

**Child Nutrition - Hearing Procedure/Appeal Process**

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

The district shall ensure that the hearing procedure provides the following for both household and the school food authority:

- a. A publicly announced simple method for making an oral or written request for a hearing;
- b. An opportunity to be assisted or represented by an attorney or other person;
- c. An opportunity to examine, prior to and during the hearing, the documents and records presented to support the decision under appeal;
- d. Reasonable promptness and convenience in scheduling a hearing, and adequate notice as to its time and place;
- e. An opportunity to question or refute any testimony or other evidence and to confront and cross-examine any adverse witness(es);
- f. An opportunity to present oral documentary evidence and arguments supporting a position without undue interference;
- g. That the hearing be conducted and the decision be made by an official who did not participate in the decision under appeal or any previous conference;
- h. That the decision of the hearing official be based on the oral and documentary evidence presented at the hearing and entered into the hearing record;
- I. That the parties concerned and any designated representatives thereof be notified in writing of the decision;
- j. That for each hearing a written record be prepared, including the decision under appeal, any documentary evidence and a summary of any oral testimony presented at the hearing, the decision of the hearing official and the reasons therefore, and a copy of the notification to the parties concerned of the hearing official's decision;

- k. That such written record must be retained for a period of three years after the close of the school year to which they pertain. These records must be made available for examination by the parties concerned or their designees at any reasonable time and place during such period.