boards of school trustees of each region
24 affected. For purposes of this Section and Section 7-6, an
25 educational service region shall be deemed to be a region
26 affected if any portion of the territory which the petition
27 seeks to have detached from any school district is located in
28 the region. The petition may be by the boards of each
29 district affected, or by a majority of the legal voters
30 residing in each district affected, or by two-thirds of the
31 legal voters residing in any territory proposed to be
32 detached from one or more districts or in each of one or more
33 districts proposed to be annexed to another district. The

1 original petition shall be filed with the regional board of
 2 school trustees of the region in which the territory being
 3 detached is located or if territory is being detached from
 4 more than one region then the petition shall be filed with
 5 the regional board of school trustees of the region in which
 6 the regional superintendent has supervision over the greatest
 7 portion of such territory. A certified true copy of the
 8 petition shall be filed with the regional board of school
 9 trustees of each other region affected. Notwithstanding any
 10 other provisions of this Article, if pursuant to a petition
 11 filed under this Section all of the territory of a school
 12 district is to be annexed to another school district, any
 13 action by the regional boards of school trustees in granting
 14 the petition and any changes in school district boundaries
 15 pursuant to that action is subject to and the change in
 16 school district boundaries shall not be made except upon
 17 approval at a regular scheduled election, in the manner
 18 provided by Section 7-7.7, of a proposition for the
 19 annexation of all of the territory of that school district to
 20 the other school district.

21 The regional board of school trustees in whose region the
 22 joint hearing on the original petition is conducted shall
 23 send a certified true copy of the transcript of the hearing
 24 to each other region affected. If there are no legal voters
 25 residing within the territory proposed to be detached from
 26 one or more districts, then the petition may be signed by all
 27 of the owners of record of the real estate of the territory.
 28 The annexing district is that district to which territory is
 29 proposed to be added.

30 Where there is only one school building in an approved
 31 operating district, the building and building site may not be
 32 included in any detachment proceeding unless petitioned by
 33 two-thirds of the eligible voters within the entire district
 34 wherein the school is located.

1 After September 23, 1983, no petition shall be filed
2 under Sections 7-1 and 7-2 to form a new school district
3 under this Article except that such a petition may be filed
4 under Section 7-1 to form a new school district where the
5 boundaries of such new school district lie entirely within
6 the boundaries of a military base or installation operated
7 and maintained by the government of the United States.
8 (Source: P.A. 90-459, eff. 8-17-97.)

9 (105 ILCS 5/7-4) (from Ch. 122, par. 7-4)

10 Sec. 7-4. Requirements for granting petitions. No
11 petition shall be granted under Sections 7-1 or 7-2 of this
12 Act:

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

15 (b) Unless after granting the petition any community
16 unit district, community consolidated district, elementary
17 district or high school district created shall have a
18 population of at least 2,000 and an equalized assessed
19 valuation of at least \$6,000,000 based upon the last value as
20 equalized by the Department of Revenue as of the date of
21 filing of the petition.

22 (c) Unless the territory within any district so created
23 or any district whose boundaries are affected by the granting
24 of a petition shall after the granting thereof be compact and
25 contiguous except as provided in Section 7-6 of this Act.
26 The fact that a district is divided by territory lying within
27 the corporate limits of the city of Chicago shall not render
28 it non-compact or non-contiguous.

29 (d) To create any school district with a population of
30 less than 2,000 unless the State Board of Education and the
31 regional superintendent of schools for the region in which
32 the proposed district will lie shall certify to the regional
33 board or boards of school trustees that the creation of such

1 new district will not interfere with the ultimate
 2 reorganization of the territory of such proposed district as
 3 a part of a district having a population of 2,000 or more.
 4 ~~Notwithstanding any other provisions of this Article, the~~
 5 ~~granting or approval by a regional board or regional boards~~
 6 ~~of school trustees or by the State Superintendent of~~
 7 ~~Education of a petition that under subsection (b-5) of~~
 8 ~~Section 7-6 is required to request the submission of a~~
 9 ~~proposition at a regular scheduled election for the purpose~~
 10 ~~of voting for or against the annexation of the territory~~
 11 ~~described in the petition to the school district proposing to~~
 12 ~~annex that territory is subject to, and any change in school~~
 13 ~~district boundaries pursuant to the granting of the petition~~
 14 ~~shall not be made except upon approval of the proposition at~~
 15 ~~the election in the manner provided by Section 7-7.7.~~

16 (Source: P.A. 89-397, eff. 8-20-95; 90-459, eff. 8-17-97.)

