

1 AN ACT concerning school district reorganization.

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
5 Sections 2-3.35, 7-6, 11A-8, 11A-9, 18-8.2, and 18-8.5 as
6 follows:

7 (105 ILCS 5/2-3.35) (from Ch. 122, par. 2-3.35)

8 Sec. 2-3.35. Department of School District Organization.

9 To establish a Department of School District Organization
10 to assist local school districts in studying school district
11 organization problems so as to improve educational
12 opportunities for the students and:

13 (1) to provide consultant service to local school
14 districts to help them determine and understand the
15 necessary quality educational program needed for the
16 youth of today, and the necessary services and resources
17 to develop and support it.

18 (2) to provide consultant service to school
19 districts that need to reorganize through consolidation,
20 joint agreements, etc., in order to provide for a quality
21 educational program.

22 (3) to provide consultant service to school
23 districts needing help to solve internal organizational
24 problems that must be solved to provide a quality
25 educational program.

26 (4) to provide information annually to the State
27 Superintendent of Education ~~School--Problems--Commission~~
28 regarding progress made in improving school district
29 organization as well as school district reorganization.
30 Such factual information should provide a basis for
31 legislation to solve organizational problems for school

1 districts when they cannot or will not be solved at the
2 local school district level.

3 (5) may make area surveys of strengths and
4 weaknesses of local school districts and recommend, where
5 necessary, a course of action to meet adequate standards.

6 (6) to make grants to those school districts
7 interested in investigating the possibility of
8 reorganizing for the purpose of either consolidation or
9 annexation. A district may submit an application, on a
10 form provided by the State Board of Education, for a
11 grant in order to hire an outside consultant to conduct a
12 feasibility study. The grant shall be for one year, and
13 a copy of the completed study must be provided to the
14 State Board of Education, along with an itemized listing
15 of the costs incurred, at the end of the year.

16 (Source: Laws 1967, p. 2639.)

17 (105 ILCS 5/7-6) (from Ch. 122, par. 7-6)

18 Sec. 7-6. Petition filing; Notice; Hearing; Decision.

19 (a) Upon the filing of a petition with the secretary of
20 the regional board of school trustees under the provisions of
21 Section 7-1 or 7-2 of this Act the secretary shall cause a
22 copy of such petition to be given to each board of any
23 district involved in the proposed boundary change and shall
24 cause a notice thereof to be published once in a newspaper
25 having general circulation within the area of the territory
26 described in the petition for the proposed change of
27 boundaries.

28 (b) When a joint hearing is required under the
29 provisions of Section 7-2, the secretary also shall cause a
30 copy of the notice to be sent to the regional board of school
31 trustees of each region affected. Notwithstanding the
32 foregoing provisions of this Section, if the secretary of the
33 regional board of school trustees with whom a petition is

1 filed under Section 7-2 fails, within 30 days after the
2 filing of such petition, to cause notice thereof to be
3 published and sent as required by this Section, then the
4 secretary of the regional board of school trustees of any
5 other region affected may cause the required notice to be
6 published and sent, and the joint hearing may be held in any
7 region affected as provided in the notice so published.

8 (b-5) If a petition filed under subsection (a) of
9 Section 7-1 or under Section 7-2 proposes to annex all the
10 territory of a school district to another school district,
11 the petition shall request the submission of a proposition at
12 a regular scheduled election for the purpose of voting for or
13 against the annexation of the territory described in the
14 petition to the school district proposing to annex that
15 territory. No petition filed or election held under this
16 Article shall be null and void, invalidated, or deemed in
17 noncompliance with the Election Code because of a failure to
18 publish a notice with respect to the petition or referendum
19 as required under subsection (g) of Section 28-2 of that Code
20 for petitions that are not filed under this Article or
21 Article 7A, 11A, 11B, or 11D of the School Code.

