

VHSL ELIGIBILITY APPEAL PROCEDURES OVERVIEW

(Note -- All hearings are "de novo.")

Principal's Hearing

- * The principal or his/her designee shall inform the student as soon as possible after the eligibility determination.
- * The student and/or parent(s) shall be entitled to a hearing with the principal/designee, if requested.
- * The principal shall provide notice of ineligibility to student identifying the rule(s) involved.
- * If the principal chooses not to forward appeal to District Committee, principal must provide student/parents a copy of VHSL Eligibility Rule Waiver Procedures, the appropriate VHSL waiver application, a copy of the VHSL Handbook sections which apply to student's case, and the names and addresses of the District Chairman and VHSL Compliance Director.

District Committee Hearing

- * To obtain a District Committee hearing, the principal, student or parent(s) shall write the District Chairman requesting same and shall attach the proper VHSL application and all the documentation supporting the appeal to the District Chairman. **The District Chairman does not have to call a meeting until the request and all materials are filed with the District Chairman.**
- * The District Committee (**three members only**) shall review the case within five working days.
- * **The appellant is entitled to be present at hearing. If they choose not to attend, a conference call shall suffice.**
- * The District Committee must confer with VHSL Compliance Director before rendering a final decision.
- * Within 24 hours, the District Chairman will provide the appellant in writing the District's decision or recommendation using the District Committee Appeal's Report form. Within 24 hours, the District Chairman will provide the VHSL Compliance Director a copy of the District Committee Appeal's Report plus a copy of the appellant's application and documentation.

Review by Deputy Director:

- * If the Director concurs with a favorable District Committee decision that waiver should be granted, the student shall become eligible immediately. In all other cases the Director will advise the appellant of his decision regarding the case, and the appellant has the option of requesting in writing that the appeal advances to the Executive Committee.
- * Director will send a written notice to the appellant and the District Chairman.
- * Director may not grant retroactive eligibility.

Executive Committee Hearing:

- * **Within five working days** after receiving the decision of the Executive Director, the appellant shall **file** a written application for appeal to the Executive Committee.
- * Within 10 working days after the written request *and all materials* are filed at the VHSL office, the Executive Committee will hear all cases advanced by the Director.
- * The Director will inform all parties of the date, time and site of hearing.
- * The appellant is entitled to be present.
- * The Executive Committee may enlarge, reduce or sustain any penalty imposed.
- * At least two-thirds favorable vote required for waiver.
- * The Executive Committee may not grant retroactive eligibility.
- * The Director will provide the decision in writing to the appellant and to the District Chairman.

Hearing Officer Review: (Requires costs to be shared equally by the appellant and VHSL.)

- * Appellant must file with the Compliance Director a written request for a Hearing Officer review within five working days after receiving the decision of the Executive Committee.
- * The Director will set the date, time and site of the hearing as soon as the appellant's request is filed and a deposit of \$500 is received at the VHSL office and as soon as is expeditiously reasonable.
- * The appellant is entitled to be present.
- * The Hearing Officer may enlarge, reduce or sustain any penalty imposed.
- * The Hearing Officer may not grant retroactive eligibility.
- * The Director will provide decision in writing to the appellant and to the District Chairman.