17 (105 ILCS 5/7-6) (from Ch. 122, par. 7-6)

18 Sec. 7-6. Petition filing; Notice; Hearing; Decision.

19 (a) Upon the filing of a petition with the secretary of
 20 the regional board of school trustees under the provisions of
 21 Section 7-1 or 7-2 of this Act the secretary shall cause a
 22 copy of such petition to be given to each board of any
 23 district involved in the proposed boundary change and shall
 24 cause a notice thereof to be published once in a newspaper
 25 having general circulation within the area of the territory
 26 described in the petition for the proposed change of
 27 boundaries.

28 (b) When a joint hearing is required under the
 29 provisions of Section 7-2, the secretary also shall cause a
 30 copy of the notice to be sent to the regional board of school
 31 trustees of each region affected. Notwithstanding the
 32 foregoing provisions of this Section, if the secretary of the
 33 regional board of school trustees with whom a petition is

1 filed under Section 7-2 fails, within 30 days after the
 2 filing of such petition, to cause notice thereof to be
 3 published and sent as required by this Section, then the
 4 secretary of the regional board of school trustees of any
 5 other region affected may cause the required notice to be
 6 published and sent, and the joint hearing may be held in any
 7 region affected as provided in the notice so published.

8 (b-5) (Blank). ~~If a petition filed under subsection (a)~~
 9 ~~of Section 7-1 or under Section 7-2 proposes to annex all the~~
 10 ~~territory of a school district to another school district,~~
 11 ~~the petition shall request the submission of a proposition at~~
 12 ~~a regular scheduled election for the purpose of voting for or~~
 13 ~~against the annexation of the territory described in the~~
 14 ~~petition to the school district proposing to annex that~~
 15 ~~territory. No petition filed or election held under this~~
 16 ~~Article shall be null and void, invalidated, or deemed in~~
 17 ~~noncompliance with the Election Code because of a failure to~~
 18 ~~publish a notice with respect to the petition or referendum~~
 19 ~~as required under subsection (g) of Section 28-2 of that Code~~
 20 ~~for petitions that are not filed under this Article or~~
 21 ~~Article 7A, 11A, 11B, or 11D of the School Code.~~

22 (c) When a petition contains more than 10 signatures the
 23 petition shall designate a committee of 10 of the petitioners
 24 as attorney in fact for all petitioners, any 7 of whom may
 25 make binding stipulations on behalf of all petitioners as to
 26 any question with respect to the petition or hearing or joint
 27 hearing, and the regional board of school trustees, or
 28 regional boards of school trustees in cases of a joint
 29 hearing may accept such stipulation in lieu of evidence or
 30 proof of the matter stipulated. The committee of petitioners
 31 shall have the same power to stipulate to accountings or
 32 waiver thereof between school districts; however, the
 33 regional board of school trustees, or regional boards of
 34 school trustees in cases of a joint hearing may refuse to

1 accept such stipulation. Those designated as the committee of
2 10 shall serve in that capacity until such time as the
3 regional superintendent of schools or the committee of 10
4 determines that, because of death, resignation, transfer of
5 residency from the territory, or failure to qualify, the
6 office of a particular member of the committee of 10 is
7 vacant. Upon determination that a vacancy exists, the
8 remaining members shall appoint a petitioner to fill the
9 designated vacancy on the committee of 10. The appointment
10 of any new members by the committee of 10 shall be made by a
11 simple majority vote of the remaining designated members.

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

18 (e) The petitioners shall pay the expenses of publishing
19 the notice and of any transcript taken at the hearing or
20 joint hearing; and in case of an appeal from the decision of
21 the regional board of school trustees, or regional boards of
22 school trustees in cases of a joint hearing, or State
23 Superintendent of Education in cases determined under
24 subsection (l) of this Section, the appellants shall pay the
25 cost of preparing the record for appeal.

