



Lee/Ogle Regional Office of Education

Amy Jo Clemens, Regional Superintendent

"The mission of the Lee/Ogle Regional Office of Education is to promote student achievement through regulatory and service functions."

7772 Clinton Street, Dixon, IL 61021
Telephone: 815-652-2054
Fax: 815/652-2053
www.leeogle.org

Annexation/Detachment of Territory

The process of transferring one's property to one school district from another is called Annexation/Detachment. The decision to allow or deny such a transfer of property rests with the Regional Board of School Trustees. The following steps must be taken to facilitate such a transfer of territory:

Conditions to be met prior to initiating an Annexation/Detachment Petition:

1. Territory to be transferred must be contiguous to territory in district to which one is requesting attachment. Contiguous means adjacent, connected, or next to.
2. Insure that no referendum is pending in the school districts named in the Petition.

Procedures for preparing and filing Annexation/Detachment Petition:

1. Petition must be addressed to Regional Board of School Trustees for Lee/Ogle Counties.
2. Petition must contain the following:
 - a. Call for the detachment of territory from one district and annexation to another.
 - b. State the purpose of the petition.
 - c. State the reason for the request
 - d. Give the legal description of the territory in question.
3. Attach information stating the number of students residing on the property, a copy of the tax bill(s), and an assessed valuation of the property.
4. Submit a map showing the current district boundaries of the school districts named and the exact area to be annexed/detached. We suggest a marked page from the Plat Book showing location of property described in the Petition.
5. Attach a list of residents of legal voting age who reside in the territory to be detached.
6. Petition must be signed by at least 2/3 of the legal voters residing within the territory proposed for annexation/detachment, or, if there are no legal voters within the territory, then the petition must be signed by all owners of record of the real estate of the territory named.
7. Petition must be filed with the Secretary of the Regional Board of School Trustees (Amy Jo Clemens at the Regional Office of Education, address above).
8. A deposit must be made at the time Petition is filed to cover the cost of court reporter, transcript, cost of legal notice, and other expenditures such as required mailings, new maps or other expenditures related to the work of the Board or the Ex-Officio Secretary regarding the petition and hearing. For single petitioner/small petitions, the deposit shall be \$750. For larger petitions, the deposit will be determined by the Regional Superintendent based on past experience in conducting the hearing. After the hearing, a record of expenditures will be given to the petitioner, and either a refund or an invoice for additional expenses will ensue. Additional expenses must be paid within 30 days of receipt of the invoice by the petitioner.

Hearing by Regional Board of School Trustees:

1. The Regional Board of School Trustees has 9 months to conduct a hearing regarding the petition. If there is no hearing by the Regional Board within the 9 months, petitioners may

Amboy #272 Ashton-Franklin Center #275 Byron #226 Creston #161 Dixon #170 Eswood #269 Forrestville Valley #221
Kings #144 Meridian #223 Nelson #8 Oregon #220 Paw Paw #271 Polo #222 Rochelle #231 Rochelle #212 Steward #220

withdraw their petition from the Regional Board and submit to the State Superintendent of Education.

2. The hearing is held before the Regional Board of School Trustees. Petitioners may be represented by an attorney, if they choose, or present their own case. Enclosed is the format for a public hearing.
3. The School Code of Illinois stipulates in Chapter 122, Section 7-6 that the following four points **shall** be collectively considered by the Regional Board of School Trustees in their ruling:
 - a. The school needs and condition of the area within and adjacent to the property in question.
 - b. The ability of the affected districts to meet the standards of recognition as prescribed by the State Board of Education.
 - c. The division of funds and assets that will result from the change of boundaries.
 - d. Whether it is in the best interest of the schools of the area and the educational welfare of the pupils that such change in boundaries be granted.
4. The Regional Board of School Trustees may appoint a Hearing Officer to conduct the hearing. In that case, the hearing officer conducts the hearing and renders a recommendation to the Board. The Board then approves or denies the recommendation of the Hearing Officer.
5. If the annexation/detachment involves two or more regions, a joint hearing must be held before the Regional Boards of School Trustees in each region affected.
6. Legal notice of the hearing must be published by the Secretary of the Regional Board of School Trustees 10-15 days prior to the hearing.
7. The Regional Superintendent, as Ex-Officio Secretary of the Regional Board must submit a report to the Board, Petitioners and Districts involved within 5 days before the hearing. The report must include information on the financial and educational condition of the districts and the probable effect if the petition is granted.
8. Regional Board of School Trustees may conduct an executive session to consider the evidence and testimony presented but they will render a decision in open meeting. This is usually immediately following the conclusion of statements by all parties concerned and their deliberation, or within ten days following the hearing.
9. An Order is prepared when required by law.

Additional comments:

1. Changing of school boundaries is a very serious matter. Petitions for changing of school boundaries are not granted unless there is a preponderance of evidence that the change is in the best interest of the schools and/or students.
2. If you have any questions, please contact Amy Jo Clemens, Lee/Ogle Regional Superintendent.