

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

BEFORE THE REGIONAL BOARD OF SCHOOL TRUSTEES
OF DUPAGE COUNTY, ILLINOIS

IN THE MATTER OF:

PETITION FOR DETACHMENT OF)
TERRITORY KNOWN AS 28W070 MACK ROAD)
FROM WEST CHICAGO ELEMENTARY SCHOOL)
DISTRICT #33 AND WEST CHICAGO COMMUNITY)
HIGH SCHOOL DISTRICT #94 AND ANNEXATION)
TO COMMUNITY UNIT SCHOOL DISTRICT #200)
Pet. No. 2019 PDA 02

ORDER

THIS MATTER COMING TO BE HEARD on Respondents, COMMUNITY HIGH SCHOOL DISTRICT #94 and the BOARD OF EDUCATION OF WEST CHICAGO ELEMENTARY SCHOOL DISTRICT NO. 33 (“Respondents”), Motion to Dismiss, the Regional Superintendent of Schools as ex-officio member and secretary of the DuPage County Regional Board of School Trustees, being fully advised in the premises, HEREBY FINDS AND ORDERS:

1. That a Petition for Detachment of Territory from West Chicago Elementary School District #33 and West Chicago Community High School District #94 and Annexation to Community Unit School District #200 was filed in the Regional Office of Education on August 14, 2019.
2. That due notice and publication of the filing of the Petition was given in conformity with Section 7-6 of the *School Code* (105 ILCS 5/7-6).
3. On October 21, 2019, the Respondents filed a Motion to Dismiss the Petition for Detachment and Annexation (“Motion to Dismiss”).

4. On November 4, 2019, the Petitioners filed a Response to the Motion to Dismiss the Petition for Detachment and Annexation.

5. On November 12, 2019, the Respondents filed a Reply in Support of the Respondents' Motion to Dismiss.

6. That the Board met at a public meeting on January 6, 2020, for a hearing on the Respondents' Motion to Dismiss pursuant to 105 ILCS 5/7-1(a).

7. That all parties appeared on January 6, 2020, by counsel, at the hearing on the Motion to Dismiss and the Board heard oral arguments on said Motion to Dismiss.

8. The Board deliberated in closed session to consider the testimony and evidence pursuant to 5 ILCS 120/2(c)(4) of the *Illinois Open Meetings Act*.

9. That the Board reviewed the standards that apply to the validity of the Petition as set forth in Section 7-1(a) of the *School Code* (105 ILCS 5/7-1(a)), specifically, "Petitions for detachment and dissolution shall include...facts that support favorable findings for the factors to be considered by the regional board of school trustees pursuant to Section 7-6 of this Code."

The Board determined that the Petition must be dismissed because it failed to meet the jurisdictional requirements in that the Petition lacked sufficient facts to support a favorable finding for the factors to be considered by the Regional Board of School Trustees pursuant to Section 7-6 of the Code.

10. That on January 6, 2020, after deliberating in closed session, the Board reconvened in open session and the motion to grant the Respondents' Motion to Dismiss carried by a vote of 5 yeas and 1 nay.

DATED

ENTERED

Dr. Darlene J. Ruscitti
Regional Superintendent of Schools

and Ex-Officio Member