26 (f) The notice shall state when the petition was filed,
27 the description of the territory, the prayer of the petition
28 and the return day on which the hearing or joint hearing upon
29 the petition will be held which shall not be more than 15 nor
30 less than 10 days after the publication of notice.

31 (g) On such return day or on a day to which the regional
32 board of school trustees, or regional boards of school
33 trustees in cases of a joint hearing shall continue the
34 hearing or joint hearing the regional board of school

1 trustees, or regional boards of school trustees in cases of a
2 joint hearing shall hear the petition but may adjourn the
3 hearing or joint hearing from time to time or may continue
4 the matter for want of sufficient notice or other good cause.

5 (h) Prior to the hearing or joint hearing the secretary
6 of the regional board of school trustees shall submit to the
7 regional board of school trustees, or regional boards of
8 school trustees in cases of a joint hearing maps showing the
9 districts involved, a written report of financial and
10 educational conditions of districts involved and the probable
11 effect of the proposed changes. The reports and maps
12 submitted shall be made a part of the record of the
13 proceedings of the regional board of school trustees, or
14 regional boards of school trustees in cases of a joint
15 hearing. A copy of the report and maps submitted shall be
16 sent by the secretary of the regional board of school
17 trustees to each board of the districts involved, not less
18 than 5 days prior to the day upon which the hearing or joint
19 hearing is to be held.

20 (i) The regional board of school trustees, or regional
21 boards of school trustees in cases of a joint hearing shall
22 hear evidence as to the school needs and conditions of the
23 territory in the area within and adjacent thereto and as to
24 the ability of the districts affected to meet the standards
25 of recognition as prescribed by the State Board of Education,
26 and shall take into consideration the division of funds and
27 assets which will result from the change of boundaries and
28 shall determine whether it is to the best interests of the
29 schools of the area and the educational welfare of the pupils
30 that such change in boundaries be granted, and in case
31 non-high school territory is contained in the petition the
32 normal high school attendance pattern of the children shall
33 be taken into consideration. If the non-high school territory
34 overlies an elementary district, a part of which is in a high

1 school district, such territory may be annexed to such high
2 school district even though not contiguous to the high school
3 district. However, upon resolution by the regional board of
4 school trustees, or regional boards of school trustees in
5 cases of a joint hearing the secretary or secretaries thereof
6 shall conduct the hearing or joint hearing upon any boundary
7 petition and present a transcript of such hearing to the
8 trustees who shall base their decision upon the transcript,
9 maps and information and any presentation of counsel.

10 (j) At the hearing or joint hearing any resident of the
11 territory described in the petition or any resident in any
12 district affected by the proposed change of boundaries may
13 appear in person or by an attorney in support of the petition
14 or to object to the granting of the petition and may present
15 evidence in support of his position.

16 (k) At the conclusion of the hearing, other than a joint
17 hearing, the regional superintendent of schools as ex officio
18 member of the regional board of school trustees shall within
19 30 days enter an order either granting or denying the
20 petition and shall deliver to the committee of petitioners,
21 if any, and any person who has filed his appearance in
22 writing at the hearing and any attorney who appears for any
23 person and any objector who testifies at the hearing and the
24 regional superintendent of schools a certified copy of its
25 order.

26 (l) Notwithstanding the foregoing provisions of this
27 Section, if within 9 months after a petition is submitted
28 under the provisions of Section 7-1 the petition is not
29 approved or denied by the regional board of school trustees
30 and the order approving or denying that petition entered and
31 a copy thereof served as provided in this Section, the school
32 boards or registered voters of the districts affected that
33 submitted the petition (or the committee of 10, or an
34 attorney acting on its behalf, if designated in the petition)

