Illinois State Charter School Commission
Policy Regarding Multi-District Appeals

Introduced: September 17, 2013
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PURPOSE: The Illinois State Charter School Commission recognizes the unique aspects of each District’s review and disposition of a charter applicant’s proposal. The Commission’s disposition of multi-district appeals shall reflect the issues raised and the merits of arguments presented by each party, but may also involve additional administrative procedures. For this reason, the Commission establishes this policy which describes the procedures for multi-district appeals before the Commission.

DEFINITIONS:

For the purposes of this policy:

“Applicant” means the person or organization that proposes to open a charter school.


“District” means a school district or other local education agency to which the applicant proposed a charter school.

“Multi-district appeal” refers to an appeal filed with the Commission in which (a) the applicant submitted the proposal at issue in the appeal to two or more districts and (b) the applicant proposes to enroll students from two or more districts at the same charter school.

“Party” means the applicant filing an appeal or a school district responding to an appeal.

POLICY:

I. Content of Multi-District Appeals

A. In addition to information required by the Charter Schools Law and Illinois Administrative Code, multi-district appeals should clearly identify:
   1. All districts that are affected by the proposed charter school.
   2. The date the proposal was submitted to each district.
   3. When known, the expected date of each district’s vote on the charter school proposal.
   4. Whether and how the proposal submitted to each district differs.
   5. How the contents of each appeal differ from each other.
II. Communications with the Commission

A. When the applicant files any appeal, the applicant shall send copies of the filing to all districts to which the same proposal will be submitted, is pending, or has been denied.

B. Any correspondence from a party to the Commission must copy all parties in the related appeals.

III. Consolidation of Multi-District Appeals

A. Procedural consolidation of appeals may include, without limitation:
   1. Inviting all parties to the multi-district appeals to address an issue raised by a party to one of the appeals.
   2. Issuing statements to the parties in multiple appeals simultaneously.
   3. Setting coordinated deadlines for submissions by the parties.
   4. Scheduling interviews for any subgroup or all parties on the same day, in the same location and at the same time.
   5. Scheduling public hearings for any subgroup or all parties on the same day, in the same location and at the same time.

B. The Executive Director may procedurally consolidate multi-district appeals at her discretion or upon consideration of a motion for consolidation from one of the parties.

C. Objections to consolidation must be received by the Commission within three business days of the motion for consolidation or, when no motion is made, notice of the Executive Director’s intent to consolidate. If a party requests to brief the issue of consolidation, then the Executive Director may grant the parties additional time for briefing.

IV. Joint Representation

A. Districts in multi-district appeals may, but need not:
   1. Jointly file motions, briefs, and other statements to the Commission.
   2. Use joint counsel to represent them before the Commission.

B. The Commission encourages joint filings to decrease costs and duplicative briefing; however, joint filings must still address any relevant differences among the districts.

V. Disposition of Multi-District Appeals

The Commission preserves the ability to consolidate any subgroup or all appeals to facilitate the efficient administration of appeals. However, any written decision issued by the Commission on a multi-district appeal shall reflect the Commission’s consideration of the issues raised and the arguments presented by each party.