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BOARD OF ELECTION COMMISSIONERS FOR THE CITY OF CHICAGO AS A DULY CONSTITUTED ELECTORAL BOARD

Objections of: James Cappleman	)	
	)	
	)	
To the Nomination	)	No.: 26-EB-SBD-014
Papers of: Karen Zaccor	)	
	)	
Candidate for the office of	)	
Member of the Chicago Board of Education,	)	
Subdistrict 4A, City of Chicago	)	

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of the Board of the Election Commissioners for the City of Chicago, Commissioners Marisel A. Hernandez, June A. Brown and Laura Kotelman, organized by law in response to a Call issued by Marisel A. Hernandez, Chair of said Electoral Board, for the purpose of hearing and passing upon objections ("Objections") of James Cappleman ("Objector") to the nomination papers ("Nomination Papers") of Karen Zaccor, candidate for the office of Member of the Chicago Board of Education, Subdistrict 4A in the City of Chicago ("Candidate") at the General Election to be held on Tuesday, November 3, 2026, having convened on Tuesday, June 9, 2026, at 10:00 a.m., in Room 800, 69 West Washington Street, Chicago Illinois, and having heard and determined the Objections to the Nomination Papers in the above-entitled matter, finds that:

1. Objections to the Nomination Papers of the Candidate were duly and timely filed.

2. The Electoral Board was constituted according to the laws of the State of Illinois.

3. A Call to the hearing on said Objections was duly issued by the Chair of the Electoral Board and served upon the members of the Electoral Board, the Objector and the

Candidate, by registered or certified mail and by Sheriff's service, as provided by statute or statutory service was waived and service by email was authorized.

4. A public hearing held on these Objections commenced on Wednesday, June 10, 2026 and was continued from time to time. The Electoral Board assigned this matter to Hearing Officer Linda R. Crane for further hearings and proceedings.

5. The Objector and the Candidate were directed by the Electoral Board's Call served upon them to appear before the Hearing Officer on the date and at the time designated in the Hearing Schedule. Appearances were filed by or on behalf of the following persons: the Objector, James Cappleman, by Attorneys TIFFANY NELSON-JAWORSKI, MICHAEL KASPER, JOHN FOGARTY, MICHAELWEINSTEIN and MICHAEL A. ALBERT; and the Candidate, Karen Zaccor, by Attorneys STEVEN FINE and ED MULLEN.

6. The Hearing Officer ordered that an examination of the voter registration records be conducted by clerks and agents under the Board's direction and supervision, in accordance with the laws of Illinois and the rules of the Board.

7. The Hearing Officer directed all parties to appear and be present, either personally and/or by their authorized representatives during this records examination.

8. The Candidate and/or the Candidate's duly authorized representative was present during the examination of the registration records or waived their right to do so.

9. The Objector and/or the Objector's duly authorized representative was present during the examination of the registration records or waived their right to do so.

10. The examination of the registration records was completed and the Electoral Board hereby adopts and incorporates by reference the results of the records examination conducted by its clerks and agents. The written report of the result of the registration records

examination is contained in the Board's file in this case and a copy has been provided or made available to the parties.

11. The results of the records examination indicate that:

A. The minimum number of valid signatures required by law for placement on the ballot for the office in question is 500.

B. The number of purportedly valid signatures appearing on the nominating petition filed by the Candidate total 1,503.

C. The number of signatures deemed invalid because of objections sustained as a result of the records examination total 422.

D. The remaining number of signatures deemed valid as a result of the records examination total 1,081.

12. The Electoral Board finds that the number of valid signatures appearing on the Candidate's nominating petition following completion of the records examination exceeds the minimum number of valid signatures required by law to be placed upon the ballot as a candidate for the office of Member of the Chicago Board of Education, Subdistrict 4A, City of Chicago.