1 may submit a copy of the petition directly to the State
2 Superintendent of Education for approval or denial. The copy
3 of the petition as so submitted shall be accompanied by a
4 record of all proceedings had with respect to the petition up
5 to the time the copy of the petition is submitted to the
6 State Superintendent of Education (including a copy of any
7 notice given or published, any certificate or other proof of
8 publication, copies of any maps or written report of the
9 financial and educational conditions of the school districts
10 affected if furnished by the secretary of the regional board
11 of school trustees, copies of any amendments to the petition
12 and stipulations made, accepted or refused, a transcript of
13 any hearing or part of a hearing held, continued or adjourned
14 on the petition, and any orders entered with respect to the
15 petition or any hearing held thereon). The school boards,
16 registered voters or committee of 10 submitting the petition
17 and record of proceedings to the State Superintendent of
18 Education shall give written notice by certified mail, return
19 receipt requested to the regional board of school trustees
20 and to the secretary of that board that the petition has been
21 submitted to the State Superintendent of Education for
22 approval or denial, and shall furnish a copy of the notice so
23 given to the State Superintendent of Education. The cost of
24 assembling the record of proceedings for submission to the
25 State Superintendent of Education shall be the responsibility
26 of the school boards, registered voters or committee of 10
27 that submits the petition and record of proceedings to the
28 State Superintendent of Education. When a petition is
29 submitted to the State Superintendent of Education in
30 accordance with the provisions of this paragraph:

31 (1) The regional board of school trustees loses all
32 jurisdiction over the petition and shall have no further
33 authority to hear, approve, deny or otherwise act with
34 respect to the petition.

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

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

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

25 (5) The State Superintendent is authorized to
26 conduct further hearings, or appoint a hearing officer to
27 conduct further hearings, on the petition even though a
28 hearing thereon was held as provided in this Section
29 prior to the time jurisdiction over the petition is
30 transferred to the State Superintendent of Education.

31 (6) The State Superintendent of Education or the
32 hearing officer shall hear evidence and approve or deny
33 the petition and shall enter an order to that effect and
34 deliver and serve the same as required in other cases to

1 be done by the regional board of school trustees and the
2 regional superintendent of schools as an ex officio
3 member of that board.

4 (m) Within 10 days after the conclusion of a joint
5 hearing required under the provisions of Section 7-2, each
6 regional board of school trustees shall meet together and
7 render a decision with regard to the joint hearing on the
8 petition. If the regional boards of school trustees fail to
9 enter a joint order either granting or denying the petition,
10 the regional superintendent of schools for the educational
11 service region in which the joint hearing is held shall enter
12 an order denying the petition, and within 30 days after the
13 conclusion of the joint hearing shall deliver a copy of the
14 order denying the petition to the regional boards of school
15 trustees of each region affected, to the committee of
16 petitioners, if any, to any person who has filed his
17 appearance in writing at the hearing and to any attorney who
18 appears for any person at the joint hearing. If the regional
19 boards of school trustees enter a joint order either granting
20 or denying the petition, the regional superintendent of
21 schools for the educational service region in which the joint
22 hearing is held shall, within 30 days of the conclusion of
23 the hearing, deliver a copy of the joint order to those same
24 committees and persons as are entitled to receive copies of
25 the regional superintendent's order in cases where the
26 regional boards of school trustees have failed to enter a
27 joint order.

28 (n) Within 10 days after service of a copy of the order
29 granting or denying the petition, any person so served may
30 petition for a rehearing and, upon sufficient cause being
31 shown, a rehearing may be granted. The filing of a petition
32 for rehearing shall operate as a stay of enforcement until
33 the regional board of school trustees, or regional boards of
34 school trustees in cases of a joint hearing, or State

1 Superintendent of Education in cases determined under
2 subsection (1) of this Section enter the final order on such
3 petition for rehearing.

4 (o) (Blank). ~~If a petition filed under subsection (a) of~~
5 ~~Section 7-1 or under Section 7-2 is required under the~~
6 ~~provisions of subsection (b-5) of this Section 7-6 to request~~
7 ~~submission of a proposition at a regular scheduled election~~
8 ~~for the purpose of voting for or against the annexation of~~
9 ~~the territory described in the petition to the school~~
10 ~~district proposing to annex that territory, and if the~~
11 ~~petition is granted or approved by the regional board or~~
12 ~~regional boards of school trustees or by the State~~
13 ~~Superintendent of Education, the proposition shall be placed~~
14 ~~on the ballot at the next regular scheduled election.~~

15 (Source: P.A. 90-459, eff. 8-17-97.)

