

CALIFORNIA INTERSCHOLASTIC FEDERATION

PARENT HANDBOOK - II

**Understanding the Transfer Eligibility
Appeal Process**



July 1, 2011 Edition

**CALIFORNIA INTERSCHOLASTIC FEDERATION TRANSFER ELIGIBILITY
APPEAL PROCEDURES**

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CALIFORNIA INTERSCHOLASTIC FEDERATION TRANSFER ELIGIBILITY APPEAL PROCEDURES

INTRODUCTION

The purpose of this handbook is to familiarize parents with the CIF appeal process for athletic transfer decisions and to provide a simple step-by-step approach for parents to request an appeal of a Section decision granting their student limited eligibility or denying eligibility. Parents are encouraged to read and become familiar with the relevant bylaws and policies that can be found in the State CIF Constitution and Bylaws on the State CIF web site at www.cifstate.org. This handbook should not be relied upon for legal advice or in place of the relevant bylaws or administrative policies, procedures and regulations.

When there has been a written decision by a Section Commissioner to not allow a student to participate in varsity athletics at a new school, the school or parent may request that the decision be reviewed. Once you request an appeal you are known as the **Appellant**. The other parties are the **Respondents**.

IMPORTANT NOTE: If a request for an appeal of the Section decision on transfer eligibility includes MORE THAN a request for a waiver of the transfer rule (i.e., a request for a waiver of any of the following: age requirement; charge of semesters; passing 20 semester credits), NO ACTION will be taken on the requested appeal for transfer eligibility UNTIL all other issues have been resolved and a final determination has been made in accordance with the Section's approved policies and procedures. The procedural requirements for determination of the transfer request under this policy will commence after the Section makes a final determination of other issues.

The CIF appeals process is designed to give parents and students the opportunity to review the decision of a Section in a fair and consistent manner so that all parties can present their information to an impartial panel of three persons.

There should be no surprises and each party is expected to share all their evidence in advance of the hearing so everyone has the same information. Based on the evidence you submitted documenting a hardship that required the change of schools, as the Appellant, you have to show that the Section's decision was not reasonable. In other words, a hardship, as defined in CIF Bylaw 208, required your student to transfer to the new school.

The Appeals Panel will consider all the evidence you provided that supports your position that a hardship required the change of schools and whether the Section's decision was reasonable. The Appeals Panel may not ignore the bylaws of the State CIF and must apply the facts it finds to the bylaws to see if an exception for you is permitted.

Parents are encouraged to work with the school site administration in completing the appeal request process. Also, the school administration can explain the transfer bylaws, limited eligibility, the appeal process, and what kind of evidence will be needed to support your request.

IMPORTANT TIMELINES – FILING YOUR APPEAL REQUEST

You will be required to meet a deadline in filing your appeal. You will have only 15 business days from the date the Section’s written decision was mailed to you to complete the current “Request for Appeal of Section’s Decision” form and mail the original to the State CIF Appeals Office. The forms are available online, at your school, and in this handbook.

The form must be mailed; faxed or e-mailed requests will not be accepted. You may not start the request process until the Section’s written decision is mailed to you. The Section Commissioner has 20 business days to make the decision from the time you submitted your request for unlimited eligibility to the Section office. You must submit a complete appeal request at the time of filing. Incomplete requests are returned as if not submitted.

After the State CIF Appeals Office receives your appeal request, it has 5 business days to review your appeal request to make sure it is complete and has all the required information. If your appeal request is complete, the State CIF Appeals Office will then have 10 business days to set a hearing date. Your hearing must be held no more than 30 business days from the date you submitted your approved request.

If your appeal application is incomplete, the State CIF Appeals Office will return it to you. However, you can re-submit a completed application if there is still time left on the original 15 business day deadline.

Following the hearing, the Appeal Panel will have 15 business days to mail you a written decision. That decision of the Appeal Panel shall be final.

