

DETACHMENT-ANNEXATION

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

- ⇒ Consolidation
- ⇒ Cooperative High School
- ⇒ Deactivation
- ⇒ Dissolution-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.

A detachment is a form of reorganization in which a portion of one school district is incorporated into one or more other school districts. This may consist of one or more families or an area within the district wanting to attend another school district.

This brochure details the detachment process for petitions filed under the authority of Section 7-1 of the School Code. Detachment petitions can also be filed under the authority of Section 7-2b, Section 7-2c, or Section 7-2.4 of the School Code. Please refer to the School Code area governing these alternative processes for more specific information about them.

Dissolution is the other form of annexation in which an entire school district is incorporated into one or more other school districts.

STEPS TO A DETACHMENT

- ⇒ Petition
- ⇒ Local public hearing
- ⇒ Approval by regional board of school trustees

PETITION

- ⇒ Who may petition:
 - The board of education of the detaching district, or
 - Two-thirds of a combination of the legal resident voters and the owners of record of any real estate with no legal resident voters in any territory proposed to be detached.
- ⇒ The petition is filed with the regional superintendent of the region with supervision and control of the detaching district.
- ⇒ The petition must specify the school district or districts to which the territory proposed to be detached will be annexed.
- ⇒ The petition must include facts that support favorable findings for the factors to be considered by the regional board of school trustees.
- ⇒ The petitioners shall pay the expense of publishing the notice, for any transcript taken at the public hearing, and for mailing the final order; a deposit is usually requested at the time of filing the petition.
- ⇒ 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 detachment, no subsequent petition to change boundaries 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 2-3.35d-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 fewer than 15 days after publication of notice.
- ⇒ Any resident in any detaching or annexing district or any representative of any detaching 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:
 - School needs and conditions of the territory in the area within and adjacent thereto and the effect detachment will have on those needs and conditions.

- The ability of the detaching 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.
- ⇒ In the instance of a change of boundaries through detachment, the regional board of school trustees also will consider the following five factors:
- The regional board of school trustees shall compare the Report Cards of the detaching and annexing districts only if there is no more than a 3 percent difference in the minority, low-income, and English learner student populations of the relevant schools.
 - The community of interest and the effect detachment will have on the whole child may only be considered if the regional board of school trustees first determines there would be a significant direct educational benefit to the petitioners' children if the detachment is granted.
 - When petitioners cite an annexing district attendance center in the petition or during testimony, the regional board of school trustees may consider the difference in distances from the detaching area to the current attendance center and cited annexing attendance center only if the difference is at least 10 miles.
 - The regional board of school trustees may not grant a petition if it will increase the percentage of minority

or low-income students or English learners by more than 3 percent at the current attendance center unless the percentage of any one of these groups also decreases, in which case the regional board of school trustees may grant the petition upon consideration of other factors.

- The regional board of school trustees may not consider whether changing the boundaries will increase the property value of the petitioners' property.

⇒ 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 detaching 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 a 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.

- ⇒ There is no referendum vote on a detachment petition.
- ⇒ 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.

DETACHMENT-ANNEXATION IN COOK COUNTY

- ⇒ Cook County does not have a regional superintendent or a regional board of school trustees.
- ⇒ A petition to detach territory from a district in Cook County is filed with the township trustees that have jurisdiction and authority over the schools in the detaching 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 detaching district, and a three-member hearing panel will be selected.
- ⇒ The process for notices and hearing shall progress as detailed previously under a regional board of school trustees.

FREQUENTLY ASKED QUESTIONS

- Q. **May I send my child to another school district without paying tuition?**
- A. No. Non-resident students are required to pay tuition. A non-resident student becomes a resident student only upon the effective date of the detachment.

Q. **Can more than one family be involved in the process?**

- A. Yes. A single family, a group of families, or other legal resident voters may join together to utilize the detachment process.

Q. **How will my taxes be affected?**

- A. After a detachment takes effect, the tax rates applied to the detached property will be the tax rates of the annexing school district. An exception to this is the tax rate for long-term debt, as repayment of long-term debt remains with the taxpayers within the boundary of the previous district that incurred the debt.

Q. **Utilizing detachment, can I send my child to any school district that I would like?**

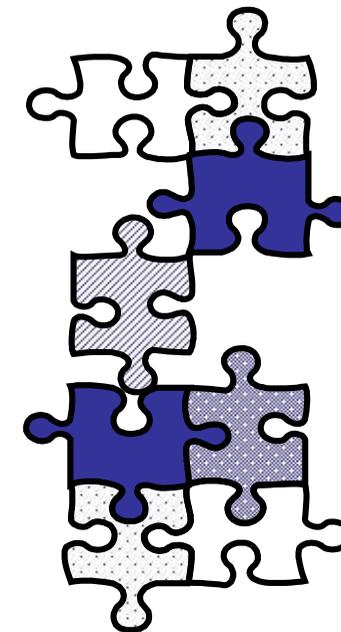
- A. No. The annexing district must be contiguous (boundaries touching) with the current school district.

This brochure is not to be used in place of the School Code but as an informational tool. Please refer to Article 7 of the School Code for specific information regarding detachments.

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

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School District Detachment- Annexation Boundary Changes At a Glance



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