CONSOLIDATION

Consolidation is one type of school district reorganization. Other types of reorganizations are:

⇒ Cooperative High School
⇒ Deactivation
⇒ Detachment/Annexation
⇒ Dissolution/Annexation
⇒ Partial Elementary Unit
⇒ School District Conversion

Details for the above can be found in the individual brochures labeled accordingly or a brief summary of each in the brochure School District Reorganization At a Glance.

Consolidations are a form of reorganization where a new school district is created. A school board for the new district is elected and new tax rates are developed in a consolidation. Newly consolidated districts are eligible to receive incentive payments. Refer to the brochure School District Reorganization At a Glance for additional information regarding these incentive payments.

New districts can be formed through consolidation as follows:

⇒ Two or more entire contiguous elementary districts may form a new elementary district
  • Two or more entire elementary districts that are not contiguous but are collectively within or substantially coterminous with the boundaries of a high school district may form a new elementary district
⇒ Two or more entire contiguous high school districts may form a new high school district
⇒ Two or more entire contiguous unit districts may form a new unit district

⇒ Any contiguous and compact territory, no part of which is included within any unit district, may form a new unit district
⇒ One or more entire contiguous unit districts plus any contiguous and compact territory, no part of which is included in any unit district, may form a new unit district
⇒ Two or more elementary districts, high school districts, or unit districts that are not contiguous may form a new district if
  • The distance between the administrative offices is no more than 30 miles, and
  • Each contiguous district has documented its non interest in consolidation through a school board vote

⇒ The petition shall set forth the maximum tax rates the proposed district shall be authorized to levy
  • A proposed district not subject to the Property Tax Extension Limitation Law (PTELL) must include in the petition the maximum rates for educational, operations and maintenance, and pupil transportation purposes; in addition, the petition must include maximum rates for any purpose the proposed district wishes to levy above the statutory permissive rate
  • A proposed district subject to PTELL must include in the petition the maximum rates for each purpose the new district will be authorized to levy; the aggregate extension base; and, if desired, the debt service extension base

⇒ The petition shall designate a Committee of Ten, any seven of whom may make binding stipulations on behalf of all petitioners
⇒ The petition may request that a school board for the new district be elected at the same election as the consolidation question
⇒ If a petition does not result in a consolidation, no subsequent petition 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 placed on the State Board of Education’s academic or financial watch list

⇒ The petitioners shall pay the expense of publishing the notice and the expense of the transcript of the public hearing
⇒ Any resident or representative of a school district in which any territory described in the petition is situated may appear in person or through an attorney to provide oral and/or written testimony

REGIONAL SUPERINTENDENT DECISION:
⇒ The regional superintendent shall consider:
  • 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
  • The best interests and the educational welfare of the pupils therein
⇒ Within 14 days after the conclusion of the hearing, the regional superintendent shall make a decision either approving or denying the petition
⇒ Upon approving or denying the petition, the regional superintendent shall submit the petition and all evidence to the State Superintendent of Education

STATE SUPERINTENDENT DECISION:
⇒ The State Superintendent shall review the entire record of the local hearing and take into consideration:
Q. What are the different incentive payments available to a consolidated district?
A. A consolidated district may be eligible for the following incentive payments:
- General State Aid Difference
- Teacher Salary Difference
- Deficit Fund Balance
- $4,000 per Full-Time Certified Staff
A summary of each of these incentive payments is in the brochure School District Reorganization At a Glance, or a detailed explanation can be found in Section 11E-135 of the School Code.

Q. How are school boards elected in a newly consolidated district?
A. For a new unit district, the new school board can be elected at-large or from seven board districts that are substantially equal in population. For a new elementary or high school district, school boards will be elected pursuant to Section 9-12 of the School Code.

Q. What powers does a newly elected board have between the date of its organization and election of officers and the date on which the new district takes effect?
A. Section 11E-70 of the School Code lists the powers allowed the newly elected board prior to the date the new district takes effect. The newly elected board can exercise these powers with the stipulation of the districts from which the new district is formed and the approval of the regional superintendent. Among these powers is the ability to:
- Establish the tax levy for the new district
- Conduct a search for a superintendent and other staff for the new district
- Bargain collectively

Q. Do tenured teachers whose positions are transferred to a consolidated district become tenured employees of the new district, with the same seniority rights they had in their former district?
A. Yes. The legal basis for this transfer of tenure rights is found in Section 24-11 of the School Code. The new school board shall treat any transferred teacher in the same manner as if the teacher had been its employee during the time employed by one of the former districts.

Q. Do non-certified staff members of the former districts have similar rights to be transferred as do tenured teachers?
A. Yes. The new district shall treat any transferred educational support personnel in the same manner as if that employee had been its employee during the time employed by one of the former districts.

This brochure is not to be used in place of the School Code, but as an informational tool. For specific information regarding consolidations, refer to Article 11E of the School Code.

For additional information and assistance, please contact the School Business Services Division of the Illinois State Board of Education at 217/785-8779. Information is also available on the ISBE web page at: www.isbe.net/sfns/html/reorg_school.htm

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