

DISSOLUTION-ANNEXATION

Dissolution-Annexation is one type of school district reorganization. Other types of reorganizations are:

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

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

Dissolution is a form of reorganization in which **all** of one school district is incorporated into one or more school districts, thereby dissolving the original school district. A new district is not created, a new school board is not elected, and the maximum tax rates for the annexing district are not changed. The annexing district may be eligible to receive incentive payments. Refer to the [School District Reorganization at a Glance](#) brochure for additional information regarding these incentive payments.

Any school district with a population of fewer than 5,000 or student enrollment of fewer than 750 has an additional option for dissolving. This process is somewhat different and is discussed later in this brochure.

Detachment is the other form of annexation in which a portion of one school district is incorporated into one or more other school districts.

STEPS TO DISSOLUTION

- ⇒ Petition
- ⇒ Local public hearing
- ⇒ Regional board of school trustees approval
- ⇒ Referendum approval

PETITION

- ⇒ Who may petition:
 - The board of education of the district proposed to be dissolved, or
 - A majority of registered voters residing in the district proposed to be dissolved.
- ⇒ The petition is filed with the regional superintendent of the region with supervision and control of the dissolving district.
- ⇒ The petition shall request the submission of the proposition to annex all district territory in a regular scheduled election.
- ⇒ The petition must specify the school district or districts to which all of the territory of the district proposed to be dissolved will be annexed.
- ⇒ The petitioners shall pay the expense of publishing the notice, for any transcript taken at the public hearing, and for mailing the final order.
- ⇒ Petitions containing more than 10 signatures shall designate a Committee of Ten to represent the petitioners, any seven of whom may make binding stipulations on behalf of all petitioners.
- ⇒ If a petition does not result in dissolution, no subsequent petition can be filed for two years after the final determination on the first petition unless:
 - A substantially different petition is filed, or
 - A district included in the first petition is identified as a priority district under Section 2-3.25d-5 of the School Code, or
 - A district included in the first petition is placed on the Illinois State Board of

Education financial watch list or certified as being in financial difficulty.

LOCAL PUBLIC HEARING

- ⇒ The regional superintendent shall publish a notice of the petition and hearing in a newspaper having general circulation within the territory involved.
- ⇒ The regional superintendent shall submit to the regional board of school trustees maps showing the districts involved, a written report of financial and educational conditions of the districts involved, and the probable effects of the proposed changes.
- ⇒ The hearing on the petition is to be held not more than 30 days nor less than 15 days after publication of notice.
- ⇒ Any resident in any dissolving or annexing district or any representative of any dissolving or annexing district may appear and present evidence in support of or in opposition to the petition.

REGIONAL BOARD OF SCHOOL TRUSTEES APPROVAL

- ⇒ The regional board of school trustees shall consider:
 - The school needs and conditions of the territory in the area within and adjacent thereto.
 - The ability of the dissolving and annexing districts to meet the standards of recognition as prescribed by the Illinois State Board of Education.
 - The division of funds and assets that will result from the change of boundaries.
 - Whether such a change is in the best interests of the schools of the area and the direct educational welfare of the pupils.
- ⇒ The regional superintendent shall enter the order of the regional board of school

trustees either granting or denying the petition within 30 days after the conclusion of the hearing.

- The order shall be sent to the petitioners or committee of petitioners, the school board president of each dissolving and annexing district, any person providing testimony for or against the petition at the hearing, and any attorney who appears for a person.
- ⇒ Within 10 days after service of a copy of the order granting or denying the petition, any person so served may petition for a rehearing.
 - The petition for rehearing must specify the reason for the request.
 - A rehearing may be granted upon sufficient cause being shown.
- ⇒ The decision rendered is deemed an “administrative decision” as defined in the Administrative Review Law.
 - Any resident, petitioner, or board of education entitled to receive of copy of the regional board of school trustees’ order may file a complaint for judicial review within 35 days after a copy of the decision sought to be reviewed was served upon the party.
- ⇒ If a petition submitted under Section 7-1 of the School Code has not been approved or denied by the regional board of school trustees within 12 months of filing, the petitioners may submit their petition to the state superintendent of education for approval or denial.

REFERENDUM APPROVAL

- ⇒ The proposition must pass by a majority of those voting in each of the dissolving and annexing districts.

