

**STATE OF ILLINOIS
STATE SUPERINTENDENT OF EDUCATION**

In re:

A PETITION TO FORM A COMBINED ELEMENTARY SCHOOL DISTRICT CONSISTING OF ALL OF DODDS COMMUNITY CONSOLIDATED SCHOOL DISTRICT 7, INA COMMUNITY CONSOLIDATED SCHOOL DISTRICT 8 AND OPDYKE-BELLE RIVE COMMUNITY CONSOLIDATED SCHOOL DISTRICT 5

ADMINISTRATIVE DECISION

Pursuant to Section 11E-50 of the School Code, I received on December 6, 2012, the record of the proceedings regarding the proposed formation of a combined elementary school district from all of Dodds Community Consolidated School District 7, Ina Community Consolidated School District 8 and Opdyke-Belle Rive Community Consolidated School District 5.

I have reviewed the entire record of the proceedings held before the Regional Superintendent, including the transcript of the hearing and all evidence presented at the hearing, and based upon the record, I make the following findings and conclusions.

FINDINGS/CONCLUSIONS

1. The petition was filed in the Office of the Regional Superintendent of Schools of Hamilton/Jefferson Counties on November 6, 2012. Notice was given and a hearing was convened in accordance with Article 11E of the School Code.
2. The Regional Superintendent of Schools issued approval of the petition on December 4, 2012.
3. The record indicates that the petition:
 - a) requests the submission of the proposition at the regular scheduled election (on April 9, 2013) for the purpose of voting for or against the establishment of a combined elementary school district in the territory;
 - b) requests the election of board members on an "at large" basis, but does not request the election of board members at the same election as the question to form the new district; if the question to form the new district is approved at referendum, the Regional Superintendent shall call the election of board members at the next regular scheduled election (on March 18, 2014);
 - c) requests that a proposition to construct a new elementary school building in the newly created school district be submitted to the voters in the territory as a

separate proposition at the same election as the question to form the new district;

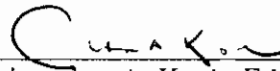
- d) describes the territory comprising the proposed district;
 - e) sets the maximum tax rates for all purposes the proposed district shall be authorized to levy, specifies the aggregate extension base the district will seek to establish, as required by statute, and specifies the debt service extension base the district will seek to establish, as permitted by statute;
 - f) describes how supplementary State deficit difference payments made under subsection (c) of Section 11E-135 will be allocated among the new district or districts proposed to be formed;
 - g) was filed by the Board of Education of Dodds Community Consolidated School District 7, the Board of Education of Ina Community Consolidated School District 8 and the Board of Education of Opdyke-Belle Rive Community Consolidated School District 5; and
 - h) designates a Committee of Ten of the petitioners.
4. While the petition requests that a proposition to construct a new elementary school building in the newly created school district be submitted to the voters in the territory as a separate proposition at the same election as the question to form the new district, it appears the proper procedure for placing this advisory question on the ballot lies within the Election Code instead of Article 11E of the School Code. The Board of Education of Dodds Community Consolidated School District 7, the Board of Education of Ina Community Consolidated School District 8 and the Board of Education of Opdyke-Belle Rive Community Consolidated School District 5 may each cause this advisory question to be placed on the April 9, 2013 ballot individually.
5. The record indicates that the territory described in the petition consists of three entire contiguous elementary districts.

As reported by the proponents of the petition, the consolidation of the districts into a combined elementary school district will result in the following:

- a) the potential to reduce transportation costs by eliminating bus routes.
- b) the opportunity to offer a more comprehensive curriculum.
- c) the opportunity to improve special education services.
- d) the equalization of student enrollment among the classes in each grade.

DECISION

Having reviewed the petition, transcript of the hearing and supporting evidence, and the Regional Superintendent's decision, and taking into consideration the school needs and conditions of the affected districts and in the area adjacent thereto, the division of funds and assets that will result from the action described in the petition, the best interests of the schools of the area, and the best interests and the educational welfare of the pupils residing therein, I hereby approve the petition. Approval of this petition will allow the submission of the proposition at the regular scheduled election on April 9, 2013, for the purpose of voting for or against the establishment of a combined elementary school district in the territory.



Christopher A. Koch, Ed.D.
State Superintendent of Education

DATED: 12/17/12

This is a final administrative order and is subject to review under the provisions of the Administrative Review Law, 735 ILCS 5/3-101 *et seq.*