22 (c) When a petition contains more than 10 signatures the
23 petition shall designate a committee of 10 of the petitioners
24 as attorney in fact for all petitioners, any 7 of whom may
25 make binding stipulations on behalf of all petitioners as to
26 any question with respect to the petition or hearing or joint
27 hearing, and the regional board of school trustees, or
28 regional boards of school trustees in cases of a joint
29 hearing may accept such stipulation in lieu of evidence or
30 proof of the matter stipulated. The committee of petitioners
31 shall have the same power to stipulate to accountings or
32 waiver thereof between school districts; however, the
33 regional board of school trustees, or regional boards of
34 school trustees in cases of a joint hearing may refuse to

1 accept such stipulation. Those designated as the committee of
2 10 shall serve in that capacity until such time as the
3 regional superintendent of schools or the committee of 10
4 determines that, because of death, resignation, transfer of
5 residency from the territory, or failure to qualify, the
6 office of a particular member of the committee of 10 is
7 vacant. Upon determination that a vacancy exists, the
8 remaining members shall appoint a petitioner to fill the
9 designated vacancy on the committee of 10. The appointment
10 of any new members by the committee of 10 shall be made by a
11 simple majority vote of the remaining designated members.

12 (d) The petition may be amended to withdraw not to
13 exceed a total of 10% of the territory in the petition at any
14 time prior to the hearing or joint hearing; provided that the
15 petition shall after amendment comply with the requirements
16 as to the number of signatures required on an original
17 petition.

18 (e) The petitioners shall pay the expenses of publishing
19 the notice and of any transcript taken at the hearing or
20 joint hearing; and in case of an appeal from the decision of
21 the regional board of school trustees, or regional boards of
22 school trustees in cases of a joint hearing, or State
23 Superintendent of Education in cases determined under
24 subsection (1) of this Section, the appellants shall pay the
25 cost of preparing the record for appeal.

26 (f) The notice shall state when the petition was filed,
27 the description of the territory, the prayer of the petition
28 and the return day on which the hearing or joint hearing upon
29 the petition will be held which shall not be more than 15 nor
30 less than 10 days after the publication of notice.

31 (g) On such return day or on a day to which the regional
32 board of school trustees, or regional boards of school
33 trustees in cases of a joint hearing shall continue the
34 hearing or joint hearing the regional board of school

1 trustees, or regional boards of school trustees in cases of a
2 joint hearing shall hear the petition but may adjourn the
3 hearing or joint hearing from time to time or may continue
4 the matter for want of sufficient notice or other good cause.

5 (h) Prior to the hearing or joint hearing the secretary
6 of the regional board of school trustees shall submit to the
7 regional board of school trustees, or regional boards of
8 school trustees in cases of a joint hearing maps showing the
9 districts involved, a written report of financial and
10 educational conditions of districts involved and the probable
11 effect of the proposed changes. The reports and maps
12 submitted shall be made a part of the record of the
13 proceedings of the regional board of school trustees, or
14 regional boards of school trustees in cases of a joint
15 hearing. A copy of the report and maps submitted shall be
16 sent by the secretary of the regional board of school
17 trustees to each board of the districts involved, not less
18 than 5 days prior to the day upon which the hearing or joint
19 hearing is to be held.

20 (i) The regional board of school trustees, or regional
21 boards of school trustees in cases of a joint hearing shall
22 hear evidence as to the school needs and conditions of the
23 territory in the area within and adjacent thereto and as to
24 the ability of the districts affected to meet the standards
25 of recognition as prescribed by the State Board of Education,
26 and shall take into consideration the division of funds and
27 assets which will result from the change of boundaries and
28 shall determine whether it is to the best interests of the
29 schools of the area and the educational welfare of the pupils
30 that such change in boundaries be granted, and in case
31 non-high school territory is contained in the petition the
32 normal high school attendance pattern of the children shall
33 be taken into consideration. If the non-high school territory
34 overlies an elementary district, a part of which is in a high

1 school district, such territory may be annexed to such high
2 school district even though not contiguous to the high school
3 district. However, upon resolution by the regional board of
4 school trustees, or regional boards of school trustees in
5 cases of a joint hearing the secretary or secretaries thereof
6 shall conduct the hearing or joint hearing upon any boundary
7 petition and present a transcript of such hearing to the
8 trustees who shall base their decision upon the transcript,
9 maps and information and any presentation of counsel.