FEE SCHEDULE

There is a non-refundable administrative fee of \$150.00 that must be submitted with the appeal request. **The fee may be paid with either a money order or a cashier’s check made out to the State CIF; no personal checks are accepted.**

If your student qualifies for, and is receiving, either a free or reduced lunch in accordance with 42 U.S.C. section 1751 et seq., the State Appeals Office may reduce the administrative fee in whole or in part. Be sure to submit proof that your student is receiving a free or reduced lunch by attaching a copy of the approved application or the student’s lunch card. The school will have that copy.

SETTING THE HEARING

The hearing will be set in the geographic area of your Section and you will receive a Notice of Hearing from the State CIF Appeals Office with the date, time and place.

The Notice of Hearing will also advise you of the date you must exchange documents to be considered by the Appeal Panel. You may only submit new documents or evidence if the information was discovered after the Section’s decision or after the time you had to submit

documents. You may not submit evidence that was available when the Section first made its decision, or additional evidence that supports your request that was or should have been available to the Section.

Although legal representation is not necessary for the appeal hearing, the Notice of Hearing will also advise you of the date that you must advise the State Appeals Office of your intent to have legal representation or a professional advocate so that all parties also have the opportunity to retain legal counsel.

The hearing date will be set by the State CIF Appeals Office in accordance with the timeline above and you can expect a hearing within 30 days of the date you submitted a complete and timely request to the State Appeals Office.

APPEALS PANEL OR SINGLE REVIEW OFFICER

You may choose either to be heard by a Single Review Officer or by an Appeals Panel.

The Appeals Panel shall have three members with one member serving as the Appeals Panel Chair. The Appeals Panel Chair, is a voting member of the panel and presides at the hearing and has authority to conduct and to coordinate the hearing.

Appeals Panel members or Review Officers may be current or retired school district administrators or athletic directors, retired or current athletic administrators or retired Section officers. No Appeals Panel member may be employed by, or retired from, the schools, school districts, leagues or conferences involved in your appeal. The State Appeals Office sets the Appeals Panel.

The Appeals Panel will deliberate the merits of the appeal in a closed session at the time and place designated by the Appeals Panel Chair.

CONDUCT OF THE HEARING

The hearing will be limited to and conducted only during the time allotted by the State Appeals Office. Only in exceptional circumstances will you be permitted to have additional time. You may request more time in writing to the State Appeals Office, and you must state why you need more time giving all the exceptional reasons for your need for more time for the hearing. The State CIF Appeals Office will review the request and make a determination in its sole discretion, which may require you to waive the 30-day timeline for your hearing because of scheduling conflicts.

In considering whether to ask for more time, keep in mind that “more of the same” evidence is not necessary. For example, 10 witnesses testifying to the good character of your child will not be more persuasive to the Appeals Panel.

The State Appeals Office will invite only those deemed necessary to the hearing. You may have witnesses attend on your behalf and you should advise the State Appeals Office in advance so that accommodations can be made.

All new documents, not previously submitted to the CIF section, to be considered by the Appeal Panel must be submitted to the State Appeals Office, at the address provided in the Notice of Hearing, with copies provided to all other parties, no later than 5:00 p.m. 8 business days before the date of the hearing.

The only new evidence you may submit is evidence that was discovered since the Section's decision, or after the time for the exchange of documents. That new evidence may be considered at the appeal hearing by the sole discretion of the Appeals Panel Chair. If you submit late documents or new evidence, the Section or another party may request that the hearing be postponed so it can review the documents and response. However, if the Appeals Panel Chair and all the parties agree, the documents may be considered and the hearing go on as scheduled.

While it is not necessary to have legal representation at the appeal hearing, if you bring an attorney or other professional advocate to the hearing, you must advise all other parties at least five business days prior to the hearing as noted on the Notice of Hearing. If you or another party appear at the hearing with an attorney or other professional advocate without first giving written notice as required, you or the other parties may request that the hearing be delayed so you can seek legal advice or representation.