13. The Candidate filed a motion pursuant to Rule 8 of the Electoral Board's Rules of Procedure ("Rule 8 Motion").

14. The Hearing Officer has tendered to the Electoral Board a report and recommended decision. From the evidence presented, the parties agreed that 16 signatures were not originally counted because light blue ink was used that did not scan or photocopy, making it appear in the copies provided to the Objector that the lines were blank. Had those lines been counted, the total number of signatures would have been increased to 1,519. After the

presentation of evidence in the Rule 8 hearing, the total number of valid signatures was increased by 3 signatures.

15. Objector(s) further allege that circulators who circulated for an established party candidate at the March 2026 General Primary are prohibited from circulating for a nonpartisan school board candidate to be elected at the November 2026 General Election and that the signatures gathered by the "dual circulators" are invalid and in violation of Section 10-4 of the Election Code. The Electoral Board, having heard this issue in a separate consolidated proceeding and having considered the pleadings, motions, responses, oral arguments and relevant caselaw, all of which shall remain a part of the record, finds that the decision in *McCaskill v Municipal Officers Electoral Bd. For the City of Harvey, et. al.,* 2019 IL App (1st) 190190, is binding upon the Electoral Board. The Appellate Court unequivocally ruled therein that "[s]imply stated, the dual-circulation prohibition in section 10-4 does not apply to nonpartisan elections." *Id.* at ¶ 45. Accordingly, the objection(s) based upon alleged dual circulation are therefore overruled.

16. The Hearing Officer found that even if the Objector prevailed on the dual circulation issue and taking into account the adjusted total number of signatures, Candidate's Nomination Papers contained 501 valid signatures which exceeds the minimum number of valid signatures required by law to be placed upon the ballot as a candidate for the office of Member of the Chicago Board of Education, Subdistrict 4A, City of Chicago, and that the Candidate's Nomination Papers should be found valid.

17. The Electoral Board, having considered the evidence and arguments tendered by the parties and the Hearing Officer's report of recommended findings and conclusions of law,

hereby adopts the Hearing Officer's recommended findings and conclusions of law and incorporates them herein.

18. For the reasons stated above, the Electoral Board finds that the Candidate has a sufficient number of valid signatures on her nominating petitions and that the Nomination Papers of Karen Zaccor are, therefore, valid.

IT IS THEREFORE ORDERED that the Objections of James Cappleman to the Nomination Papers of Karen Zaccor, candidate for the office of Member of the Chicago Board of Education, Subdistrict 4A, City of Chicago are hereby OVERRULED and said Nomination Papers are hereby declared VALID and the name of Karen Zaccor SHALL be printed on the official ballot for the General Election to be held on Tuesday, November 3, 2026.

Dated: Chicago, Illinois, Tuesday, August 11, 2026.

Marisel A. Hernandez, Chair

June A. Brown, Commissioner

Laura Kotelman, Commissioner

NOTICE: Pursuant to Section 10-10.1 of the Election Code (10 ILCS 5/10-10.1) a party aggrieved by this decision and seeking judicial review of this decision must file a petition for judicial review with the Clerk of the Circuit Court of Cook County within 5 days after service of the decision of the Electoral Board.

BEFORE THE DULY CONSTITUTED ELECTORAL BOARD FOR THE HEARING AND PASSING UPON OF NOMINATION OBJECTIONS TO NOMINATION PAPERS OF CANDIDATES FOR ELECTION TO THE OFFICE OF MEMBER OF THE CHICAGO BOARD OF EDUCATION, COOK COUNTY, STATE OF ILLINOIS TO BE VOTED UPON AT THE NOVEMBER 3RD, 2026 GENERAL ELECTION

IN THE MATTER OF		
JAMES CAPPELMAN,	)	
	)	
Petitioner-Objector	)	
	)	**Case No. 26-EB-SBD-014**
vs.	)	
	)	
KAREN ZACCOR,	)	
	)	
Respondent-Candidate	)	

HEARING OFFICER'S REPORT AND RECOMMENDATIONS

The Respondent Candidate, **KAREN ZACCOR,** has filed Nomination Papers in support of his nomination for the office of Member of the Chicago Board of Education, City of Chicago, State of Illinois to be voted upon during the upcoming General Election on November 3, 2026 (Election). The Petitioner-Objector, **JAMES CAPPELMAN**, filed a Verified Objector's Petition Objecting to the sufficiency of the Candidate's nomination papers for various reasons stated in Paragraphs 5 through 10 of her Petition.