10 (j) At the hearing or joint hearing any resident of the
11 territory described in the petition or any resident in any
12 district affected by the proposed change of boundaries may
13 appear in person or by an attorney in support of the petition
14 or to object to the granting of the petition and may present
15 evidence in support of his position.

16 (k) At the conclusion of the hearing, other than a joint
17 hearing, the regional superintendent of schools as ex officio
18 member of the regional board of school trustees shall within
19 30 days enter an order either granting or denying the
20 petition and shall deliver to the committee of petitioners,
21 if any, and any person who has filed his appearance in
22 writing at the hearing and any attorney who appears for any
23 person and any objector who testifies at the hearing and the
24 regional superintendent of schools a certified copy of its
25 order.

26 (l) Notwithstanding the foregoing provisions of this
27 Section, if within 9 months after a petition is submitted
28 under the provisions of Section 7-1 the petition is not
29 approved or denied by the regional board of school trustees
30 and the order approving or denying that petition entered and
31 a copy thereof served as provided in this Section, the school
32 boards or registered voters of the districts affected that
33 submitted the petition (or the committee of 10, or an
34 attorney acting on its behalf, if designated in the petition)

1 may submit a copy of the petition directly to the State
2 Superintendent of Education for approval or denial. The copy
3 of the petition as so submitted shall be accompanied by a
4 record of all proceedings had with respect to the petition up
5 to the time the copy of the petition is submitted to the
6 State Superintendent of Education (including a copy of any
7 notice given or published, any certificate or other proof of
8 publication, copies of any maps or written report of the
9 financial and educational conditions of the school districts
10 affected if furnished by the secretary of the regional board
11 of school trustees, copies of any amendments to the petition
12 and stipulations made, accepted or refused, a transcript of
13 any hearing or part of a hearing held, continued or adjourned
14 on the petition, and any orders entered with respect to the
15 petition or any hearing held thereon). The school boards,
16 registered voters or committee of 10 submitting the petition
17 and record of proceedings to the State Superintendent of
18 Education shall give written notice by certified mail, return
19 receipt requested to the regional board of school trustees
20 and to the secretary of that board that the petition has been
21 submitted to the State Superintendent of Education for
22 approval or denial, and shall furnish a copy of the notice so
23 given to the State Superintendent of Education. The cost of
24 assembling the record of proceedings for submission to the
25 State Superintendent of Education shall be the responsibility
26 of the school boards, registered voters or committee of 10
27 that submits the petition and record of proceedings to the
28 State Superintendent of Education. When a petition is
29 submitted to the State Superintendent of Education in
30 accordance with the provisions of this paragraph:

31 (1) The regional board of school trustees loses all
32 jurisdiction over the petition and shall have no further
33 authority to hear, approve, deny or otherwise act with
34 respect to the petition.

1 (2) All jurisdiction over the petition and the
2 right and duty to hear, approve, deny or otherwise act
3 with respect to the petition is transferred to and shall
4 be assumed and exercised by the State Superintendent of
5 Education.

6 (3) The State Superintendent of Education shall not
7 be required to repeat any proceedings that were conducted
8 in accordance with the provisions of this Section prior
9 to the time jurisdiction over the petition is transferred
10 to him, but the State Superintendent of Education shall
11 be required to give and publish any notices and hold or
12 complete any hearings that were not given, held or
13 completed by the regional board of school trustees or its
14 secretary as required by this Section prior to the time
15 jurisdiction over the petition is transferred to the
16 State Superintendent of Education.

17 (4) If so directed by the State Superintendent of
18 Education, the regional superintendent of schools shall
19 submit to the State Superintendent of Education and to
20 such school boards as the State Superintendent of
21 Education shall prescribe accurate maps and a written
22 report of the financial and educational conditions of the
23 districts affected and the probable effect of the
24 proposed boundary changes.