The Appeals Panel Chair or single hearing officer will conduct the hearing. The technical rules of evidence and rules for the examination of witnesses do not apply. **ALL QUESTIONS FOR AN OPPOSING PARTY SHALL BE DIRECTED TO THE PANEL CHAIR OR THE SINGLE HEARING OFFICER.** The hearing may be tape recorded by the State CIF Appeals Office and only the recording will be the official record of the hearing. No videotaping is permitted. No court reporter is permitted.

You may bring witnesses, the panel may examine witnesses, and you may introduce exhibits, subject to the time constraints for the conduct of the hearing set by the State Appeals Office. The Appeals Panel Chair has the sole discretion, authority, and responsibility to limit testimony as repetitive. Any relevant evidence you submit may be admitted if it is the sort of evidence that responsible persons are accustomed to rely on in the conduct of serious affairs and it has been shared with the opposing party. The Appeals Panel Chair will make those decisions in its sole discretion.

Professional courtesy is expected of all participants at the hearing and all parties shall adhere to and abide by the requests and decisions of the Appeals Panel Chair in the conduct of the hearing.

You will be asked to tell the Appeals Panel your reasons why your student should be given unlimited (varsity) eligibility because of the hardship suffered. The Section will be asked

to explain why your request was denied. Witnesses will be allowed to tell the Appeals Panel members what they know and may be asked questions by the Appeals Panel members.

THE DECISION

The decision by the Appeals Panel should include written findings of fact and the Appeals Panel's conclusions, the numerical vote, the sports affected, and the effective dates for any limitation on varsity eligibility.

A copy of the written decision of the Appeals Panel, signed by an Appeals Panel member or Chair, will be mailed to you within 15 business days after the hearing, unless the time to mail the Appeals Panel decision is extended by agreement.

A copy of the Appeals Panel decision will also be forwarded to the principal of the school involved and the Section, which may then inform the league or conference presidents(s) in accordance with Section procedures.

The written decision of the Appeals Panel is final.

References: California Interscholastic Federation Transfer Eligibility Administrative Regulation
Procedure for Appeal of Section's Decision on Student Residential Transfer Eligibility
State CIF Bylaws 206, 207, 208, 209
CIF Understanding Transfer Eligibility for Parents- Handbook I
California Education Code Section 33353, 35179

See www.cifstate.org

APPENDIX

CALIFORNIA INTERSCHOLASTIC FEDERATION TRANSFER ELIGIBILITY ADMINISTRATIVE REGULATIONS

Principal's Responsibility

- All requests for athletic eligibility shall first be submitted to the school site principal/designee for a review of the student's athletic eligibility status.
- If both site principals/designees agree to limited eligibility the receiving school is responsible to complete the appropriate documents (e.g., CIF Form 510 Pre-Enrollment Contact Affidavit and CIF Form 207 Athletic Transfer Eligibility Application) as per CIF Section policy.
- If the site principal/designee determines that the student is residentially ineligible for varsity competition the site principal or his/her designee shall discuss limited eligibility and the application process for hardship waiver with the student and his/her parent/guardian.
- The site principal/designee is responsible in assisting the parent/guardian with processing the appropriate CIF Form 207 Athletic Transfer Eligibility Application and CIF Form 510 Pre-Enrollment Contact Affidavit. Assistance in processing the application does not assume that the principal/designee supports the merits of the application.

