



Illinois State Board of Education

100 North First Street
Springfield, Illinois 62777-0001

APPEAL PROCESS OVERVIEW FOR RESPONDING DISTRICTS and RESPONSE SUBMISSION GUIDANCE

PROCESS AND JURISDICTION

The charter school appeal process is governed by Article 27A of the Illinois Charter Schools Law (105 ILCS 5/ Art. 27A) and Part 650 the 23 Illinois Administrative Code. ([23 Ill. Admin. Code Part 650.63](#))

An appeal to the Illinois State Board of Education (ISBE) is an administrative proceeding. All documentation must be submitted electronically via charterappeals@isbe.net.

ELIGIBILITY

A district-authorized charter school may appeal the following two local school board actions to ISBE:

1. The local school board revoked the charter school's charter agreement prior to the end of the charter term; or
2. The local school board did not renew the charter school's charter agreement at the end of the charter term.

APPEAL DEADLINE

Be advised that a charter holder must submit a complete appeal packet no later than 21 days after the date the school board voted to revoke or non-renew the charter for the appeal to be considered.

TIMING

The appeal process and timeline is outlined in Section 650.63 of the 23 Illinois Administrative Code and includes the following:

1. The state superintendent, ISBE personnel, or independent evaluators will conduct a documentary review of any appeal materials that are filed within the deadline. The parties shall submit any additional information that the state superintendent deems is necessary to consider the appeal.
2. Within seven days of receipt of any appeal that is timely filed, the state superintendent will select a hearing officer and will issue a written Notice of Opportunity for Hearing to the local school board and the charter holder. A request for hearing must be submitted to the state superintendent within 10 days after receipt of the Notice of Opportunity for Hearing.
3. No later than 10 days after receipt of a request for hearing, the hearing officer will issue a Notice of Hearing to the local school board and the charter holder, which will include the date, time, and location of the hearing.
4. If no hearing is requested, the hearing officer will issue an order stating that fact. The state superintendent will then review any appeal materials submitted by the parties and any additional analysis conducted by ISBE personnel or independent evaluators and will make a recommendation by way of a proposed order that complies with Section 10-45 of the Illinois Administrative Procedures Act.
5. If a hearing is requested, it must be conducted no later than 45 days after receipt of a timely filed appeal, unless otherwise agreed to by the parties. The hearing will be open to the public and will be conducted at either Chicago or Springfield ISBE office, unless the state superintendent, local school board, and charter holder all agree on an alternative location.
6. No later than 14 days after the close of a hearing, the hearing officer will issue proposed findings and conclusions of law and make a recommendation to the state superintendent. The state superintendent may accept, reject, or modify the hearing officer's recommendation and will submit the final recommendation to ISBE's Board for a final decision.
7. The state superintendent will forward a copy of the proposed findings of fact, conclusions of law, and recommendations to both the charter holder and the local school board.
8. A copy of the final decision will be sent by certified mail to each party no later than 60 days after receipt of the appeal, after receipt of any additional information requested, after the date of the hearing conducted, or after receipt of any exceptions or briefs, whichever event occurs last.

FINAL DECISION

The state superintendent will submit findings and recommendations to ISBE's Board for a final decision. A copy of the final decision will be sent by certified mail to the district and the charter holder no later than 60 days after receipt of the appeal, after receipt of any information requested, after the date of the hearing, or after receipt of any exceptions, whichever event occurs last. The decision of ISBE's Board is final unless appealed under the [Administrative Review Law \[735 ILCS 5/Art. III\]](#). In the event that ISBE's Board overturns the local school board's decision to revoke or non-renew the charter, charter authorization will be transferred from the local school board to ISBE.

GUIDANCE FOR RESPONDING TO AN APPEAL

Please read this entire page **BEFORE** responding to an appeal.

When an appeal of a local school board's decision to revoke or non-renew a charter is filed with ISBE, the agency will evaluate the charter school's compliance with the Illinois Charter Schools Law and whether the continued operation of the school is in the best interests of the students it was designed to serve. ISBE considers the district's track record in all relevant areas, including, but not limited to, whether students (especially at-risk students) have access to high-performing schools, as part of its best interest analysis.

Responses to appeals must be submitted electronically to charterappeals@isbe.net. A copy of the full response must also be provided to the charter holder.

ELEMENTS OF A RESPONSE

1. District Cover Sheet. (Use form provided by ISBE.)
2. A narrative in response to the appeal. This document should respond specifically to the claims made by the charter holder in its appeal memo and cite the specific evidence supporting the local school board's decision. (LIMIT 25 PAGES)
3. All relevant artifacts from annual/periodic evaluations and any annual or periodic reporting or ranking information for at least the entirety of the current charter term.

USE OF 'NEW INFORMATION'

"New information" from the charter holder means any information that was not provided to the district during the renewal process or through ongoing monitoring and oversight of the charter school and therefore was not considered as part of the local school board's decision. New information from the district means any district information that is not publicly known.

Any new information provided to ISBE must be marked as such, and ISBE in its judgment and discretion will decide whether to review and consider such information.

ISBE may request or require new information at any point during the appeal process from either the charter holder or the district.