

From: Chastity Mays <giftoflovecharity@live.com>  
Sent: Saturday, November 14, 2020 9:30 PM  
To: Steve Murphy <Steve.Murphy@cchs165.com>  
Subject: CCHS Board

11/14/20

Board of Education Member  
Carbondale Community High School  
District 165  
1301 East Walnut Street  
Carbondale, IL 62901

Board of Education Member  
Carbondale Elementary District 165  
Carbondale, IL 62901

Subject: Consideration of combining Carbondale District 165 and Carbondale Elementary District 95

I am writing to discuss the consolidation of Carbondale District 165 and Carbondale Elementary District 95. With the recent resignation of current Carbondale High School Superintendent and a search being conducted soon I wanted this to be a possible discussion for the future of both districts. This should be a serious consideration before completing a search for a new superintendent at CCHS District 165.

The consolidation could be a positive move for so many reasons and some of those are listed below:

- Taxpayers would save on administrative costs
- The children of the district would benefit academically by having one district who is in line with preparing them for high school
- A consolidated district may be eligible for the following incentive payments: Evidence-Based Funding Difference, Teacher Salary Difference, Deficit Fund Balance, \$4,000 per Full-Time Certified Staff
- School districts reorganize primarily to improve their ability to develop and implement quality programs for students, offset student enrollment declines, and provide a more cost-efficient and stable school district.
- 

I am attaching some information from the Illinois State of Education concerning combining school districts.

I would like to implore you to please consider and discuss this consolidation process for the benefit of the children of both districts.

Thank You for your time and consideration.

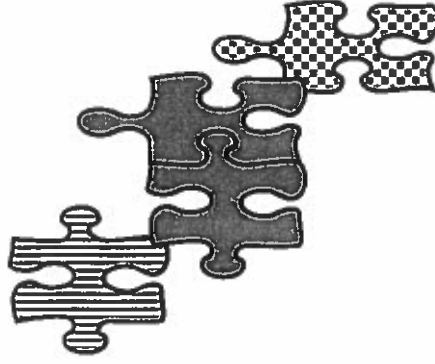
Chastity Mays

Parent of a current Junior at CCHS and two graduates of CCHS

Chastity Mays, M.S., Assistant Director  
A Gift of Love Charity, Inc.  
[REDACTED]  
[giftoflovecharity@live.com](mailto:giftoflovecharity@live.com)

# Consolidation

## At a Glance



**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 Department of the Illinois State Board of Education at (217) 785-8779. Information is also available on the ISBE web page at: <https://www.isbe.net/Pages/School-District-Reorganization.aspx>**

Produced by the Illinois State Board of Education  
School Business Services Department  
September 2019

Illinois State Board of Education

Darren Reisberg  
Chair of the Board

Dr. Carmen I. Ayala  
State Superintendent of Education

**Q.** What are the different incentive payments available to a consolidated district?

**A.** A consolidated district may be eligible for the following incentive payments:

- ✓ Evidence-Based Funding 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

- 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:

⇒ The proposition must pass by a majority of those voting in each affected district

### FREQUENTLY ASKED QUESTIONS:

**Q.** Must taxpayers assume the payment of outstanding bonds (long-term debt) of other districts in a consolidation?

**A.** Generally, any long-term debt remains with the taxpayers within the boundary of the previous district that incurred the debt. But, whenever the entire territory of two or more school districts is organized into a unit district, the petition may provide that the entire territory of the new unit district shall assume the bonded indebtedness of the previously existing school districts.

## 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

## STEPS TO A CONSOLIDATION:

- ⇒ 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, or
  - 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 to form a new district at a regular scheduled election
- ⇒ The petition shall describe the territory comprising the proposed district

- ⇒ 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

## 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 shall 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:

**From:** Luke Herron-Titus <lht619@gmail.com>

**Sent:** Monday, November 16, 2020 11:49 AM

**To:** Steve Murphy <Steve.Murphy@cchs165.com>

**Subject:** Consideration of Consolidation of Carbondale District 165 and Carbondale Elementary District 95

Good Morning!

Attached is a letter detailing the benefits and my support for consolidation of Carbondale District 165 and Carbondale Elementary District 95. Also attached is consolidation information from ISBE.

Thanks!

Luke Herron-Titus

Board of Education Member  
Carbondale Community High School  
District 165  
1301 East Walnut Street  
Carbondale, IL 62901

Board of Education Member  
Carbondale Elementary District 95  
Carbondale, IL 62901

**Subject: Consideration of Consolidation of Carbondale District 165 and Carbondale Elementary District 95**

I understand that there will soon be a vote to consolidate Carbondale District 165 and Carbondale Elementary District 95. It is an opportunity for creating a better future for both districts and should be discussed alongside the decision making process involved in filling the looming Superintendent vacancy at CCHS District 165. Please take this into consideration.

Consolidation upside is supported by the following:

- Reduced administrative costs translating to reduced taxes.
- Coordination in academic structure allows for more smooth transition to high school.
- Evidence-Based Funding Difference, Teacher Salary Difference, Deficit Fund Balance, \$4,000 per Full-Time Certified Staff are all incentive payments the school may be eligible for under a consolidated district.
- Better ability for development and implementation of quality programs for students, offset of student enrollment declines, and providing more cost-efficiency and stability in the school district.

Attached is Illinois State Board of Education information concerning combining school districts.

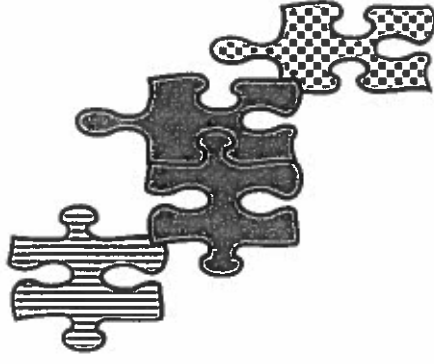
Discussion and consideration of this consolidation, which will benefit children of both districts, is essential.

Many thanks! Best Regards!

Luke Herron-Titus

CCHS alum and child of a former CCHS faculty member

# Consolidation At a Glance



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