

## **DETACHMENT/ANNEXATION**

Detachment/Annexation is one type of school district reorganization. Other types of reorganizations are:

- ⇒ Consolidation
- ⇒ Cooperative High School
- ⇒ Deactivation
- ⇒ Dissolution/Annexation
- ⇒ Partial Elementary Unit
- ⇒ School District Conversion

Details for the above can be found in the individual brochures labeled accordingly. A brief summary of each is in the brochure [School District Reorganization At a Glance](#).

Detachments are a form of reorganization where a portion of one school district is incorporated into one or more other school districts. This may consist of one or more families or an area within the district wanting to attend another school district.

Dissolution is the other form of annexation where an entire school district is incorporated into one or more other school districts. Details for this process can be found in the brochure [Dissolution/Annexation](#).

### **STEPS TO A DETACHMENT:**

- ⇒ Petition
- ⇒ Local public hearing
- ⇒ Regional board of school trustees approval

### **PETITION:**

- ⇒ Who may petition
  - The boards of education of each affected district, or
  - Majority of registered voters in each affected district, or

- Two-thirds of the registered voters in any territory proposed to be detached
- ⇒ Petition is filed with the regional superintendent of the region in which the territory to be detached is located; if the territory to be detached is located in more than one region, the original petition is filed with the regional superintendent who has supervision over the greatest portion of such territory with certified copies filed with each other regional superintendent (regional superintendents serve as secretaries to their respective regional boards of school trustees)
- ⇒ The petitioners shall pay the expense of publishing the notice and for any transcript taken at the public hearing; a deposit is usually requested at the time of filing the petition
- ⇒ Petitions containing more than ten signatures shall designate a Committee of Ten to represent the petitioners, any seven of whom may make binding stipulations on behalf of all petitioners
- ⇒ If a petition does not result in detachment, no subsequent petition to change boundaries can be filed for two years after the final determination on the first petition, unless a substantially different petition is filed or a district involved in the first petition is placed on the State Board of Education's academic or financial watch list

### **LOCAL PUBLIC HEARING:**

- ⇒ When a proposal for a boundary change affects districts entirely within one region, the petition is considered by the regional board of school trustees of that region
- ⇒ When a proposal for a boundary change affects districts lying in two or more regions, the petition is considered by the regional board of school trustees of each region

affected; a region is affected if any portion of the territory which the petition seeks to have detached from any school district is located in the region

- ⇒ The regional superintendent shall publish a notice of the petition and hearing in a newspaper having general circulation in the territory described in the petition
- ⇒ The regional superintendent shall submit to the regional board(s) of school trustees maps showing the districts involved, a written report of financial and educational conditions of the districts involved, and the probable effects of the proposed changes
- ⇒ The hearing on the petition is to be held not more than 15 days nor less than 10 days after publication of notice
- ⇒ Any resident of any district affected may appear and present evidence in support of or in opposition to the petition

### **REGIONAL BOARD OF SCHOOL TRUSTEES APPROVAL:**

- ⇒ The regional board(s) of school trustees shall consider:
  - School needs and conditions of the territory in the area within and adjacent thereto
  - The ability of districts affected to meet the standards of recognition as prescribed by the State Board of Education
  - The division of funds and assets which will result from the change of boundaries
  - Whether such a change is to the best interests of the schools of the area and the educational welfare of the pupils
- ⇒ After a joint hearing
  - Each regional board of school trustees shall meet to render a decision within ten days

- If the regional boards of school trustees fail to enter a joint order either granting or denying a petition, the regional superintendent for the region in which the joint hearing is held shall enter an order denying the petition
  - Each regional board of school trustees must approve the petition for the detachment to take place
- ⇒ The regional superintendent shall, within 30 days of the hearing or joint hearing, enter the order of the regional board(s) of school trustees either granting or denying the petition
- ⇒ Within ten days after service of a copy of the order granting or denying the petition, any person so served may petition for a rehearing; a rehearing may be granted upon sufficient cause being shown
- ⇒ If a regional board of school trustees has not acted on a Section 7-1 petition within nine months of being submitted, the petitioners may submit their petition to the State Superintendent of Education for approval or denial
- ⇒ The decision rendered is deemed an “administrative decision” as defined in the Administrative Review Law
- Any resident who appears at the hearing or any petitioner or board of education of any district affected may file a complaint for judicial review within 35 days after a copy of the decision sought to be reviewed was served by registered mail upon the party affected
- ⇒ There is no referendum vote on a detachment petition

### **FREQUENTLY ASKED QUESTIONS:**

**Q. May I send my child to another school district without paying tuition?**

**A.** No. Non-resident students are required to pay tuition. A non-resident student becomes a resident student only upon the effective date of the detachment.

**Q. Can more than one family be involved in the process?**

**A.** Yes. A single family, a group of families, or other registered voters can join together to utilize the detachment process.

**Q. Will my taxes be affected?**

**A.** Possibly. After a detachment, the tax rates applied to the detached property will be the tax rates of the annexing school district.

**Q. Who is responsible for the expenses associated with the detachment?**

**A.** The petitioners are responsible for the costs of publishing the hearing notice and the costs of the transcript of the hearing.

**Q. Utilizing detachment, can I send my child to any school district that I would like?**

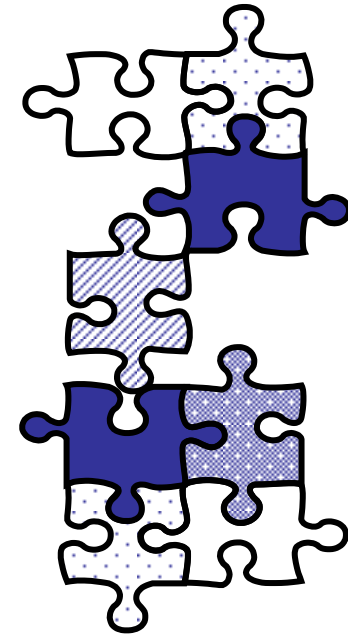
**A.** No. The annexing district must be contiguous (boundaries touching) with the current school district.

This brochure is not to be used in place of the School Code but as an informational tool. For specific information regarding detachments, refer to Article 7 of the School Code.

**For additional information and assistance, please contact the School Business Services Division of the Illinois State Board of Education at 217/785-8779. Information is also available on the ISBE web page at: [www.isbe.net/sfms/html/reorg\\_school.htm](http://www.isbe.net/sfms/html/reorg_school.htm)**

Produced by the Illinois State Board of Education  
School Business Services Division  
May 2015

# **School District Detachment/ Annexation Boundary Changes At a Glance**



**Illinois State Board of Education**

**James T. Meeks**  
*Chairman*

**Tony Smith, Ph.D.**  
*State Superintendent of Education*