LEVEL 1 - Section Commissioner Determines Hardship Waiver for Unlimited Transfer Eligibility

- All applications for a transfer eligibility determination must be submitted in writing to the Section Commissioner on the current CIF Form 207 Athletic Transfer Eligibility Application and the CIF Form 510 Pre-Enrollment Contact Affidavit Form. The applicant shall include all documentation or other information that supports the hardship waiver application.
- Applicants should allow 20 business days for investigation and review by the Section Commissioner. A student may miss some part of the season during review, evaluation and determination of transfer eligibility. Applicants should be aware that applications received between the last published CIF-sponsored activity until August 15, eligibility determinations will be made based upon school site or section staff availability.
- The Section Commissioner shall review the written documentation and other information and may request additional information deemed necessary to render a determination.
- After consideration of the record, the Section Commissioner shall issue a written decision to both site principals/designees and to the student or his/her parent/legal guardian regarding the student's eligibility. If the Section Commissioner denies the hardship waiver request, the written decision shall state the basis for the denial of unlimited eligibility.
- An appeal of the Section Commissioner's final decision may be filed by a student or his/her parent/legal guardian to the State CIF Appeals Office in accordance with the provisions set forth below. With parent/legal guardian approval, a school may file an appeal on behalf of the student. An appeal of the Section Commissioner's final decision may also be filed by a CIF member school that opposes the Commissioner's decision to grant eligibility to the student.
- An appeal of the Section Commissioner's final decision must be submitted to the State CIF Appeals Office within 15 business days of the date the Section Commissioner's decision was postmark mailed to the school, to the student and/or his/her parent/legal guardian. If an appeal is not filed within the 15 business day period, the Section Commissioner's decision shall be final.

LEVEL 2 – State CIF Appeals Coordinator

- All appeals filed with the State CIF Appeals Office must:
 1. Be submitted within 15 business days of the date the Section Commissioner’s decision was postmark mailed to the school, the student or his/her parent/legal guardian.
 2. Be on the current State CIF Appeals Form and submitted to the State CIF Appeals Office. The form must be complete and accompanied by all documentation or other information that supports the appeal.
 3. There is a non-refundable administrative fee of \$150.00 that must be submitted with the appeal request. **The fee may be paid with either a money order or a cashier’s check made out to the State CIF; no personal checks are accepted.** The State CIF Appeals Coordinator may waive all or part of the \$150 administrative fee if the student who filed the appeal qualifies for the school free or reduced lunch program in accordance with 42 U.S.C. section 1751 et seq. or that the payment of the fee will impose a substantial financial hardship on the student or his/her family.
- Within 5 business days of receipt of the appeal request, the State CIF Appeals Coordinator shall determine if the application is complete and meets the procedural criteria of this provision.
- If the State CIF Appeals Coordinator determines that the appeal is timely and complete, the State CIF Appeals Coordinator shall then have 10 business days to set a hearing date. Applicants should be aware that applications received between the last published CIF-sponsored activity until August 15, eligibility determinations will be made based upon school site or section staff availability.
- If the State CIF Appeals Coordinator determines that the appeal is incomplete, the application will not be considered and shall be returned. A complete, corrected application may be resubmitted prior to the expiration of the original appeal 15-day timeline (without an additional administrative fee).
- The administrative fee shall not be returned with any appeal application that is rejected by the State CIF Appeals Coordinator.

LEVEL 3 – Appeals Panel/Review Officer

- The members of the Appeals Panel or a Review Officer shall be appointed in accordance with the published State CIF Appeals Procedure Guidelines.
- The hearing shall be held at a location selected by the State CIF Appeals Coordinator within geographical proximity of the CIF Section where the matter arises.
- The Appeals Panel/Review Officer shall conduct the hearing in accordance with the hearing procedures outlined in the published CIF State Appeal Procedures Guidelines.
- While legal counsel is not required, the student and the CIF Section may choose to be represented by legal counsel or advocate at a hearing.
- The technical rules of evidence do not apply to CIF appeal hearings.
- Within 15 business days after closing the hearing, the Appeals Panel Chairperson/Review Officer shall prepare a written decision that includes findings of fact and conclusions, and shall postmark mail the decision to:
 - (1) The CIF State Executive Director; and
 - (2) The student or parent/legal guardian or their legal representative; and
 - (3) The principals of both schools; and
 - (4) The CIF Section Commissioner.
- The decision of the Appeals Panel/Review Officer issued pursuant to this provision is final and binding and may not be appealed.

