

Bond Case Briefs

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ANNEXATION - ILLINOIS

Merchant v. Regional Bd. of School Trustees of Lake County

Appellate Court of Illinois, Second District - September 30, 2014 - N.E.3d - 2014 IL App (2d) 131277

Petitioners, a “Committee of 10” pursuant to section 7-6(c) of the Illinois School Code, sought to detach their territory from the boundaries of Woodland Community Consolidated School District 50 (Woodland) and Warren Township High School District 121 (Warren) and annex it into the boundaries of Oak Grove School District 68 (Oak Grove) and Libertyville Community High School District 128 (Libertyville). Petitioners filed a petition with the Regional Board of School Trustees of Lake County (Regional Board). The Regional Board conducted a hearing and denied the petition.

On administrative review, the trial court reversed the Regional Board’s decision. The school districts appealed, arguing that the Regional Board correctly denied the petition.

The appeals court affirmed the trial court’s order reversing the Regional Board’s decision.

“Based on our holdings as to the travel times and distances to the schools at issue, the “community of interest” and “whole child” factors, and property values, plus the fact that the evidence on petitioners’ preferences was uncontroverted, and despite the fact that we uphold the finding against petitioners on the educational advantage factor, we conclude that the evidence showed that granting the petition will provide some educational benefit to the Lancaster students. The Regional Board erred in finding otherwise and denying the petition.”