25 (5) The State Superintendent is authorized to
26 conduct further hearings, or appoint a hearing officer to
27 conduct further hearings, on the petition even though a
28 hearing thereon was held as provided in this Section
29 prior to the time jurisdiction over the petition is
30 transferred to the State Superintendent of Education.

31 (6) The State Superintendent of Education or the
32 hearing officer shall hear evidence and approve or deny
33 the petition and shall enter an order to that effect and
34 deliver and serve the same as required in other cases to

1 be done by the regional board of school trustees and the
2 regional superintendent of schools as an ex officio
3 member of that board.

4 (m) Within 10 days after the conclusion of a joint
5 hearing required under the provisions of Section 7-2, each
6 regional board of school trustees shall meet together and
7 render a decision with regard to the joint hearing on the
8 petition. If the regional boards of school trustees fail to
9 enter a joint order either granting or denying the petition,
10 the regional superintendent of schools for the educational
11 service region in which the joint hearing is held shall enter
12 an order denying the petition, and within 30 days after the
13 conclusion of the joint hearing shall deliver a copy of the
14 order denying the petition to the regional boards of school
15 trustees of each region affected, to the committee of
16 petitioners, if any, to any person who has filed his
17 appearance in writing at the hearing and to any attorney who
18 appears for any person at the joint hearing. If the regional
19 boards of school trustees enter a joint order either granting
20 or denying the petition, the regional superintendent of
21 schools for the educational service region in which the joint
22 hearing is held shall, within 30 days of the conclusion of
23 the hearing, deliver a copy of the joint order to those same
24 committees and persons as are entitled to receive copies of
25 the regional superintendent's order in cases where the
26 regional boards of school trustees have failed to enter a
27 joint order.

28 (n) Within 10 days after service of a copy of the order
29 granting or denying the petition, any person so served may
30 petition for a rehearing and, upon sufficient cause being
31 shown, a rehearing may be granted. The filing of a petition
32 for rehearing shall operate as a stay of enforcement until
33 the regional board of school trustees, or regional boards of
34 school trustees in cases of a joint hearing, or State

1 Superintendent of Education in cases determined under
2 subsection (1) of this Section enter the final order on such
3 petition for rehearing.

4 (o) (Blank). ~~If a petition filed under subsection (a) of~~
5 ~~Section 7-1 or under Section 7-2 is required under the~~
6 ~~provisions of subsection (b-5) of this Section 7-6 to request~~
7 ~~submission of a proposition at a regular scheduled election~~
8 ~~for the purpose of voting for or against the annexation of~~
9 ~~the territory described in the petition to the school~~
10 ~~district proposing to annex that territory, and if the~~
11 ~~petition is granted or approved by the regional board or~~
12 ~~regional boards of school trustees or by the State~~
13 ~~Superintendent of Education, the proposition shall be placed~~
14 ~~on the ballot at the next regular scheduled election.~~

15 (Source: P.A. 90-459, eff. 8-17-97.)

16 (105 ILCS 5/11A-8) (from Ch. 122, par. 11A-8)

17 Sec. 11A-8. Passage requirements.

18 (a) Except as otherwise provided by Section 11A-7, the
19 proposition to create a community unit school district shall
20 be submitted only to the voters of the territory which
21 comprises the proposed community unit school district, and if
22 a majority of the voters in each of the affected school
23 districts voting at such election vote in favor of the
24 establishment of such community unit school district, the
25 proposition shall be deemed to have passed. Unless the board
26 of education of a new community unit school district is
27 elected at the same election at which the proposition
28 establishing that district is deemed to have passed, the
29 regional superintendent of schools shall order an election to
30 be held on the next regularly scheduled election date for the
31 purpose of electing a board of education for that district.
32 In either event, the board of education elected for a new
33 community unit school district created under this Article

