

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 5. The School Code is amended by changing Section
5 7-11 as follows:

6 (105 ILCS 5/7-11) (from Ch. 122, par. 7-11)

7 Sec. 7-11. Annexation of dissolved non-operating
8 districts. If any school district has become dissolved as
9 provided in Section 5-32, or if a petition for dissolution is
10 filed under subsection (b) of Section 7-2a, the regional board
11 of school trustees shall attach the territory of such dissolved
12 district to one or more districts and, if the territory is
13 added to 2 or more districts, shall divide the property of the
14 dissolved district among the districts to which its territory
15 is added, in the manner provided for the division of property
16 in case of the organization of a new district from a part of
17 another district. The regional board of school trustees of the
18 region in which the regional superintendent has supervision
19 over the school district that is dissolved shall have all power
20 necessary to annex the territory of the dissolved district as
21 provided in this Section, including the power to attach the
22 territory to a school district under the supervision of the
23 regional superintendent of another educational service region

1 and, in the case of Leepertown CCSD 175, the power to attach
2 the territory to a non-contiguous school district if deemed in
3 the best interests of the schools of the area and the
4 educational welfare of the pupils involved. The annexation of
5 the territory of a dissolved school district under this Section
6 shall entitle the school districts involved in the annexation
7 to payments from the State Board of Education in the same
8 manner and to the same extent authorized in the case of other
9 annexations under this Article. Other provisions of this
10 Article 7 of The School Code shall apply to and govern
11 dissolutions and annexations under this Section and Section
12 7-2a, except that it is the intent of the General Assembly that
13 in the case of conflict the provisions of this Section and
14 Section 7-2a shall control over the other provisions of this
15 Article.

16 The regional board of school trustees shall give notice of
17 a hearing, to be held not less than 50 days nor more than 70
18 days after a school district is dissolved under Section 5-32 or
19 a petition is filed under subsection (b) of Section 7-2a, on
20 the disposition of the territory of such school district by
21 publishing a notice thereof at least once each week for 2
22 successive weeks in at least one newspaper having a general
23 circulation within the area of the territory involved. At such
24 hearing, the regional board of school trustees shall hear
25 evidence as to the school needs and conditions of the territory
26 and of the area within and adjacent thereto, and shall take

1 into consideration the educational welfare of the pupils of the
2 territory and the normal high school attendance pattern of the
3 children. In the case of an elementary school district, except
4 for Leepertown CCSD 175, if all the eighth grade graduates of
5 such district customarily attend high school in the same high
6 school district, the regional board of school trustees shall,
7 unless it be impossible because of the restrictions of a
8 special charter district, annex the territory of the district
9 to a contiguous elementary school district whose eighth grade
10 graduates customarily attend that high school, and that has an
11 elementary school building nearest to the center of the
12 territory to be annexed, but if such eighth grade graduates
13 customarily attend more than one high school the regional board
14 of school trustees shall determine the attendance pattern of
15 such graduates and divide the territory of the district among
16 the contiguous elementary districts whose graduates attend the
17 same respective high schools.

18 The decision of the regional board of school trustees in
19 such matter shall be issued within 10 days after the conclusion
20 of the hearing and deemed an "administrative decision" as
21 defined in Section 3-101 of the Code of Civil Procedure and any
22 resident who appears at the hearing or any petitioner may
23 within 10 days after a copy of the decision sought to be
24 reviewed was served by registered mail upon the party affected
25 thereby file a complaint for the judicial review of such
26 decision in accordance with the "Administrative Review Law",

1 and all amendments and modifications thereof and the rules
2 adopted pursuant thereto. The commencement of any action for
3 review shall operate as a stay of enforcement, and no further
4 proceedings shall be had until final disposition of such
5 review. The final decision of the regional board of school
6 trustees or of any court upon judicial review shall become
7 effective under Section 7-9 in the case of a petition for
8 dissolution filed under subsection (b) of Section 7-2a, and a
9 final decision shall become effective immediately following
10 the date no further appeal is allowable in the case of a
11 district dissolved under Section 5-32.

12 Notwithstanding the foregoing provisions of this Section
13 or any other provision of law to the contrary, the school board
14 of the Mt. Morris School District is authorized to donate to
15 the City of Mount Morris, Illinois the school building and
16 other real property used as a school site by the Mt. Morris
17 School District at the time of its dissolution, by appropriate
18 resolution adopted by the school board of the district prior to
19 the dissolution of the district; and upon the adoption of a
20 resolution by the school board donating the school building and
21 school site to the City of Mount Morris, Illinois as authorized
22 by this Section, the regional board of school trustees or other
23 school officials holding legal title to the school building and
24 school site so donated shall immediately convey the same to the
25 City of Mt. Morris, Illinois.

26 (Source: P.A. 94-1019, eff. 7-10-06.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.