

# **Bond Case Briefs**

*Municipal Finance Law Since 1971*

---

## **SCHOOLS - ILLINOIS**

### **Brady v. Regional Bd. of School Trustees**

**Appellate Court of Illinois, Third District - April 29, 2013 - Not Reported in N.E.2d - 2013 IL App (3d) 120463-U**

Parents filed a detachment petition to detach their property from the Newark Community High School and annex it to Morris Community High School District. The sole basis for the petition was the absence of a football program at Newark.

The Board of Education of Newark opposed the detachment petition because it believed it has a sound educational program and that boundary lines should be upheld.

A detachment petition hearing was held and the Regional Board denied the petition. The trial court reversed but the appeals court upheld the Regional Board's denial.

"Reasonable minds may differ as to the application of the 'whole child' and 'community interest' factors when it comes to the educational welfare of the children in the detachment area. What does remain clear, however, is that it is not the function of this court to act as a "super school board" and impose our judgment over that of the Regional Board. It is apparent from the record before us that the Regional Board carefully considered the facts, weighed the evidence, and made a determination to deny the petition after applying the requisite statutory factors. There was substantial evidence to support such a finding . Having found that Newark and Morris were substantially similar and that any differences were negligible, the Regional Board determined that aside from being able to participate in high school football, there was no cognizable benefit to the educational welfare of the children in the detachment area, and therefore denied the Bradys' petition."