1 shall consist of 7 members who shall have the terms and the
2 powers and duties of school boards as defined in Article 10
3 of this Act. Nomination papers filed under this Section are
4 not valid unless the candidate named therein files with the
5 regional superintendent a receipt from the county clerk
6 showing that the candidate has filed a statement of economic
7 interests as required by the Illinois Governmental Ethics
8 Act. Such statement shall be so filed either previously
9 during the calendar year in which his nomination papers were
10 filed or within the period for the filing of nomination
11 papers in accordance with the general election law. The
12 regional superintendent shall perform the election duties
13 assigned by law to the secretary of a school board for such
14 election, and shall certify the officers and candidates
15 therefor pursuant to the general election law.

16 (b) Except as otherwise provided in subsection (c), for
17 school districts formed before January 1, 1975, if the
18 territory of such district is greater than 2 congressional
19 townships or 72 square miles, then not more than 3 board
20 members may be selected from any one congressional township,
21 but congressional townships of less than 100 inhabitants
22 shall not be considered for the purpose of such mandatory
23 board representation, and in any such community unit district
24 where at least 75% but not more than 90% of the population is
25 in one congressional township 4 board members shall be
26 selected therefrom and 3 board members shall be selected from
27 the rest of the district, but in any such community unit
28 district where more than 90% of the population is in one
29 congressional township all board members may be selected from
30 one or more congressional townships; and whenever the
31 territory of any community unit district shall consist of not
32 more than 2 congressional townships or 72 square miles, but
33 shall consist of more than one congressional township, or 36
34 square miles, outside of the corporate limits of any city,

1 village or incorporated town within the school district, not
2 more than 5 board members shall be selected from any city,
3 village or incorporated town in such school district.

4 (c) The provisions of subsection (b) for mandatory board
5 representation shall no longer apply to a community unit
6 school district formed prior to January 1, 1975, and the
7 members of the board of education shall be elected at large
8 from within that school district and without restriction by
9 area of residence within the district if both of the
10 following conditions are met with respect to that district:

11 (1) A proposition for the election of board members
12 at large and without restriction by area of residence
13 within the district rather than in accordance with the
14 provisions of subsection (b) for mandatory board
15 representation is submitted to the school district's
16 voters at a regular school election or at the general
17 election as provided in this subsection (c).

18 (2) A majority of those voting at the election in
19 each congressional township comprising the territory of
20 the school district, including any congressional township
21 of less than 100 inhabitants, vote in favor of the
22 proposition.

23 The board of education of the school district may by
24 resolution order submitted or, upon the petition of the
25 lesser of 2,500 or 5% of the school district's registered
26 voters, shall order submitted to the school district's voters
27 at a regular school election or at the general election the
28 proposition for the election of board members at large and
29 without restriction by area of residence within the district
30 rather than in accordance with the provisions of subsection
31 (b) for mandatory board representation; and the proposition
32 shall thereupon be certified by the board's secretary for
33 submission. If a majority of those voting at the election in
34 each congressional township comprising the territory of the

1 school district, including any congressional township of less
2 than 100 inhabitants, vote in favor of the proposition: (i)
3 the proposition to elect board members at large and without
4 restriction by area of residence within the district shall be
5 deemed to have passed, (ii) new members of the board shall be
6 elected at large and without restriction by area of residence
7 within the district at the next regular school election, and
8 (iii) the terms of office of the board members incumbent at
9 the time the proposition is adopted shall expire when the new
10 board members that are elected at large and without
11 restriction by area of residence within the district have
12 organized in accordance with Section 10-16. In a community
13 unit school district that formerly elected its members under
14 subsection (b) to successive terms not exceeding 4 years, the
15 members elected at large and without restriction by area of
16 residence within the district shall be elected for a term of
17 4 years, and in a community unit school district that
18 formerly elected its members under subsection (b) to
19 successive terms not exceeding 6 years, the members elected
20 at large and without restriction by area of residence within
21 the district shall be elected for a term of 6 years;
22 provided, that in each case the terms of the board members
23 initially elected at large and without restriction by area of
24 residence within the district as provided in this subsection
25 shall be staggered and determined in accordance with the
26 provisions of Sections 10-10 and 10-16.
27 (Source: P.A. 89-129, eff. 7-14-95.)