The initial hearing on the matter was held on June 10, 2026. The Objector's Attorneys, Michael Kasper, Tiffany Nelson-Jaworski, Michal Weinstein, and Michael Albert, were present and filed their Appearances. The Candidate's attorney, Steven Fine, was also present and filed an Appearance. The file was assembled and a briefing schedule was set for the Candidate to file a Motion to Strike and Dismiss before 5 pm on June 11, 2026, to be followed by a Response and Reply, if any, on by 5 pm on June 12 and June 13, respectively. The parties requested a Records Examination to address the objections based on the allegation that the Candidate had failed to file the required number of 500 valid voters' signatures with her Nomination Papers. Prior to the initial hearing, Adam Lasker, the CBOE General Counsel had informed all Hearing Officers to ignore objections based on allegations of dual circulators, if present in any of our cases. The next hearing date was set for June 22, 2026, to review the results of the RE.

On June 22, 2026, the second hearing commenced with attorneys for both parties present: Attorney Fine on behalf of the Candidate-Respondent; and Attorney John Fogarty filing an additional Appearance on behalf of the Objector-Petitioner. The primary purpose of the hearing was as a status following the RE and to read the RE results into the record. The RE had not yet been completed, however, and the hearing was continued until July 6th to allow time for it to be completed.

The next hearing commenced on July 6, 2026. Attorneys Fine and Fogarty were present on behalf of their respective clients. The RE Final Report results were available and were read into the record, as follows:

Signatures Required:	**500**
4th Chicago Board of Education District 4A	
Total Pages:	**156**
Total Signatures:	**1503**
Total Objections:	**1646**
Total Ruled On:	**1646**
Total Remaining:	**0**
Total Sustained Lines:	**422**
Total Overruled Lines:	**308**
For Review (Candidate):	**175**
For Review (Objector):	**321**
Total Valid Signatures:	**1081**
Total Unchallenged Sigs:	**773**

581 Signatures greater than the required minimum

Despite having 581 more than the number of required valid voters' signatures, the Candidate filed a Rule 8 Motion in order to rehabilitate a sufficient number of additional challenged signatures to allow her to overcome an adverse ruling on the appeal against the Commissioners' ruling on the dual circulation issue, were it to be adverse to her nomination. The Objector had no objection to the Rule 8 Motion, and a Rule 8 Hearing was scheduled for Friday, July 10th. The attorneys were instructed to exchange evidence no later than 5 pm on July 9th.

The Rule 8 hearing commenced on July 10th during which the Candidate and both attorneys were present. Also present was Mr. John Campbell on behalf of the CBOE staff to produce original petition sheets that proved that certain copies of petition sheets that were treated as blank during the original count by the Board staff were not blank but, unfortunately, were not legible by the staff due to the fact that they were completed by the circulator and signers using a pen with pale blue ink that could not be detected on

the copies that the CBOE staff relied upon to establish the initial number of signatures that were filed by the Candidate. That number was incorrect; but was subsequently relied upon by the Objector when he prepared his Objector's Petition to the Candidacy. During the hearing, Mr. Campbell confirmed that after the initial total was increased by the number of signatures it contained AND after reducing the total number of valid signatures that would be adversely affected by a reversal of the Board's decision in favor of the dual circulators on the dual circulator issue, that the Candidate's new post-RE total would be 498 valid voters' signatures. The Objector's attorneys Fogarty and Kasper agreed with this number. Proceeding with the evidence for the Rule 8, the Candidate, through her attorney, presented affidavits and registration records that this H.O. ruled had effectively rehabilitated three (3) additional valid signatures, bringing the total number to 501 in favor of the Candidate.

Based on the foregoing, it is my recommendation to the Commissioners that the Candidate's name should be placed on the ballot during the upcoming Election.

Respectfully submitted,

Dated: July 26, 2026

Linda R. Crane

Linda R. Crane, Hearing Officer