16 (105 ILCS 5/11A-9) (from Ch. 122, par. 11A-9)

17 Sec. 11A-9. Tax levy. The board of education of a
18 community unit district may levy taxes for educational,
19 operations and maintenance and the purchase and improvements
20 of school grounds, pupil transportation, and fire prevention
21 and safety purposes, respectively, at not exceeding the rates
22 specified in the petition, which rates may thereafter be
23 increased or decreased in the same manner and within the
24 limits provided by Sections 17-2 through 17-7. The board of
25 education may further levy taxes for other purposes as
26 generally permitted by law, provided that a community unit
27 district that is formed by combining one or more elementary
28 districts and one or more high school districts may levy an
29 annual tax for working cash purposes at a rate not to exceed
30 0.10% and may levy an annual tax for leasing educational
31 facilities or computer technology or both at a rate not to
32 exceed 0.10%, notwithstanding the limits otherwise provided
33 in this Code.

1 If the election of the board of education of the new
2 district occurs at the general election or the nonpartisan
3 election and the board of education makes its initial levy in
4 that same year, the county clerk shall extend such levy
5 notwithstanding any other law which requires the adoption of
6 a budget before the clerk may extend such levy.

7 If the election of the board of education of the new
8 district does not occur in the same calendar year that the
9 proposition to create the new district is approved, the
10 districts from which the new district is formed, by joint
11 agreement and with the approval of the regional
12 superintendent, shall be permitted to levy in the same
13 calendar year in which the creation of the new district is
14 approved at the rates specified in the petition. The county
15 clerks shall extend any such levy notwithstanding any law
16 that requires adoption of a budget before extension of the
17 levy.

18 (Source: P.A. 87-10; 87-1215; 88-686, eff. 1-24-95.)

19 (105 ILCS 5/18-8.2) (from Ch. 122, par. 18-8.2)

20 Sec. 18-8.2. Supplementary State aid for new and for
21 certain annexing districts.

22 (a) After the formation of a new district or cooperative
23 high school under Section 10-22.22c of this Code, a
24 computation shall be made to determine the difference between
25 the salaries effective in each of the previously existing
26 districts on June 30, prior to the creation of the new
27 district or cooperative high school. For the first 4 years
28 after the formation of the new district or cooperative high
29 school or if the new district was formed after October 31,
30 1982 and prior to the effective date of this amendatory Act
31 of 1985, for the 3 years immediately following such effective
32 date, a supplementary State aid reimbursement shall be paid
33 to the new district or governing board of the cooperative

1 high school equal to the difference between the sum of the
2 salaries earned by each of the certificated members of the
3 new district or each of the certified employees employed by
4 the governing board of the cooperative high school while
5 employed in one of the previously existing districts or one
6 of the cooperating districts during the year immediately
7 preceding the formation of the new district or cooperative
8 high school and the sum of the salaries those certificated
9 members would have been paid during the year immediately
10 prior to the formation of the new district if placed on the
11 salary schedule of the previously existing or cooperating
12 district with the highest salary schedule.

13 (b) After the territory of one or more school districts
14 is annexed by one or more other school districts, or after
15 the division (pursuant to petition under Section 11A-2) of a
16 unit school district or districts into 2 or more parts which
17 all are included in 2 or more other community unit districts
18 resulting upon that division, a computation shall be made to
19 determine the difference between the salaries effective in
20 each such annexed or divided district and in the annexing or
21 resulting district or districts as they each were constituted
22 on June 30 preceding the date when the change of boundaries
23 attributable to such annexation or division became effective
24 for all purposes as determined under Section 7-9, 7A-8 or
25 11A-10. For the first 4 years after any such annexation or
26 division, a supplementary State aid reimbursement shall be
27 paid to each annexing or resulting district as constituted
28 after the annexation or division equal to the difference
29 between the sum of the salaries earned by each of the
30 certificated members of such annexing or resulting district
31 as constituted after the annexation or division while
32 employed in an annexed or annexing district, or in a divided
33 or resulting district, during the year immediately preceding
34 the annexation or division, and the sum of the salaries those

1 certificated members would have been paid during such
2 immediately preceding year if placed on the salary schedule
3 of whichever of such annexing or annexed districts, or
4 resulting or divided districts, had the highest salary
5 schedule during such immediately preceding year.