28 (105 ILCS 5/11A-9) (from Ch. 122, par. 11A-9)
29 Sec. 11A-9. Tax levy. The board of education of a
30 community unit district may levy taxes for educational,
31 operations and maintenance and the purchase and improvements
32 of school grounds, pupil transportation, and fire prevention
33 and safety purposes, respectively, at not exceeding the rates

1 specified in the petition, which rates may thereafter be
2 increased or decreased in the same manner and within the
3 limits provided by Sections 17-2 through 17-7. The board of
4 education may further levy taxes for other purposes as
5 generally permitted by law.

6 If the election of the board of education of the new
7 district occurs at the general election or the nonpartisan
8 election and the board of education makes its initial levy in
9 that same year, the county clerk shall extend such levy
10 notwithstanding any other law which requires the adoption of
11 a budget before the clerk may extend such levy.

12 If the election of the board of education of the new
13 district does not occur in the same calendar year that the
14 proposition to create the new district is approved, the
15 districts from which the new district is formed, by joint
16 agreement and with the approval of the regional
17 superintendent, shall be permitted to levy in the same
18 calendar year in which the creation of the new district is
19 approved at the rates specified in the petition. The county
20 clerks shall extend any such levy notwithstanding any law
21 that requires adoption of a budget before extension of the
22 levy. Newly consolidated unit school districts formed by
23 combining districts maintaining only grades 1 through 8 and
24 districts maintaining only grades 9 through 12, shall be
25 allowed to levy 0.24% for transportation purposes and 0.10%
26 for life safety, working cash, and leasing purposes.

27 (Source: P.A. 87-10; 87-1215; 88-686, eff. 1-24-95.)

28 (105 ILCS 5/18-8.2) (from Ch. 122, par. 18-8.2)

29 Sec. 18-8.2. Supplementary State aid for new and for
30 certain annexing districts.

31 (a) After the formation of a new district or cooperative
32 high school under Section 10-22.22c of this Code, a
33 computation shall be made to determine the difference between

1 the salaries effective in each of the previously existing
2 districts on June 30, prior to the creation of the new
3 district or cooperative high school. For the first 4 years
4 after the formation of the new district or cooperative high
5 school or if the new district was formed after October 31,
6 1982 and prior to the effective date of this amendatory Act
7 of 1985, for the 3 years immediately following such effective
8 date, a supplementary State aid reimbursement shall be paid
9 to the new district or governing board of the cooperative
10 high school equal to the difference between the sum of the
11 salaries earned by each of the certificated members of the
12 new district or each of the certified employees employed by
13 the governing board of the cooperative high school while
14 employed in one of the previously existing districts or one
15 of the cooperating districts during the year immediately
16 preceding the formation of the new district or cooperative
17 high school and the sum of the salaries those certificated
18 members would have been paid during the year immediately
19 prior to the formation of the new district if placed on the
20 salary schedule of the previously existing or cooperating
21 district with the highest salary schedule.

22 (b) After the territory of one or more school districts
23 is annexed by one or more other school districts, or after
24 the division (pursuant to petition under Section 11A-2) of a
25 unit school district or districts into 2 or more parts which
26 all are included in 2 or more other community unit districts
27 resulting upon that division, a computation shall be made to
28 determine the difference between the salaries effective in
29 each such annexed or divided district and in the annexing or
30 resulting district or districts as they each were constituted
31 on June 30 preceding the date when the change of boundaries
32 attributable to such annexation or division became effective
33 for all purposes as determined under Section 7-9, 7A-8 or
34 11A-10. For the first 4 years after any such annexation or

1 division, a supplementary State aid reimbursement shall be
2 paid to each annexing or resulting district as constituted
3 after the annexation or division equal to the difference
4 between the sum of the salaries earned by each of the
5 certificated members of such annexing or resulting district
6 as constituted after the annexation or division while
7 employed in an annexed or annexing district, or in a divided
8 or resulting district, during the year immediately preceding
9 the annexation or division, and the sum of the salaries those
10 certificated members would have been paid during such
11 immediately preceding year if placed on the salary schedule
12 of whichever of such annexing or annexed districts, or
13 resulting or divided districts, had the highest salary
14 schedule during such immediately preceding year.

