



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2281

Introduced 2/20/2009, by Sen. Chris Lauzen

SYNOPSIS AS INTRODUCED:

New Act

Creates the 2009 School District Reorganization Act. Within 60 days after the effective date of the Act, requires each educational service region to create a committee for the reorganization of school districts. Provides that no later than November 30, 2009, the chairperson of each reorganization committee shall submit to the State Committee a plan for reorganization of appropriate school districts within the educational service region. Requires the State Board of Education to serve as the State Committee. Requires the State Committee to receive and examine each plan for the reorganization of school districts submitted to it by the reorganization committees and to approve or reject the plan in whole or in part within 60 days after receipt of the plan. Sets forth other powers and duties of the State Committee. Provides for the approval of a plan by voters and for when the plan must take effect. Provides that, commencing on July 1, 2011, the State Board of Education shall assess the progress of reorganization made under the Act, conduct a survey of the need for additional reorganizations, and submit a report to the General Assembly and the Governor as to the progress made toward reorganization and the need for additional reorganization. Effective immediately.

LRB096 11340 NHT 21789 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

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 1. Short title. This Act may be cited as the 2009
5 School District Reorganization Act.

6 Section 5. Purpose. The purpose of this Act is to provide
7 the framework for an effective and orderly reorganization of
8 the existing school districts of this State through the
9 retention of unit districts and the combination or
10 reorganization of other non-unit districts in order to enhance
11 educational opportunity for the children of this State by
12 providing an efficient system of high quality education.

13 Section 10. Reorganization committees.

14 (a) Within 60 days after the effective date of this Act,
15 each educational service region shall create a committee for
16 the reorganization of school districts consisting of not less
17 than 7 public members and the regional superintendent of
18 schools. Each regional superintendent shall call a meeting of
19 the school boards of all non-unit school districts operating
20 within the educational service region to serve on the
21 reorganization committee. The members of the school boards
22 attending the meeting shall elect by ballot the public members

1 to serve on the reorganization committee. No more than one
2 member may be elected from any non-unit school district of the
3 educational service region unless there are less than 7 school
4 districts in the region, but in no case shall there be more
5 than 2 members elected from any school district. Each high
6 school district shall have at least one representative on the
7 reorganization committee. No person may be elected to serve on
8 the reorganization committee who is a school board member, who
9 is an employee of a school district or educational service
10 region, or who is not a resident of the district he or she is
11 elected to represent. When a vacancy occurs on the
12 reorganization committee, the remaining members shall fill the
13 vacancy by election of a person from the same school district
14 in which the vacancy occurs. As soon as practicable after
15 appointment, each reorganization committee shall meet and
16 elect a secretary. The regional superintendent shall serve as
17 chairperson of the committee and call the first meeting.

18 (b) If an educational service region does not contain any
19 non-unit school districts, it is exempt from the provisions of
20 this Act.

21 (c) Members of the reorganization committee shall serve
22 without compensation, but shall be entitled to receive
23 reimbursement for such necessary and proper expenses as may be
24 incurred in the performance of their duties.

25 (d) No later than November 30, 2009, the chairperson of
26 each reorganization committee shall submit to the State

1 Committee created in this Act a plan for reorganization of
2 appropriate school districts within the educational service
3 region.

4 (e) Each reorganization committee, in formulating a
5 reorganization plan, (1) shall comply with the procedures,
6 standards, and guidelines established by the State Committee
7 and shall, prior to commencing the actual formulation of the
8 plan, hold public hearings within each school district subject
9 to consideration by the committee and hear testimony from the
10 district residents on whether it is in the best interest of
11 residents and the educational welfare of the children that the
12 district be reorganized; (2) shall use maximum educational
13 opportunity as the primary criterion; (3) shall consider
14 factors such as topography, economic conditions, population
15 trends, social factors, and existing conditions of buildings
16 and highway facilities; (4) shall consider the concerns and
17 goals of the residents of the school districts affected by the
18 plan, the educational needs of the local communities, the
19 economies in transportation and administrative costs, the
20 convenience and welfare of pupils, and the encouragement of
21 parental participation in children's formal education in
22 kindergarten through grade 12; (5) may provide that an area
23 larger than a county or territory from more than one
24 educational service region shall constitute a single school
25 district, but nothing in this Act shall be construed as to
26 require that this occur; (6) shall provide for the adjustment

1 of property, assets, debts, and liabilities of those school
2 districts that are to be divided or otherwise altered by this
3 plan; (7) shall provide for an effective date of this plan; (8)
4 shall set forth the maximum tax rates the proposed new district
5 will be authorized to levy; and (9) shall provide for the
6 election of school board members.

