

DEACTIVATION

Deactivation is one type of school district reorganization. Other types of reorganizations are:

- ⇒ Consolidation
- ⇒ Cooperative High School
- ⇒ Detachment-Annexation
- ⇒ Dissolution-Annexation
- ⇒ Partial Elementary Unit
- ⇒ School District Conversion

Details for the above can be found in the individual brochures labeled accordingly or a brief summary of each in the [*School District Reorganization at a Glance*](#) brochure.

A deactivation can be beneficial to the districts involved because it can create increased opportunities for students without changing district boundaries. A student's education may be expanded to include class offerings that otherwise would not be available.

Deactivation allows a school board to deactivate an elementary facility or a high school facility and send the students in Grades kindergarten through 8 or Grades 9 through 12 to schools in another district or districts on a tuition basis.

Any high school district, elementary district, or unit district may deactivate a school facility. There is currently no limit on the number of years a district may have a deactivated school facility.

A deactivated school facility can later be reactivated. The procedures for deactivating and reactivating a school facility are very similar.

STEPS TO DEACTIVATING A SCHOOL FACILITY

- ⇒ Board resolution and notice by school board contemplating deactivation.
- ⇒ Successful referendum in deactivating district.
- ⇒ Contract between sending district and receiving district or districts.

DEACTIVATING BOARD RESOLUTION AND NOTICE

- ⇒ The school board of the district contemplating deactivation must, by proper resolution, submit a proposition to the voters in a regularly scheduled election.
- ⇒ Notice shall be published at least 10 days prior to the election in one or more newspapers published in the district.
- ⇒ If there is no newspaper published in the district, the notice should be published in one or more newspapers with a general circulation within the district.

REFERENDUM

- ⇒ In order to deactivate a school facility, a majority of those voting in the deactivating district must vote in favor of the proposition.

CONTRACT BETWEEN DISTRICTS

- ⇒ The school board of the sending district, upon approval of the school board of the receiving district, shall execute a contract with the receiving district for the reassignment of students to the receiving district.
- ⇒ If the deactivating district seeks to send its students to more than one district, it shall execute a contract with each receiving district.
- ⇒ The length of the initial contract shall be for two school years, and the districts may

renew the contract for additional one-year or two-year periods.

- ⇒ The sending district shall pay to the receiving district an amount agreed upon by the two districts.
- ⇒ Discussions between the sending and receiving districts for the acceptance of students in the receiving district(s) may occur prior to the referendum or after the successful referendum to deactivate.

REACTIVATING A SCHOOL FACILITY

- ⇒ The school board of the district seeking to reactivate a school facility must, by proper resolution, submit a proposition to the voters in a regularly scheduled election.
- ⇒ Notice shall be published at least 10 days prior to the election in one or more newspapers published in the district.
- ⇒ If there is no newspaper published in the district, the notice should be published in one or more newspapers with a general circulation within the district.
- ⇒ In order to reactivate a school facility, a majority of those voting in the reactivating district must vote in favor of the proposition.

TRANSFER OF STAFF

- ⇒ The receiving district must treat any tenured teacher transferred as a result of the deactivation in the same manner as if the teacher had been its employee during the time employed by the sending district.
- ⇒ When deactivating to two or more districts, the positions of full-time teachers shall be transferred to the control of whichever board such teachers request, with the requests proceeding in the order of those with the greatest length of tenure.

- The number of teachers selecting one district shall not exceed the proportion of students going to such district.
- The positions of full-time teachers after no selection opportunities are left shall be transferred to the appropriate board.

- ⇒ Whenever a school facility is reactivated, all tenured teachers who were honorably dismissed or transferred as part of the deactivation process -- in addition to other rights they may have under the School Code -- shall be recalled or transferred back to the original district.
- ⇒ The receiving district must treat any educational support personnel transferred as a result of the deactivation in the same manner as if that employee had been its employee during the time employed by the sending district.

FREQUENTLY ASKED QUESTIONS

- Q. Rather than deactivating, may two districts form an intergovernmental agreement to allow one of the districts to teach all the high school students or all of the elementary school students of the other district?**
- A. No.** Teaching all the high school students or all the elementary school students of another district without going through the deactivation procedures would be an attempt to thwart the current deactivation laws. Therefore, the deactivation process from Section 10-22.22b of the School Code must be used to achieve the goal of one district teaching all the high school students or all the elementary students of the other.
- Q. Which district is responsible for providing the transportation of students from the sending to the receiving district?**
- A. A district that deactivates a school facility remains responsible for providing any**

necessary transportation. However, this responsibility can be shifted by agreement to the receiving district, which may charge the sending district for this cost.

- Q. If a district votes to deactivate a school facility and send its students to more than one district, how are the students distributed among the receiving districts?**
- A. The law is silent on this matter.** Among the options are drawing an attendance center boundary line as part of the agreement or providing, by agreement, for students to choose the school they wish to attend.
- Q. Are there any state financial incentives associated with a deactivation?**
- A. Yes.** The receiving district in a deactivation is eligible for two of the four reorganization incentives, specifically, the Teacher Salary Difference and the \$4,000 per Full-Time Certified Staff incentives. Both incentive calculations are based on the specific teachers transferred from the sending to the receiving district as a result of the deactivation.

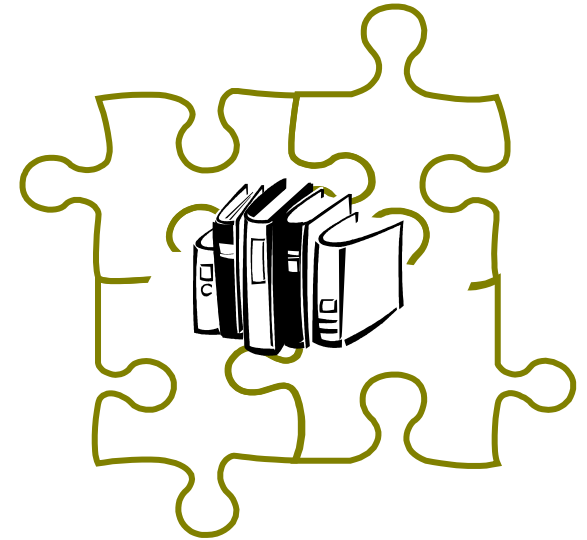
This brochure is not to be used in place of the School Code, but as an informational tool. For specific information regarding deactivation, please refer to Article 10, Section 22.22b of the School Code.

For additional information and assistance, please contact the School Business Services Department of the Illinois State Board of Education at 217-785-8779. Information is also available on the [ISBE School District Reorganization webpage](#).

Produced by the Illinois State Board of Education
School Business Services Department
May 2023

Deactivation

At a Glance



Illinois State Board of Education

Dr. Steven Isoye
Chair of the Board

Dr. Tony Sanders
State Superintendent of Education