6 (c) Such supplementary State aid reimbursement shall be
7 treated as separate from all other payments made pursuant to
8 Section 18-8 or 18-8.05. In the case of the formation of a
9 new district or cooperative high school, reimbursement shall
10 begin during the first year of operation of the new district
11 or cooperative high school; and in the case of an annexation
12 of the territory of one or more school districts by one or
13 more other school districts, or the division (pursuant to
14 petition under Section 11A-2) of a unit school district or
15 districts into 2 or more parts which all are included in 2 or
16 more other community unit districts resulting upon that
17 division, reimbursement shall begin during the first year
18 when the change in boundaries attributable to such annexation
19 or division becomes effective for all purposes as determined
20 pursuant to Section 7-9, 7A-8 or 11A-10. Each year any such
21 new, annexing or resulting district or the governing board of
22 the cooperative high school, as the case may be, is entitled
23 to receive reimbursement, the number of eligible certified
24 members who are employed on October 1 in any such district or
25 cooperative high school shall be certified to the State Board
26 of Education on prescribed forms by October 15 and payment
27 shall be made on or before November 15 of that year.

28 (d) If a unit school district annexes all the territory
29 of another unit school district effective for all purposes
30 pursuant to Section 7-9 on July 1, 1988, and if part of the
31 annexed territory is detached within 90 days after July 1,
32 1988, then the detachment shall be disregarded in computing
33 the supplementary State aid reimbursements under this Section
34 for the entire 3 year period and the supplementary State aid

1 reimbursements shall not be diminished because of the
2 detachment.

3 (e) The changes made by this amendatory Act of 1989 are
4 intended to be retroactive and applicable to any annexation
5 taking effect after August 1, 1987.

6 (Source: P.A. 90-548, eff. 1-1-98.)

7 (105 ILCS 5/18-8.5) (from Ch. 122, par. 18-8.5)

8 Sec. 18-8.5. Supplementary State aid for new, annexing or
9 resulting districts.

10 (a) Following (i) the formation of a new school district
11 pursuant to Article 11A or 11B, or of a new elementary school
12 district pursuant to Article 7A, (ii) ~~or~~ the annexation of
13 all of the territory of one or more entire school districts
14 by one or more other school districts, (iii) ~~or~~ the division
15 pursuant to petition under Section 11A-2 of a unit school
16 district or districts into 2 or more parts which all are
17 included in 2 or more other community unit districts
18 resulting upon that division, or (iv) the formation of a
19 cooperative high school under Section 10-22.22c of this Code,
20 a supplementary State aid reimbursement shall be paid for the
21 number of school years determined under the following table
22 to each new, annexing or resulting district or to the
23 governing board of the cooperative high school equal to the
24 sum of \$4,000 for each certified employee who is employed by
25 such district or governing board on a full-time basis for the
26 regular term of any such school year:

| | | | |
|----|-----------------------------|-----------------------------|----------|
| 27 | Reorganized District's Rank | Reorganized District's Rank | |
| 28 | by type of district (unit, | in Average Daily Attendance | |
| 29 | high school, elementary) | By Quintile | |
| 30 | in Equalized Assessed Value | | |
| 31 | Per Pupil by Quintile | | |
| 32 | | | 3rd, 4th |
| 33 | | 1st 2nd | or 5th |

| | | Quintile | Quintile | Quintile |
|---|--------------|----------|----------|----------|
| 1 | | | | |
| 2 | 1st Quintile | 1 year | 1 year | 1 year |
| 3 | 2nd Quintile | 1 year | 2 years | 2 years |
| 4 | 3rd Quintile | 2 years | 3 years | 3 years |
| 5 | 4th Quintile | 2 years | 3 years | 3 years |
| 6 | 5th Quintile | 2 years | 3 years | 3 years |

7 The State Board of Education shall make a one-time
8 calculation of a reorganized district's quintile ranks. The
9 average daily attendance used in this calculation shall be
10 the best 3 months' average daily attendance for the
11 district's first year. The equalized assessed value per
12 pupil shall be the district's real property equalized
13 assessed value used in calculating the district's first-year
14 general State aid claim divided by the best 3 months' average
15 daily attendance. For purposes of making payments under this
16 Section to the governing board of a cooperative high school,
17 the cooperating districts shall be treated as if they had
18 been consolidated into a new high school district.