POLICY AND PROCEDURES FOR APPEAL OF THE SECTION DECISION ON TRANSFER ELIGIBILITY FOR ATHLETIC PARTICIPATION

1.0 FILING AN APPEAL

- A. Appeal of a Section Commissioner's final written decision of limited residential transfer eligibility is to be submitted in writing on the current State CIF Appeal Requests Form to the State CIF Appeals office at the current address on the form within 15 business days after the Section Commissioner's decision is mailed.
- B. If an appeal of the Section Commissioner's decision includes not only a transfer request but also a request for waiver of the age requirement, charge of a semester, and/or passing 20 semester credits of work, the transfer request issue will be held in abeyance until all other issues are determined in accordance with Section appeal policies and procedures. The procedural requirements for determination of the transfer request under this policy will be held until a final determination of other issues is made by the Section.
- C. The appeal requests with original signatures must be mailed to the State Appeals Office. Appeal requests submitted by fax or e-mail will not be accepted and will be returned by the State Appeals Office. Incomplete requests will not extend the timeline for submitting a request. Incomplete requests are those that do not comply with the provisions of paragraph C of this regulation below. That information is necessary in order to set a fair and impartial hearing with timely notice and opportunity to be heard. Returned appeal requests shall not be considered as notice of an appeal to the Section or the State CIF or as substantial compliance with the provisions of this section or as a timely submission.
- D. In compliance with the State CIF Appeal Request Form (available at www.cifstate.org), all appeal requests must include the following information:
 1. The name, current address, and contact information of the appellant(s);
 2. The name of the school and school district that the student is currently attending;
 3. The name of the school and school district of the student's former school;
 4. The principal's name and current address and contact information at the school that the student is currently attending;
 5. The principal's name with current address and contact information of the student's former school;
 6. The CIF Section in which the student currently resides;
 7. The name of the league and conference in which the student wishes to compete;
 8. The name of the league and conference in which the student formerly competed;
 9. The written appeal must set forth a basis for the appeal with supporting documentation;
 10. The written appeal must include a \$150.00 administrative fee. **The fee may be paid with either a money order or a cashier's check made out to the State CIF; no personal checks are accepted**, or proof that student is receiving a free or reduced lunch in accordance with 42 U.S.C. Section 1751 et seq.;
 11. The Section Commissioner's written decision must be attached to the request;

12. Acknowledgment that a copy of the appeal request was provided to the Section Commissioner.
13. An election of either a three-person Appeals Hearing Panel or a single hearing officer.

2.0 STATE APPEALS OFFICE REVIEW AND PROCEDURES

- A. Within 5 business days of receipt of the appeal request, the State Appeals Office will review the requests for completeness.
- B. Incomplete requests will not be considered and the administrative fee shall not be returned with any appeal request that is rejected by the State CIF Appeals Coordinator shall be returned.
- C. A complete, corrected request may be resubmitted prior to the expiration of the original appeal 15-day timeline without an additional administrative fee.
- D. If the State CIF Appeals Office determines that the appeal is timely and complete, the State CIF Appeals Coordinator shall then have 10 business days to set a hearing date. Applicants should be aware that due to school site summer schedule requests received between the last published CIF-sponsored activity until August 15, athletic eligibility determinations will be made based upon school site or section staff availability.
- E. The Section Commissioner will be notified by the State Appeals Office that an appeal request has been submitted when the State CIF Appeals Office determines that a timely, completed request was filed.
- F. The State Appeals Office shall set the matter for hearing at either the next regularly scheduled hearing date, or not later than 30 business days following the receipt of a completed appeals requests. The CIF Appeals Office shall have sole discretion in setting the matter for hearing in order to provide adequate notice and opportunity to be heard from all the parties.
- G. The State Appeals Office shall notify all parties of the hearing date in accordance with the provisions set forth below.
- H. The hearing shall be held at a location selected by the Appeals Panel Chairperson/ Review Officer within the geographical boundaries of the CIF Section where the matter arises.

