



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/04/04, by Calvin L. Giles

SYNOPSIS AS INTRODUCED:

105 ILCS 5/7-1

from Ch. 122, par. 7-1

Amends the School Code. Makes a technical change in a Section concerning boundary changes.

LRB093 19583 NHT 45324 b

1 AN ACT concerning schools.

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 Section
5 7-1 as follows:

6 (105 ILCS 5/7-1) (from Ch. 122, par. 7-1)

7 Sec. 7-1. Districts in one educational service region -
8 changing boundaries.

9 (a) School district boundaries lying entirely within any
10 educational service region may be changed by detachment,
11 annexation, division or dissolution or any combination thereof
12 by the regional board of school trustees of that ~~such~~ region,
13 or by the State Superintendent of Education as provided in
14 subsection (1) of Section 7-6, when petitioned by the boards of
15 each district affected or by a majority of the registered
16 voters in each district affected or by two-thirds of the
17 registered voters in any territory proposed to be detached from
18 one or more districts or in each of one or more districts
19 proposed to be annexed to another district. Registered voters
20 shall be determined by the official voter registration lists as
21 of the date the petition is filed. No signatures shall be added
22 after the date the petition is filed. If there are no
23 registered voters within the territory proposed to be detached
24 from one or more districts, then the petition may be signed by
25 all of the owners of record of the real estate of the
26 territory. Notwithstanding any other provisions of this
27 Article, if pursuant to a petition filed under this subsection
28 all of the territory of a school district is to be annexed to
29 another school district, any action by the regional board of
30 school trustees or State Superintendent of Education in
31 granting or approving the petition and any change in school
32 district boundaries pursuant to that action is subject to and

1 the change in school district boundaries shall not be made
2 except upon approval at a regular scheduled election, in the
3 manner provided by Section 7-7.7, of a proposition for the
4 annexation of all of the territory of that school district to
5 the other school district.

6 Each page of the circulated petition shall include the full
7 prayer of the petition, and each signature contained therein
8 shall match the official signature and address of the
9 registered voters as recorded in the office of the election
10 authority having jurisdiction over the county. Each petitioner
11 shall also record the date of his signing. Each page of the
12 petition shall be signed by a circulator who has witnessed the
13 signature of each petitioner on that page. The length of time
14 for signatures to be valid, before filing of the petition,
15 shall not exceed 6 months.

16 Where there is only one school building in an approved
17 operating district, the building and building site may not be
18 included in any detachment proceeding unless petitioned by
19 two-thirds of the registered voters within the entire district
20 wherein the school is located.

21 (b) Any elementary or high school district with 100 or more
22 of its students residing upon territory located entirely within
23 a military base or installation operated and maintained by the
24 government of the United States, or any unit school district or
25 any combination of the above mentioned districts with 300 or
26 more of its students residing upon territory located entirely
27 within a military base or installation operated and maintained
28 by the government of the United States, shall, upon the filing
29 with the regional board of school trustees of a petition
30 adopted by resolution of the board of education or a petition
31 signed by a majority of the registered voters residing upon
32 such military base or installation, have all of the territory
33 lying entirely within such military base or installation
34 detached from such school district, and a new school district
35 comprised of such territory shall be created. The petition
36 shall be filed with and decided solely by the regional board of

1 school trustees of the region in which the regional
2 superintendent of schools has supervision of the school
3 district affected. The regional board of school trustees shall
4 have no authority to deny the detachment and creation of a new
5 school district requested in a proper petition filed under this
6 subsection. This subsection shall apply only to those school
7 districts having a population of not fewer than 1,000 and not
8 more than 500,000 residents, as ascertained by any special or
9 general census.

10 The new school district shall tuition its students to the
11 same districts that its students were previously attending and
12 the districts from which the new district was detached shall
13 continue to educate the students from the new district, until
14 the federal government provides other arrangements. The
15 federal government shall pay for the education of such children
16 as required by Section 6 of Public Law 81-874.

17 If a school district created under this subsection (b) has
18 not elected a school board and has not become operational
19 within 2 years after the date of detachment, then this district
20 is automatically dissolved and the territory of this district
21 reverts to the school district from which the territory was
22 detached or any successor district thereto. Any school district
23 created under this subsection (b) on or before September 1,
24 1996 that has not elected a school board and has not been
25 operational since September 1, 1996 is automatically dissolved
26 on the effective date of this amendatory Act of 1999, and on
27 this date the territory of this district reverts to the school
28 district from which the territory was detached. For the
29 automatic dissolution of a school district created under this
30 subsection (b), the regional superintendent of schools who has
31 supervision of the school district from which the territory was
32 detached shall certify to the regional board of school trustees
33 that the school district created under this subsection (b) has
34 been automatically dissolved.

35 (Source: P.A. 90-459, eff. 8-17-97; 91-460, eff. 8-6-99.)