



Regional Office of Education 47

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Regional Office of Education #47

Serving Lee, Ogle, and Whiteside Counties

Robert Sondgeroth, Regional Superintendent

Chris Tennyson, Assistant Regional Superintendent

1001 West 23rd Street, Sterling, IL 61081-9047

Telephone (815) 625-1495 Fax (815) 625-1625 www.roe47.org

Annexation/Detachment Petition

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 procedure for initiating such a request (known as a petition) is stated in the Illinois School Code, Article 7.

Prior to initiating such a petition, a review of the procedure and criteria used to evaluate a petition may prove beneficial. For additional information, contact Bob Sondgeroth, Regional Superintendent of Schools, and Secretary Ex Officio to the Regional board of School Trustees.

Points to Consider

- A. Conditions to be met prior to initiating and annexation/detachment petition:
1. The property in question must be contiguous (adjacent, connected, next to) with the school district to which annexation is sought.
 2. Insure that no referendum is pending in the school districts named in the annexation/detachment petition.
- B. Procedures to initiate an annexation/detachment petition:

Submit the following to the Regional Superintendent of Schools:

1. a legal petition (consistent with the provisions of the Illinois School Code, Article 7) bearing the signatures of at least two-thirds of the legal voters residing within the territory proposed for annexation/detachment. 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;
2. a legal description of the property in question;
3. a map showing the current district boundaries of the districts named in the petition and exact area to be annexed/detached (the area must be highlighted);
4. a check for expenses of a hearing made payable to the Regional Office of Education. The expenses of an annexation/detachment hearing are the responsibility of the petitioning party. Following the hearing, an accounting of the expenses will be presented, and either a refund or a statement for additional expenses will ensue.

The fee schedule shall generally be according to the number of Regional Boards involved in the hearing: One - \$1,000; Two - \$1,200; Three - \$1,400; Four - \$2000. The Regional Superintendent may require an additional deposit as determined on a case-by-case basis.

C. Criteria used by the Regional Board of School Trustees in ruling on an annexation/detachment petition is specifically stated in the School Code of Illinois, Article 7-6. The four points to be collectively considered by the Regional Board are:

1. the school need and condition of the area within and adjacent to the property in question;
2. the ability of the districts affected to meet the standards of recognition as prescribed by the State Board of Education;
3. the division of funds and assets which will result from the change in boundaries;
4. the best interest of the schools in the area, and the educational welfare of the pupils that such a change in boundaries be granted.

D. Additional Comments: It is recommended that the petitioner:

1. enlist the services of an attorney who is familiar with annexation/detachment proceedings;
2. consider property exchange possibilities.

Some petitioners propose an exchange of property to both districts involved in the petition.

As an example: a petitioner could propose to move 10 acres plus his residence from district A to district B, in exchange for 20 acres from district B to district A. Such an exchange could preclude either district from assuming an appreciable loss of assessed valuation of the properties.