7 (f) After consideration of all of the other provision of
8 this Act, the reorganization committee may, in the exercise of
9 its discretion, provide in the reorganization plan that no
10 reorganization of school districts is required. Any such
11 finding by the reorganization committee adopted in its final
12 reorganization plan shall be binding upon the State Committee.

13 (g) After a reorganization committee has prepared a
14 reorganization plan, it shall fix dates and places for one or
15 more hearings thereon within each school district affected by
16 the plan. The chairperson of the reorganization committee shall
17 file notice of hearing by publication in at least one newspaper
18 of general circulation in the educational service region at
19 least 10 days before the scheduled hearings and on the
20 educational service region's Internet website.

21 (h) At the hearing, the reorganization committee shall
22 explain the proposed reorganization plan and summarize the
23 educational improvements its adoption will make possible. In
24 the hearing, any resident of the educational service region or
25 of any affected school district in an adjoining educational
26 service region may be heard with reference to the proposed

1 plan.

2 (i) The reorganization committee shall consider any
3 suggestions made in the public hearing and shall make any
4 revisions or modification as it deems necessary and shall
5 thereupon adopt its final reorganization plan. Within 10 days
6 after the adoption, the final plan shall be submitted to the
7 State Committee.

8 Section 15. State Committee.

9 (a) The State Board of Education shall serve as the State
10 Committee and shall have the following powers and duties in
11 addition to those otherwise provided it in this Act:

12 (1) To develop a manual of procedures and minimum
13 standards to be distributed to each educational service
14 region.

15 (2) To provide each reorganization committee
16 information concerning pupil enrollment, assessed
17 valuation, and such additional information as may be
18 necessary to ensure compliance with the minimum criteria
19 established in this Act.

20 (3) To provide for cooperation between reorganization
21 committees for the purpose of considering school districts
22 with boundaries in 2 or more educational service regions.

23 (4) To receive and examine each plan for the
24 reorganization of school districts submitted to it by the
25 reorganization committees and to approve or reject the plan

1 in whole or in part within 60 days after receipt of the
2 plan and notify the reorganization committee concerned.
3 When a plan is rejected in whole or in part, the State
4 Committee shall make recommendation for changes.

5 (5) To present annual progress reports on the status of
6 reorganization to the General Assembly and the Governor.

7 (6) To promulgate such rules as may be necessary to
8 carry out the provisions of this Act.

9 (7) To promulgate rules for providing funds to regional
10 superintendents of schools for expenses incurred under
11 this Act as shall be provided by the General Assembly.

12 (8) To provide grants to those school districts that
13 qualify for such reorganization financial assistance.

14 (b) If a reorganization plan is rejected in whole or in
15 part by the State Committee, a revised plan shall be submitted
16 by the educational service region within 45 days after receipt
17 of the rejection. If the revised plan is not satisfactory, the
18 State Committee may, in consultation with the educational
19 service region, further revise the reorganization plan, in a
20 manner consistent with the provisions of this Act.

21 Section 20. Approval of plan by voters.

22 (a) Upon notice of the final approval of a reorganization
23 plan by the State Committee, the chairperson of the
24 reorganization committee shall submit the plan by January 30,
25 2010, for submission to the voters of the territory that

1 constitutes the proposed district at the April 2010
2 consolidated election.

3 (b) Upon certification of approval of a reorganization plan
4 by a majority of voters in each of the affected districts
5 voting on the issue, the plan shall be implemented in
6 accordance with its provisions and become effective on July 1,
7 2011. The election of school board members for the new school
8 district shall take place at the spring 2011 nonpartisan
9 election. The educational service region reorganization
10 committee shall then be dissolved.

11 (c) If a majority of voters in any of the affected
12 districts voting on the issue fails to approve a reorganization
13 plan, then, upon certification of the disapproval, the State
14 Committee, in consultation with the educational service
15 region, may amend the plan as near as possible to overcome
16 objections to it and may resubmit the plan to the voters at the
17 November 2010 election. If the revised reorganization plan is
18 approved by the majority of voters in each of the affected
19 districts voting on the issue, the plan shall be implemented in
20 accordance with its provisions and become effective on July 1,
21 2011. Election of school board members shall take place at the
22 spring federal primary election. Upon certification of
23 approval by a majority of voters in each of the affected
24 districts voting on the issue or upon certification of the
25 disapproval of the resubmitted plan, the educational service
26 region reorganization committee shall then be dissolved.

1 Section 25. Survey and report. Commencing on July 1, 2011,
2 the State Board of Education shall assess the progress of
3 reorganization made under this Act, conduct a survey of the
4 need for additional reorganizations, and submit a report to the
5 General Assembly and the Governor as to the progress made
6 toward reorganization and the need for additional
7 reorganization.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.