

Rec'd 1/16/19  
JAW

Regional Office of Education #3 ~ Bond, Christian, Effingham,  
Fayette & Montgomery Counties

Julie Wollerman, Regional Superintendent of Schools  
Annette Hartlieb, Assistant Regional Superintendent of Schools



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I, Julie Wollerman, do hereby certify that I am the duly elected, qualified and acting Regional Superintendent of Schools for Bond, Christian, Effingham, Fayette, and Montgomery Counties Illinois, and Ex-officio Secretary of said counties' Regional Board of School Trustees, and that I am the keeper of the files and records thereof: and that the attached is a true and correct copy of the Order of the Regional Board of School Trustees for Bond, Christian, Effingham, Fayette and Montgomery Counties and the Regional Board of School Trustees for Calhoun, Greene, Jersey and Macoupin Counties: approving the request to withdraw from Mid-State Special Education Cooperative by Petition of Pana CUSD #8, Nokomis CUSD #22, and Taylorville CUSD #3.

*Julie Wollerman*

Julie Wollerman

1/16/2019

Date

Regional Superintendent of Schools and  
Ex-officio Secretary of the Regional Board of School Trustees for  
Bond, Christian, Effingham, Fayette, and Montgomery Counties

STATE OF ILLINOIS )

§

COUNTY FAYETTE )

In witness whereof, I have hereunto set my hand and seal this 16<sup>th</sup> day of January, 2019.



*Jill Wright*  
SIGNATURE OF NOTARY PUBLIC

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**REGIONAL BOARD OF SCHOOL TRUSTEES OF BOND, CHRISTIAN, EFFINGHAM,  
FAYETTE, AND MONTGOMERY COUNTIES, ILLINOIS**

**Pana CUSD #8, Nokomis CUSD #22, and Taylorville CUSD #3,**

**Petitioners,**

**V.**

**Mid-State Special Education Cooperative**

**Respondent**

**ORDER OF THE REGIONAL BOARD OF SCHOOL TRUSTEES OF BOND, CHRISTIAN, EFFINGHAM,  
FAYETTE, AND MONTGOMERY COUNTIES, ILLINOIS**

The Regional Board of School Trustees for Bond, Christian, Effingham, Fayette, and Montgomery Counties and the Regional Board of School Trustees for Calhoun, Greene, Jersey, and Macoupin Counties (hereinafter the "Board"), jointly convened on January 7, 2019, to hear the Petition filed in this cause for the withdrawal of Pana CUSD #8, Nokomis CUSD #22, and Taylorville CUSD #3 ("Petitioners") from the Mid-State Special Education Cooperative ("Mid-State" or "Respondent"). The following preliminary matters were noted by the Board:

1. On May 14, May 15, and May 21, 2018, the Boards of Education for the Petitioners adopted a resolution approving withdrawal from the Mid-State Special Education Cooperative.

2. That on December 4, 2018, a petition for withdrawal ("Petition") was concurrently filed with the *ex officio* Secretary of the ROE 3 Board, Regional Superintendent of Schools Julie Wollerman, and the *ex officio* Secretary of the ROE 40

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Board, Regional Superintendent of Schools Michelle Mueller.

3. The Illinois School Code (the "Code") provides the process for a school district to withdraw from a special education cooperative. 105 ILCS 5/10-22.31.

4. Additionally, the Illinois Administrative Code provides "Procedures for Withdrawal Hearings before the Regional Board of School Trustees." 23 Ill. Adm. Code 226.780.

5. That in accordance with the Code, approval of this petition must be by a two-thirds majority vote of the school trustees present and voting at the joint hearing of the two Regional Board of School Trustees exercising oversight or governance over any of the member districts. 105 ILCS 5/10-22.31.

6. The two Boards were comprised of twelve trustees for the hearing and for the petition to be granted, eight affirmative votes were required.

7. That due notice was given pursuant to the Code (105 ILCS 5/7-01 *et seq.*) and the Illinois Open Meetings Act (5 ILCS 120/1 *et seq.*).

8. That Petitioners were present.

9. That Respondents were present.

**SUMMARY OF PROCEEDINGS**

The Petition filed on was considered by a joint hearing of the Boards on January 7 2019. Six members of each Board for a total of twelve voting members were present at the January 7, 2019 hearing. The following individuals testified on behalf of the Petitioners: 1) Dr. Scott Doerr, Superintendent of Nokomis CUSD #22; 2) Dr. Gregg Fuerstenau, Superintendent of Taylorville CUSD #3; and 3) Mr. Jason Bauer, Superintendent of Pana CUSD #8. The Respondents were represented by 1) Ms. Angela Armour, Director of Mid-State Special Education Cooperative; 2) Mr. David Powell, Superintendent of Hillsboro CUSD 3; and 3) Mr. Aaron Hopper, Superintendent of Panhandle CUSD 2.

*Serving Schools ~ Protecting Students ~ Leading for Excellence*

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Following the presentation of evidence, questions by the combined Regional Boards of Schools Trustees, and consideration of closing remarks, the Board entered closed session to deliberate pursuant to its authority as a quasi-adjudicative body under the Open Meetings Act. 5 ILCS 120/2(c)(4).

**FINDINGS AND ORDER**

The Administrative Code provides the Board shall "determine whether it is in the best interest of the students with disabilities in the petitioning district that the petition for withdrawal from the joint agreement be granted." 23 Ill. Adm. Code 226.780(a)(3). With the above standard in mind the Board finds:

1. The Petitioners offered evidence of their intent to join together and serve their students in the best manner possible.
2. The Petitioners presented evidence of a plan to serve students in the best manner possible allowing for cooperation with the Respondent as well as others as deemed necessary.
3. The Respondent offered no evidence that the districts could not serve their students appropriately nor that any harm would befall those students currently served who would move to the new cooperative.

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**WHEREFORE**, it is ordered by the Regional Board of School Trustees for Bond, Christian, Effingham, Fayette and Montgomery Counties and the Regional Board of School Trustees for Calhoun, Greene, Jersey and Macoupin Counties by a vote of nine Trustees in favor and three opposed, that the Petition to withdraw Pana CUSD #8, Nokomis CUSD #22, and Taylorville CUSD #3 from the Mid-State Special Education Cooperative is approved. This is a final administrative order that shall go into effect July 1, 2019.

DATED this 16<sup>th</sup> day of January 2019.

A handwritten signature in black ink that reads 'Julie Wollerman'. The signature is written in a cursive style and is positioned above a horizontal line.

Julie Wollerman  
Regional Superintendent of Schools  
for Bond, Christian, Effingham,  
Fayette & Montgomery Counties,  
Illinois