3.0 APPEALS PANEL

- A. The Appeals Panel shall have three (3) members with one (1) member of the panel will serving as Chair.
- B. Appellants may elect to have a single hearing officer.
- C. Panel members may be current or retired school district administrators or athletic directors, retired or current athletic administrators or retired Section officers.
- D. No panel member may be employed by, or retired from, the schools, school districts, leagues, or conferences involved in the appeal.
- E. The Appeals Panel Chair shall be a voting member of the panel and shall preside at the hearing and have all power and authority to conduct and to coordinate the hearing.
- F. The Appeals Panel shall deliberate the appeal in closed session following the hearing at the time and place designated by the Appeals Panel Chair.

4.0 CONDUCT OF HEARING

- A. Notice of the hearing date shall be mailed to the Section, the schools involved, the parents or student, and to all parties deemed by the Appeals Panel Chair to be directly involved. The Appeals Panel Chair will invite only those deemed appropriate to the hearing.

- B. The hearing shall be conducted only during the one hour and forty five minute time allotted by the State Appeals Office. Following introductions and a brief (2-3 minute) opening statement, each side will have a maximum of forty-five (45) minutes to state their position to the panel.
- C. The parties may submit evidence or other material that will be of assistance in rendering a decision. **All NEW documents to be considered by the Appeals Panel must be submitted to the State Appeals Office, at the address provided in the Notice of Hearing, with copies provided to all other parties, no later than 5:00 p.m. EIGHT (8) business days before the date of the hearing.**
- D. Only new evidence discovered since the Commissioner's decision or after the time for the exchange of documents may be considered in the sole discretion of the Appeal Panel Chair. If late documents are submitted, the opposing party may request a continuance of the hearing for review of the documents by the Appeals Panel for review and response.
- E. If a party is to be represented at a hearing by an attorney or other professional advocate, then notice must be provided to all other parties as set forth in the Notice of Hearing. Should any party appear with an attorney or other professional advocate without first giving written notice as required, the other party may request a continuance of the hearing in order to retain representation.
- F. The Appeals Panel Chair shall preside throughout the hearing and exercise all powers relating to the conduct of the hearing.
- G. The hearing need not be conducted in accordance with technical rules of evidence and those rules related to the examination of witnesses.
- H. The proceedings of the hearing may be taped recorded by the Appeals Panel and that recording shall be the official record of the hearing. There shall be no videotaping permitted.
- I. Each party to the appeal shall have the right to call and examine their witnesses, to introduce exhibits, and to rebut evidence subject to the time constraints set forth by the State Appeals Office for conduct of the hearing and paragraph B above. ALL QUESTIONS FOR AN OPPOSING PARTY SHALL BE DIRECTED TO THE PANEL CHAIR OR THE SINGLE HEARING OFFICER. The Panel Chair shall have the authority and responsibility to limit repetitive testimony.
- J. Any relevant evidence shall be admitted if it is the sort of evidence that responsible persons are accustomed to rely on in the conduct of serious affairs.
- K. The Appeals Panel will review all relevant information presented by the parties and the CIF Section and, based on that information, make a determination that is reasonable and in accordance with all relevant State CIF and Section Bylaws.
- L. Professional courtesy is expected of all participants at the hearing and all parties shall adhere to and abide by the requests and decisions of the Appeals Panel Chair in the conduct of the hearing.

5.0 Decision

- A. The decision should include findings of fact and the Appeals Panel conclusions, the numerical vote, and the sports affected and the effective dates for any limitation on varsity eligibility.
- B. A written decision of the Appeals Panel, signed by an Appeals Panel member or Chair, shall be sent to the parents or student, the Section Commissioner, and the State Executive Director within 15 business days after the hearing, unless extended by agreement.
- C. A copy of the decision shall also be forwarded to the principal of the school involved. The CIF Section, if applicable, may inform the league or conference president(s) in accordance with CIF Section procedures.
- D. All Appeals Panel decisions shall be final.



