

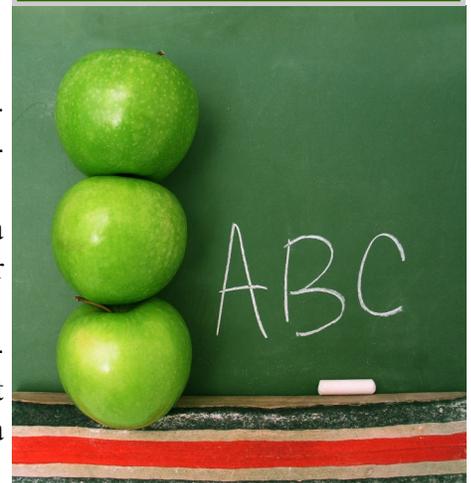
AMENDMENT TO ILLINOIS SCHOOL CODE LIMITS PETITIONS FOR SCHOOL DISTRICT DETACHMENT AND ANNEXATION

Public Act 99-475 amends Section 7-6 of the School Code creates several significant changes to existing school district detachment and annexation law imposing stricter standards which must be met for a petition to be granted. It becomes effective on January 1, 2016.

For more information about matters discussed in this issue, please contact any one of the KTJ School Law Attorneys.

Regarding Petitions for School District Detachment and Annexation:

- The Regional Board of School Trustees is to follow the new standards below when making a decision regarding a petition for detachment and annexation:
 - The board can only compare school report cards if there is a 3% or less difference in the minority, low-income, and/or English learner student population between the two districts.
 - The community of interest of the petitioners can only be considered if the board first determines that there will be a direct educational benefit to the petitioner's children following a boundary change.
 - The board can only consider distances from schools and travel times if the difference is 10 miles or greater.
 - The board cannot grant a detachment petition if it would increase the percentage of minority, low-income, or English learner students at the current school district by more than 3%, provided that if the percentage of one of those groups also decreases at the current school district, the regional board may grant the petition upon consideration of the other factors under this section.
 - The board cannot consider whether detachment will affect property values of the petitioners' property.
- The five factors above apply whether or not there are children residing in the petitioned area at the time the hearing is conducted.



Klein, Thorpe & Jenkins, Ltd.

Chicago

20 N. Wacker Drive, Suite 1660
Chicago, IL 60606
T 312.984.6400 F 312.984.6444

Orland Park

15010 S. Ravinia Avenue, Suite 10
Orland Park, IL 60462
T 708.349.3888 F 708.349.1506

www.ktjlaw.com

- If the board grants a petition, then the annexing district determines which school or attendance center that the students from the petitioning area should attend.

Regarding Taxes:

- Whenever school districts are changed via detachment and annexation, the territory that is detached remains liable for its share of the bonded indebtedness of the school district from which the territory is detached. The annexing district is not responsible for any of the bonded indebtedness from the detaching district, unless approved by a school board resolution.



- If the annexing district does not assume the detaching district's share of the bonded indebtedness, the tax rate should be determined pursuant to Section 19-7 of the School Code, and the clerk shall annually extend taxes for every bond outstanding on the effective date of the change of boundaries.

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