

# Regional Office of Education #12

## Regional Board of School Trustees

Clay-Crawford-Jasper-Lawrence-Richland Counties

### Guidelines for Those Considering Filing a Detachment/Annexation Petition

The following steps must be taken to facilitate transfer of territory from one school district to another district. If you are represented by an attorney, please share this information with your attorney.

1. [Public Act 099-0475](#) was passed by the Illinois General Assembly and signed by Governor Bruce Rauner in August 2015 to become effective on January 1, 2016. This new law makes some important changes to the criteria which Regional Boards must consider before granting any petition for detachment and annexation of a parcel(s) of land from one school district to another. The most significant change for potential petitioners is the provision found in Subsection (i)(4). It prevents a Regional Board from approving a petition that **"will increase the percentage of minority or low-income students or English learners by more than 3% at the attendance center where students in the detaching territory currently attend."** Therefore, in an effort to ensure that potential petitioners before the Regional Board can meet that standard before they go to the effort and expense of filing their petition. It is **recommended** that all potential petitioners complete this [screening form](#) and submit it to the ROE for evaluation before they proceed. Completion of this form is **not required** but is recommended. Questions about PA 099-0475 and its provisions should be directed to the [Regional Superintendent](#).

2. Territory to be transferred must be contiguous to territory in the district to which one is requesting attachment.

3. A Petition must be prepared and filed with the Secretary of the Regional Board of School Trustees (The Regional Superintendent) requesting the detachment of territory from one district and annexation to another. **Petitions must be received by the Regional Office of Education #12, 30 Days Prior to the first day of the month the Regional Board of School Trustees meet.**

A. The Petition must be addressed to the Regional Board of School Trustees for Clay, Crawford, Jasper, Lawrence, and Richland Counties.

B. Petition must:

- (1) Have the request (prayer) of the Petition stated on each page of the petition and each page must be signed by the petitioner(s) and signed by a circulator who witnessed the petitioner(s) signature. Petitions containing 10 or fewer signatures MAY be notarized in lieu of circulator sheets.
- (2) Each petitioner(s) address must be contained on the petition and that address must match the address contained on the official voter registration list.
- (3) The date each person signed the petition also must be included on the petition and no signature on the petition can be more than six months old.
- (4) Give the legal description of the territory in question (including the pin # of property)
- (5) Identify the school districts which will be involved in the proceedings.
- (6) State the reason(s) why the request is being made.
- (7) List the residents of legal voting age who reside in the territory in question.

4. A deposit of \$1500.00 must be made payable to “Regional Office of Education #12” at the time the Petition is filed. The funds are used to cover the cost of the publication of the legal notice of the hearing, the cost of the court reporter for the hearing, the preparation of the hearing transcript, and other expenses such as postage, copying, and telephone. A record of the expenditures will be provided to the petitioner(s) and any funds not used will be returned.
5. At the time of filing, a letter must be submitted from the County Assessor's Office(s) verifying that the legal description of the territory involved in the proceeding is correct.
6. A copy of the plat map or an aerial plat map should accompany the Petition. It is suggested that the aerial plat map be marked with the parcel numbers, denoting the location of the property as described in the Petition, plus the current district boundary line be marked. The aerial plat map, parcel #, etc. can normally be obtained from the County Supervisor of Assessments.
7. All Petitions for Detachment/Annexation must be submitted to the Regional Office of Education #12 **30 Days Prior to the first day of the month the Regional Board of School Trustees meet.** The Board convenes in July, October, January, and April. If there are no detachments/annexations received before this time, the Board will not convene.
8. Once the above requirements are met, the Secretary of the Regional Board of School Trustees (The Regional Superintendent) will establish a date for the hearing and cause legal notice of the hearing to be published.
9. The hearing is held before the Regional Board of School Trustees. The petitioner(s) may be represented by an attorney or may choose to present the case for the Petition.
10. The Regional Board of School Trustees may render a decision in open meeting following the conclusion of statements by all parties concerned or within ten days following the hearing.
11. The Order is prepared and sent to the parties affected by the decision. Any resident who appears at the hearing or any petitioner or board of education of any district affected may appeal the decision. An appeal serves as a stay of enforcement until the final decision. Assuming no appeals are made, or any appeal made has been settled by the courts, petitions approved by the Board become effective the following July 1st (for the next school year) unless a request is made of (and granted by) the Board for acceleration, as per the Illinois School Code 105 ILCS 5/7-9. The changing of school boundaries is a very serious matter. Petitions for changing school boundaries are not granted unless there is a preponderance of evidence that the change is in the best interest of schools and/or students