State CIF Appeals Office
 1256 Lathrop Road, # 101
 Manteca, CA 95336
 Ph: 209-471-3270 Fax 209-824-7980

DATE OF SECTION DECISION	_____
DATE RECEIVED	_____
DATE REVIEWED	_____
FEE WAIVED	_____
DATE RETURNED	_____
HEARING DATE SET	_____
HEARING NOTICE	_____
DOCUMENTS DUE	_____

FOR STATE APPEALS OFFICE USE ONLY

REQUEST FOR APPEAL OF SECTION DECISION ON TRANSFER ELIGIBILITY

Please refer to Parent Handbook-II at www.cifstate.org for information regarding the appeal process.

**THIS FORM IS TO BE COMPLETED WITH THE ASSISTANCE OF THE
 CURRENT SCHOOL ADMINISTRATION.**

**NO FAX OR E-MAIL REQUEST FORMS ACCEPTED.
 REQUEST FORMS MUST BE SUBMITTED ON TIME, NON-REFUNDABLE
 ADMINISTRATIVE FEE MUST BE SUBMITTED WITH THIS REQUEST FORM.**

1.0 To Timely Process This Appeal Request All of the Following Information Is Required:

CIF Section: _____

Non-refundable Administrative Fee of \$150 included: [yes] [no] [exempt]

**Cashier's Check or Money Order
 Only. Payable to State CIF.**

Name of current school site administrator assisting in the completion of this form:

_____ _____
 PRINT NAME TITLE

_____ _____
 SIGNATURE DATE

Name of student on whose behalf appeal is filed _____

Name of person(s)/entity _____
 filing this appeal (Appellant)

Address: _____

_____ _____
 CITY ZIP

Telephone: _____

Email: _____

Student's current school and district:

SCHOOL

SCHOOL DISTRICT

Student's current principal

Current principal's email

Current school address:

Current school telephone:

Current school fax number:

Student's previous school and district:

SCHOOL

SCHOOL DISTRICT

Principal at previous school:

Previous principal's email:

Previous school address:

School telephone:

School fax number

League and/or conference in which student will compete:

League: _____

Conference: _____

League and/or conference in which student previously competed:

League: _____

Conference: _____

2.0 Basis for Appeal of Decision (check all that apply) - Required:

Facts discovered subsequent to Commissioner’s decision that could not have been reasonably discovered before decision; (New documents, material and information should be submitted with this application)

Procedural violations (e.g., no notice, missed deadlines, etc.);

Misapplication of facts to bylaw (e.g., not all facts considered, facts misstated, disputed facts, etc.)

Decision based on inappropriate bylaw (e.g., another bylaw applies)

Other, explanation required.

Briefly explain the basis of the appeal (attached separate sheet if additional space is needed):

3.0 The Following Additional Information Is Required:

1. A copy of the Section Commissioner’s written decision is attached to this application. initial _____
2. All new information, paperwork and documentation to be submitted for consideration have been submitted with this request. [yes] [no] initial _____
3. Appellant requests a: (**MARK ONE BELOW - See Parent Handbook-II.**)
 Single hearing officer *or* 3-member panel. initial _____
4. Appellant qualifies for and receives a free or reduced lunch at school. A copy of the approved application or student lunch card is attached to this appeal application. [yes] [no] initial _____

Please DO NOT STAPLE PAPERWORK

4.0 Required Certification

I declare under penalty of perjury under the laws of the State of California that the above statements are true and correct; that the supporting documents attached are true and correct copies of the original documents; and acknowledge that the Appeals Panel decision is final.

Appellant’s Signature date

Appellant’s Signature date