15 (c) Such supplementary State aid reimbursement shall be
16 treated as separate from all other payments made pursuant to
17 Section 18-8 or 18-8.05. In the case of the formation of a
18 new district or cooperative high school, reimbursement shall
19 begin during the first year of operation of the new district
20 or cooperative high school; and in the case of an annexation
21 of the territory of one or more school districts by one or
22 more other school districts, or the division (pursuant to
23 petition under Section 11A-2) of a unit school district or
24 districts into 2 or more parts which all are included in 2 or
25 more other community unit districts resulting upon that
26 division, reimbursement shall begin during the first year
27 when the change in boundaries attributable to such annexation
28 or division becomes effective for all purposes as determined
29 pursuant to Section 7-9, 7A-8 or 11A-10. Each year any such
30 new, annexing or resulting district or the governing board of
31 the cooperative high school, as the case may be, is entitled
32 to receive reimbursement, the number of eligible certified
33 members who are employed on October 1 in any such district or
34 cooperative high school shall be certified to the State Board

1 of Education on prescribed forms by October 15 and payment
2 shall be made on or before November 15 of that year.

3 (d) If a unit school district annexes all the territory
4 of another unit school district effective for all purposes
5 pursuant to Section 7-9 on July 1, 1988, and if part of the
6 annexed territory is detached within 90 days after July 1,
7 1988, then the detachment shall be disregarded in computing
8 the supplementary State aid reimbursements under this Section
9 for the entire 3 year period and the supplementary State aid
10 reimbursements shall not be diminished because of the
11 detachment.

12 (e) The changes made by this amendatory Act of 1989 are
13 intended to be retroactive and applicable to any annexation
14 taking effect after August 1, 1987.

15 (Source: P.A. 90-548, eff. 1-1-98.)

16 (105 ILCS 5/18-8.5) (from Ch. 122, par. 18-8.5)

17 Sec. 18-8.5. Supplementary State aid for new, annexing or
18 resulting districts.

19 (a) Following (i) the formation of a new school district
20 pursuant to Article 11A or 11B, or of a new elementary school
21 district pursuant to Article 7A, (ii) ~~or~~ the annexation of
22 all of the territory of one or more entire school districts
23 by one or more other school districts, (iii) ~~or~~ the division
24 pursuant to petition under Section 11A-2 of a unit school
25 district or districts into 2 or more parts which all are
26 included in 2 or more other community unit districts
27 resulting upon that division, or (iv) the formation of a
28 cooperative high school under Section 10-22.22c of this Code,
29 a supplementary State aid reimbursement shall be paid for the
30 number of school years determined under the following table
31 to each new, annexing or resulting district or to the
32 governing board of the cooperative high school equal to the
33 sum of \$4,000 for each certified employee who is employed by

1 such district or governing board on a full-time basis for the
2 regular term of any such school year:

3	Reorganized District's Rank	Reorganized District's Rank		
4	by type of district (unit,	in Average Daily Attendance		
5	high school, elementary)	By Quintile		
6	in Equalized Assessed Value			
7	Per Pupil by Quintile			
8				3rd, 4th
9		1st	2nd	or 5th
10		Quintile	Quintile	Quintile
11	1st Quintile	1 year	1 year	1 year
12	2nd Quintile	1 year	2 years	2 years
13	3rd Quintile	2 years	3 years	3 years
14	4th Quintile	2 years	3 years	3 years
15	5th Quintile	2 years	3 years	3 years

16 The State Board of Education shall make a one-time
 17 calculation of a reorganized district's quintile ranks. The
 18 average daily attendance used in this calculation shall be
 19 the best 3 months' average daily attendance for the
 20 district's first year. The equalized assessed value per
 21 pupil shall be the district's real property equalized
 22 assessed value used in calculating the district's first-year
 23 general State aid claim divided by the best 3 months' average
 24 daily attendance. For purposes of making payments under this
 25 Section to the governing board of a cooperative high school,
 26 the cooperating districts shall be treated as if they had
 27 been consolidated into a new high school district.

