

Action Item B
Background on the Appeal of the Commissioner's Decision

Issue – A request was made to have a formal appeal document that is required to be completed prior to the Section forming an appeal panel, much like the State process.

Background Information- Often the question is asked, what is the base of the appeal? A form may answer that question.

Occasionally, when parents are appealing a decision, they have not paid the fee prior to the hearing, I forget to collect at the hearing, and then if the decision is not in favor of the parents, they do not pay.

Discussion-

Does the Section want to have a formal written process for appealing the Commissioner's decisions?

Is this form acceptable? Are there additions/deletions/corrections the Executive Board would like to make?

Do we want to offer the option of a single panel hearing officer, as the State does?

Currently our Constitution requires a panel.

Do we need to state a timeline?

If a school is appealing, does the money need to be collected up front or can the Section bill the school?

Do we need a waiver process for families that are on the free and reduced lunch program?

Recommendation- The Northern Section needs to have a formal process to appeal the Commissioner's decisions.