

## PARTIAL ELEMENTARY UNIT

A Partial Elementary Unit is one type of school district reorganization. Other types of reorganizations are:

- ⇒ Consolidation
- ⇒ Cooperative High School
- ⇒ Deactivation
- ⇒ Detachment/Annexation
- ⇒ Dissolution/Annexation
- ⇒ 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*.

A partial elementary unit is the formation of a “hybrid” unit district that will serve all students in the district territory for grades 9 to 12 but only a portion of the students in the district territory for grades Kindergarten to 8. Territory not served by the “hybrid” unit district for grades Kindergarten to 8 will be served by a separate elementary district(s).

A new school board is elected and new tax rates are developed for the new partial elementary unit district. Certain tax rates levied by the partial elementary unit district must be divided between K-8 purposes and 9-12 purposes. A new partial elementary unit district is eligible to receive incentive payments. Refer to the brochure *School District Reorganization At a Glance* for additional information regarding these incentive payments.

Partial elementary unit districts include:

- ⇒ Combined High School-Unit – formed from one or more high school districts and one or more unit districts without

- including elementary territory common to the high school district(s)
- ⇒ Optional Elementary Unit – formed from a high school district and less than all of its elementary feeder districts
- ⇒ Multi-Unit Conversion – a new combined high school-unit district and new elementary district(s) formed from existing unit districts

## STEPS TO PARTIAL ELEMENTARY UNIT DISTRICTS:

- ⇒ Petition
- ⇒ Local public hearing
- ⇒ Regional superintendent approval
- ⇒ State Superintendent approval
- ⇒ Referendum approval

## PETITION:

- ⇒ Who may petition
  - The boards of education of each affected school district
  - Registered voters if signed by at least 50 voters or 10% of the voters residing within each affected district, whichever is less
- ⇒ The petition is filed with the regional superintendent of the region where the greater percentage of equalized assessed valuation is situated
- ⇒ The petition shall request the submission of the proposition at a regular scheduled election
- ⇒ The petition shall describe the territory comprising the proposed district(s)
- ⇒ The petition shall set forth the maximum tax rates the proposed district(s) 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
- Rates for educational, operation and maintenance, and special education purposes must be divided between K-8 purposes and 9-12 purposes; the total of the K-8 and 9-12 rate can not be greater than the maximum allowed unit district rate for each purpose

- ⇒ 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 partial elementary unit district be elected at the same election as the new district question
- ⇒ If a petition does not result in a partial elementary unit district, 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

## LOCAL PUBLIC HEARING:

- ⇒ The regional superintendent shall publish a notice of the petition and hearing at least once each week for three successive

- weeks in a newspaper having general circulation in the area of the proposed district
- ⇒ The regional superintendent shall cause a copy of the petition to be given to each affected district school board and the regional superintendent of any region in which territory described in the petition is situated
- ⇒ The hearing on the petition is to be held no more than 15 days after the last date on which notice was published
- ⇒ 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:
- 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 residing therein
- ⇒ The State Superintendent shall approve or deny the petition within 21 days after the receipt of the regional superintendent's decision
- ⇒ The decision of the State Superintendent is deemed an "administrative decision" as defined in the Administrative Review Law
- Any resident who appears at the hearing or any petitioner or school board of any district in which territory described in the petition is situated may file a complaint for judicial review within 35 days after a copy of the decision sought to be reviewed was served by certified mail, return receipt requested, upon the party affected

## REFERENDUM APPROVAL:

- ⇒ For a combined high school-unit or a multi-unit conversion, the proposition must pass by a majority of those voting in each affected district
- ⇒ For an optional elementary unit, the proposition must pass by a majority of those voting in the high school district

and a majority of those voting in at least one elementary feeder district

## FREQUENTLY ASKED QUESTIONS:

- Q. How are bonds issued for a partial elementary unit district?
- A. A partial elementary unit district may issue bonds for elementary purposes (K-8) or high school purposes (9-12). A partial elementary unit district is not allowed to issue bonds for unit purposes (K-12).
- Q. Are there additional eligibility criteria for an optional elementary unit district?
- A. Yes. In order to petition for the creation of an optional elementary unit district, the boundaries of the high school district and all elementary feeder districts must be coterminous (boundary of high school district same as combined boundaries of feeder districts) or substantially coterminous (boundaries largely the same). The specific definition for "substantially coterminous" can be found in Section 11E-10 of the School Code. Additionally, a majority of the high school district territory already must be taxed at a combined high school educational rate and elementary educational rate of \$4.00 or less (unit district maximum educational rate).
- Q. After an optional elementary unit district is formed, how may elementary districts that originally voted "no" join?
- A. For five years following the formation of an optional elementary unit district, an elementary district that did not join initially can vote to join solely by a vote within that elementary district.
- Q. Who may serve on the school board of a partial elementary unit district?

- A. Anyone living within the territory of a partial elementary unit district, whether for high school purposes only or for high school and elementary purposes, may run for a seat on the school board. Board members will be elected on an at-large basis from the entire territory included in the partial elementary unit district.

- Q. What are the different incentive payments available to a partial elementary unit?

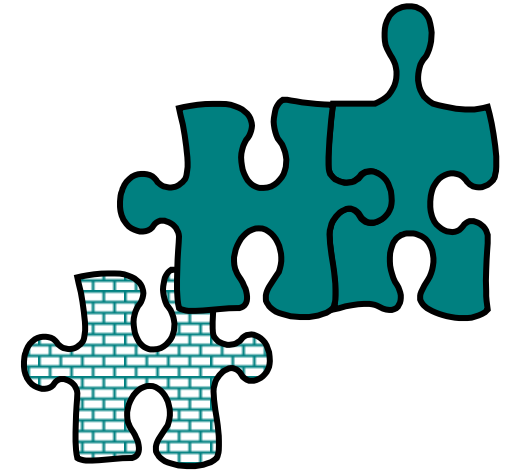
- A. A partial elementary unit may be eligible for the following incentive payments:
- ✓ General State Aid Difference
  - ✓ Teacher Salary Difference
  - ✓ Deficit Fund Balance
  - ✓ \$4,000 per Full-Time Certified Staff
- A summary of each of these incentive payments is in the brochure *School District Reorganization At a Glance*, or a detailed explanation can be found in Section 11E-135 of the School Code.

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

**For additional information and assistance, please contact the School Business and 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/sfms/htmls/reorg\\_school.htm](http://www.isbe.net/sfms/htmls/reorg_school.htm)**

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# Partial Elementary Unit District At a Glance



Illinois State Board of Education

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