DISSOLUTION-ANNEXATION IN COOK COUNTY

- ⇒ Cook County does not have a regional superintendent or a regional board of school trustees.
- ⇒ Petitions to dissolve a district in Cook County are filed with the township trustees that have jurisdiction and authority over the schools in the dissolving district.
- ⇒ If there are no township trustees with authority over the district, the petition is filed with the educational service center chief administrative officer with supervision and control over the dissolving district, and a three-member hearing panel will be selected.
- ⇒ The process for notices and hearing shall progress as detailed above under a regional board of school trustees.

DISTRICTS UNDER 5,000 IN POPULATION OR UNDER 750 IN STUDENT ENROLLMENT

School districts with populations of fewer than 5,000 or student enrollments of fewer than 750 may also use Section 7-2a(b) and Section 7-11 of the School Code to dissolve.

- ⇒ The petition may be filed by the board of education of the district to be dissolved or by a majority of voters in the district to be dissolved.
- ⇒ Petitioners must hold a public informational meeting before the petition process starts, giving at least 10 days' notice of the meeting published in a newspaper of general circulation.
- ⇒ The petition is filed with the regional superintendent of the region with supervision and control of the dissolving district.
- ⇒ Notice of the petition and hearing shall be published once each week for two successive weeks in a newspaper having

general circulation within the territory involved.

- ⇒ The regional board of school trustees shall hold a hearing not less than 50 days nor more than 70 days after a petition is filed.
- ⇒ The regional board of school trustees shall not act on a petition filed by a board of education if, within 45 days after the first published notice, a petition in opposition to the petition of the board to dissolve is filed. The opposition petition must be signed by a majority of the registered voters of dissolving district.
- ⇒ If no opposition petition is filed in a timely fashion, the regional board of school trustees shall have no authority to deny the dissolution requested in a properly filed petition; however, this board shall exercise its discretion in annexing the dissolved territory.
- ⇒ The decision of the regional board of school trustees shall be issued within 10 days after the conclusion of the hearing.
 - The order shall be sent to the petitioners or committee of petitioners, president of the school board of each dissolving and annexing district, any person providing testimony for or against the petition at the hearing, and any attorney who appears for a person.
- ⇒ The decision rendered is deemed an "administrative decision" as defined in the Administrative Review Law.
 - Any resident, petitioner, or board of education entitled to receive of copy of the regional board of school trustees' order may file a complaint for judicial review within 10 days after a copy of the decision sought to be reviewed was served upon the party.
- ⇒ Districts under 5,000 in population or under 750 in student enrollment may choose to dissolve under this option or through referendum.

FREQUENTLY ASKED QUESTIONS

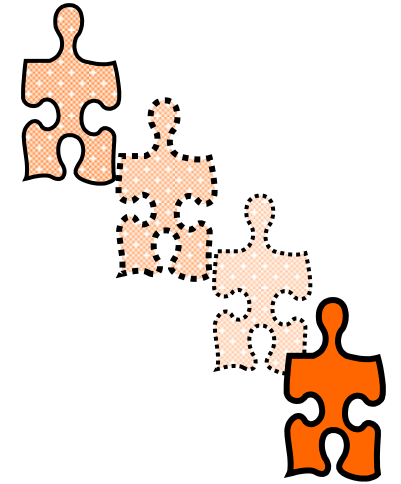
- Q. What happens with tax rates in a dissolution? Will there be a new school board?
 - A. Taxes for the repayment of long-term debt remain with the taxpayers within the boundary of the previous district that incurred the debt. Except for the bond and interest rate, all other tax rates of the annexing district will remain in effect, and the dissolving district taxpayers will be assessed those rates. In a dissolution, the annexing district's school board remains in effect after the dissolution-annexation.
- Q. Is a dissolution-annexation eligible for incentive payments like a consolidation?
 - A. Yes, a dissolution-annexation is eligible to be calculated for the same incentive payments as in a consolidation. Those incentive payments are Evidence-Based Funding Difference, Teacher Salary Difference, Deficit Fund Balance, and \$4,000 per Certified Staff.

This brochure is not to be used in place of the School Code but as an informational tool. For specific information regarding dissolutions, please refer to Article 7 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](#).

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School District Dissolution- Annexation At a Glance



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