



California Interscholastic Federation - Southern Section

Section Appeal Hearing Process

The purpose of this handbook is to familiarize parents with the CIF Southern Section appeals process and to provide a simple step-by-step approach for parents to request an appeal of a CIF Southern Section decision.

Parents are encouraged to read and become familiar with the relevant bylaws and policies that can be found in the CIF Southern Section Blue Book on the Section website at www.cifss.org. The appeal information should not be relied upon for legal advice or in the place of the relevant bylaws or administrative policies, procedures and regulations.

When there has been a written decision by a Section Commissioner denying a student participation in athletics, 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.

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

Each party is expected to share all of their evidence in advance of the hearing so everyone has the same information.

The Appeals Panel will consider all of the evidence provided that supports both positions and may not ignore the bylaws of the CIF Southern Section and must apply the facts it finds to the bylaws.

TIMELINE

You will be required to meet a deadline in filing your appeal. You will have 15 business days from the date of the Section's written decision to submit a written request for appeal. The written appeal request must be submitted to the Commissioner. Once the section receives the appeal request, it has 5 business days to review your appeal and 10 business days to set a hearing date. The hearing must be held no more than 30 business days from the date you submitted your request.

Following the hearing, the Appeal Panel will have 15 days to provide you with a written decision. The decision of the Appeal Panel shall be final.

APPEAL PANEL OR SINGLE REVIEW OFFICER

You may choose to have your appeal heard by a Single Review Officer or by an Appeals Panel. At the time of your appeal request you must specify your choice of Single Review Officer or 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 coordinate the hearing.

Appeals Panel members or Single Review Officers may be current or retired school district administrators, athletic directors, athletic administrator or retired Section officers. No Appeals Panel member may be employed by, or retired from the school(s), district(s), league(s), or conference(s) involved in your appeal. The Section office sets the Appeals Panel.

CONDUCT OF THE HEARING

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

All new documents not previously submitted to the CIF Section, to be considered by the Appeals Panel, must be submitted to the Section office no later than 4:00 p.m. eight (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 of 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 respond. However, if the Appeals Panel Chair and all other 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. If you or another party appears 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 Review 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 REVIEW OFFICER. The hearing may be tape recorded by the CIF Section 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, subjects to the time constraints for the conduct of the hearing set by the Appeals Panel Chair. The Appeals Panel Chair has sole discretion, authority and responsibility to limit testimony as repetitive and 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 eligible to participate. The Section will be asked to explain why your original 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 sport(s) 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 sent to you within 15 business days after the hearing, unless that time 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 President(s) in accordance with Section procedures.

The written decision of the Appeals Panel is final.