

POLICY NUMBER AD - 01

**Procedure for Appeal of Decision of Executive Committee**

Effective April 18, 1996

THE FOLLOWING POLICY REGARDING APPEALS OF DECISIONS OF THE EXECUTIVE COMMITTEE TO THE BOARD OF DIRECTORS OF THE ORGANIZATION OF SELF-INSURED SCHOOLS ("OSS") IS EFFECTIVE AS OF THE DATE INDICATED ABOVE AND IS ADOPTED PURSUANT TO ARTICLE III-F OF THE BYLAWS OF OSS. THE FOLLOWING POLICY SHALL BE REFERRED TO FOR ALL PURPOSES AS POLICY NO. AD - 01.

**1. GENERAL PURPOSE**

1. Pursuant to Article III-F of the Bylaws of OSS, decisions of the Executive Committee may be appealed to the Board by any member subject to any restrictions as the Board may adopt. The general purpose of this Policy is to set for the terms and restrictions applicable to such an appeal.

**2. PROCEDURE**

2.1 An appeal is permitted only from an action or decision of the Executive Committee. An appeal is not the proper remedy if the Executive Committee has taken no action. In such event, the Member may request that the issue be placed on the agenda of the Executive Committee, and the Executive Committee can either accept or reject the agenda item.

2.2 Any appeal must first be made to the Executive Committee and shall be submitted to the Executive Committee in writing and shall clearly state the issue and the reasons why the Member District disagrees with the prior decision or action of the Executive Committee.

2.3 Any appeal to the Board from a decision or action by the Executive Committee by a Member District must be signed by the Superintendent of the District, acting on behalf of the Board of Trustees of the District and must be authorized by the Board of Trustees of the Member District.

2.4 An appeal to the Board must be in writing and shall clearly state the issue, the decision of the Executive Committee and the reasons why the Member District disagrees with the decision or action of the Executive Committee.

2.5 The appeal to the Board shall be filed with the Secretary of OSS, who shall place the item on the agenda for the next Regular Meeting of the Board of Directors of OSS, or the Secretary may notice a Special Meeting of the Board of Directors for the purpose of considering the appeal.

2.6 At the hearing of the appeal by the Board of Directors, the Member District shall be provided a reasonable time to present its position on the action of the Executive Committee, and thereafter a response time should be provided to members of the Executive Committee and/or consultants or advisors to OSS. The Board may accept evidence which is oral, written, or in any other form acceptable to the Board. At the conclusion of its hearing on the appeal, the Board, in its discretion, shall either rule on the appeal or may set a date certain for ruling, which is no more than forty-five (45) days from the date of the hearing, and may in the interim request such further documentation, briefs, or a legal analysis as is appropriate to the appeal.

2.7 If the decision or action of the Executive Committee is upheld by the Board, the Member District shall comply with such action within thirty (30) days after notification of the Board's decision.