28 No annexing or resulting school district shall be
 29 entitled to supplementary State aid under this Section unless
 30 such district acquires at least 30% of the average daily
 31 attendance of the district from which the territory is being
 32 detached or divided.

33 If a district results from multiple reorganizations that
 34 would otherwise qualify the district for multiple payments

1 under this Section in any year, the district shall receive a
2 single payment only for that year based solely on the most
3 recent reorganization.

4 (b) The supplementary State aid reimbursement payable
5 under this Section shall be separate from and in addition to
6 all other payments made to the district or governing board
7 pursuant to any other Section of this Article.

8 (c) During May of each school year for which a
9 supplementary State aid reimbursement is to be paid to a new,
10 annexing or resulting school district or governing board
11 pursuant to this Section, the school board shall certify to
12 the State Board of Education, on forms furnished to the
13 school board or governing board by the State Board of
14 Education for purposes of this Section, the number of
15 certified employees for which the district is entitled to
16 reimbursement under this Section, together with the names,
17 certificate numbers and positions held by such certified
18 employees.

19 (d) Upon certification by the State Board of Education
20 to the State Comptroller of the amount of the supplementary
21 State aid reimbursement to which a school district or
22 governing board is entitled by this Section, the State
23 Comptroller shall draw his warrant upon the State Treasurer
24 for the payment thereof to the school district or governing
25 board and shall promptly transmit the payment to the school
26 district or governing board through the appropriate school
27 treasurer.

28 (e) The changes to this Section made by P.A. 88-555
29 shall apply to all reorganizations for which the petitions
30 are filed with the regional board of school trustees or the
31 regional superintendent, as the case may be, on or after
32 January 1, 1995.

33 (Source: P.A. 87-10; 87-435; 87-1210; 88-555, eff. 7-27-94;
34 88-686, eff. 1-24-95.)

1 (105 ILCS 5/7-7.5 rep.)

2 (105 ILCS 5/7-7.6 rep.)

3 (105 ILCS 5/7-7.7 rep.)

4 Section 10. The School Code is amended by repealing
5 Sections 7-7.5, 7-7.6, and 7-7.7.

6 Section 15. The School Construction Law is amended by
7 changing Section 5-30 as follows:

8 (105 ILCS 230/5-30)

9 Sec. 5-30. Priority of school construction projects. The
10 State Board of Education shall develop standards for the
11 determination of priority needs concerning school
12 construction projects based upon approved district facilities
13 plans. Such standards shall call for prioritization based on
14 the degree of need and project type in the following order:

15 (1) Replacement or reconstruction of school
16 buildings destroyed or damaged by flood, tornado, fire,
17 earthquake, or other disasters, either man-made or
18 produced by nature;

19 ~~(2) Projects designed to alleviate a shortage of~~
20 ~~classrooms due to population growth or to replace aging~~
21 ~~school buildings;~~

22 (2) (3) Projects resulting from interdistrict
23 reorganization of school districts contingent on local
24 referenda;

25 (3) Projects designed to alleviate a shortage of
26 classrooms due to population growth or to replace aging
27 school buildings;

28 (4) Replacement or reconstruction of school
29 facilities determined to be severe and continuing health
30 or life safety hazards;

31 (5) Alterations necessary to provide accessibility
32 for qualified individuals with disabilities; and

1 (6) Other unique solutions to facility needs.

2 (Source: P.A. 90-548, eff. 1-1-98.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.