19 No annexing or resulting school district shall be
20 entitled to supplementary State aid under this Section unless
21 such district acquires at least 30% of the average daily
22 attendance of the district from which the territory is being
23 detached or divided.

24 If a district results from multiple reorganizations that
25 would otherwise qualify the district for multiple payments
26 under this Section in any year, the district shall receive a
27 single payment only for that year based solely on the most
28 recent reorganization.

29 (b) The supplementary State aid reimbursement payable
30 under this Section shall be separate from and in addition to
31 all other payments made to the district or governing board
32 pursuant to any other Section of this Article.

33 (c) During May of each school year for which a
34 supplementary State aid reimbursement is to be paid to a new,

1 annexing or resulting school district or governing board
 2 pursuant to this Section, the school board shall certify to
 3 the State Board of Education, on forms furnished to the
 4 school board or governing board by the State Board of
 5 Education for purposes of this Section, the number of
 6 certified employees for which the district is entitled to
 7 reimbursement under this Section, together with the names,
 8 certificate numbers and positions held by such certified
 9 employees.

10 (d) Upon certification by the State Board of Education
 11 to the State Comptroller of the amount of the supplementary
 12 State aid reimbursement to which a school district or
 13 governing board is entitled by this Section, the State
 14 Comptroller shall draw his warrant upon the State Treasurer
 15 for the payment thereof to the school district or governing
 16 board and shall promptly transmit the payment to the school
 17 district or governing board through the appropriate school
 18 treasurer.

19 (e) The changes to this Section made by P.A. 88-555
 20 shall apply to all reorganizations for which the petitions
 21 are filed with the regional board of school trustees or the
 22 regional superintendent, as the case may be, on or after
 23 January 1, 1995.

24 (Source: P.A. 87-10; 87-435; 87-1210; 88-555, eff. 7-27-94;
 25 88-686, eff. 1-24-95.)

26 (105 ILCS 5/7-7.5 rep.)

27 (105 ILCS 5/7-7.6 rep.)

28 (105 ILCS 5/7-7.7 rep.)

29 Section 10. The School Code is amended by repealing
 30 Sections 7-7.5, 7-7.6, and 7-7.7.

31 Section 15. The School Construction Law is amended by
 32 changing Section 5-30 as follows:

1 (105 ILCS 230/5-30)

2 Sec. 5-30. Priority of school construction projects. The
3 State Board of Education shall develop standards for the
4 determination of priority needs concerning school
5 construction projects based upon approved district facilities
6 plans. Such standards shall call for prioritization based on
7 the degree of need and project type in the following order:

8 (1) Replacement or reconstruction of school
9 buildings destroyed or damaged by flood, tornado, fire,
10 earthquake, or other disasters, either man-made or
11 produced by nature;

12 ~~(2) Projects designed to alleviate a shortage of~~
13 ~~classrooms due to population growth or to replace aging~~
14 ~~school buildings;~~

15 (2) (3) Projects resulting from interdistrict
16 reorganization of school districts contingent on local
17 referenda or projects resulting from the formation of a
18 cooperative high school under Section 10-22.22c of this
19 Code;

20 (3) Projects designed to alleviate a shortage of
21 classrooms due to population growth or to replace aging
22 school buildings;

23 (4) Replacement or reconstruction of school
24 facilities determined to be severe and continuing health
25 or life safety hazards;

26 (5) Alterations necessary to provide accessibility
27 for qualified individuals with disabilities; and

28 (6) Other unique solutions to facility needs.

29 (Source: P.A. 90-548, eff. 1-1-98.)

30 Section 99. Effective date. This Act takes effect upon
31 becoming law.