

SECTION XIII

APPEAL PROCEDURES

13.1 APPEAL TO APPEALS REVIEW COMMITTEE

13.1.1 Right of Appeal

Any final written decision or determination made by the Director on any matter set forth in this Handbook of which a student is aggrieved, may be appealed to the Appeals Review Committee by the member school. (See Section 2.6)

13.1.2 Appeals Review Committee

The Appeals Review Committee (“Appeals Review Committee” or “Review Committee”) shall be composed of up to ten (10) members who are current and /or retired superintendents or headmasters of NMAA member schools. Three members of the Appeals Review Committee shall constitute a quorum for an appeal hearing. The Director shall appoint the members of the Appeals Review Committee.

13.1.3 Notice of Appeal and Notice of Hearing

- A.** All appeals to the Review Committee must be initiated by the member school by completing the “Request for Appeal to Appeals Review Committee” form posted online at www.nmact.org and sending it within ten (10) business days of date of receipt of the decision or determination being appealed to the Director with all supporting records, including any written statements for consideration by the Appeals Review Committee. Failure to comply strictly with the time frame or process for making an appeal shall be sufficient grounds for denial of the appeal. The Request for Appeal must be signed by the Athletic Director and Superintendent/Headmaster/CEO of the member school initiating the appeal acknowledging the \$250.00 appeal fee. The NMAA must be in receipt of the appeal fee prior to the date scheduled for the Review Committee hearing. If the appeal results in the modification or overturning of the original ruling, the appeal fee will be reimbursed.

The Athletic Director should notify the aggrieved student’s parent or guardian of the need to provide them with all supporting records to be submitted with the Request for Appeal to Appeals Review Committee form. The student’s parent/guardian must sign the “Request for Appeal to Appeals Review Committee” form acknowledging that they were notified that all records supporting the appeal must be submitted by the school to the NMAA with the “Request for Appeal to Appeals Review Committee” form and that they have provided all such records to the Athletic Director.

- B.** The Appeals Review Committee shall meet by teleconference or Zoom or other virtual platform to hear the appeal within five (5) business days of receipt of the Request for Appeal to Appeals Review Committee and shall issue notice of the hearing including the date, time, and place or means of the hearing as soon as a quorum can be arranged. If the hearing is conducted virtually, login information will be included in the notice. Notice shall be issued to the member school that requested the appeal, and if the appeal relates to an eligibility determination requested by the student’s receiving (new) school based on transfer, notice shall also be provided to the student’s sending (prior) school. If the sending school objects to the request for eligibility, the sending school may submit a written statement explaining its position about the petition for eligibility and may submit records supporting its position. A representative of the sending school may also make a statement at the hearing. Sending schools requesting to submit a written

statement or records, or requesting to make a statement at the hearing, must notify the Director of such request no later than 48 hours before the scheduled appeal.

13.1.4 Matters Considered

The appeal to the Appeals Review Committee shall be *de novo*. The appeal will be decided based upon the information and materials submitted to the Director for the initial decision, the Director's decision that is the subject of the appeal, statements made by the Director and member school representative at the Appeals Review Committee hearing, statements (testimony) made by any other witnesses at the Appeals Review Committee hearing, any written statements of witnesses or additional records provided to the Director with the Request for Appeal to Appeals Review Committee form, and, if applicable and if the sending school objects to eligibility, the written or oral statement and any records provided by the sending school.

A copy of the decision being appealed from the initial petition or letter requesting a determination of eligibility, all records provided to the Director to consider in making the initial decision, and all additional records and written statements submitted by the member school with the Request for Appeal to Appeals Review Committee, and, if applicable, the written statement and any records provided by the sending school shall be provided by the Director to the Appeals Review Committee no fewer than 24 hours prior to the hearing.

Copies of all documents and records provided to the Appeals Review Committee shall be retained by the Review Committee pending its determination and any additional appeal.

13.1.5 Standard of Review

The decision being appealed shall be affirmed by the Appeals Review Committee if it finds that the preponderance of the evidence (records and testimony) supports the Director's decision.

13.1.6 Conduct of Review Committee Hearings

- A.** At least three (3) members of the Appeals Review Committee will meet to hear an appeal within five (5) business days of the date the Request to Appeal to the Appeal Review Committee form is received. The Appeals Review Committee hearing shall be recorded by the NMAA. Each party to an appeal, and, in the case of an appeal relating to transfer eligibility, the sending school, shall be permitted to make a statement explaining its position and relevant records.
- B.** Evidence and testimony at Appeals Review Committee hearings shall be informal but shall follow generally accepted rules and procedures for ensuring due process. The Review Committee may set rules regarding the amount of time allocated to each party to present their case, including statements made in support of such party's position, and may establish procedures, time limits and other limitations applicable to a specific appeal to be heard. Subject to specific procedures established by the Appeals Review Committee for the hearing, the NMAA shall proceed first, followed by the school's statements, unless a different order is determined by the Review Committee.

The Executive Director or their designee shall make a statement identifying the issue being appealed and explaining the initial decision. The Athletic Director or other administrator of the member school appealing the decision shall then make its statement summarizing the basis for the appeal. Individuals with firsthand knowledge of facts relevant to the appeal, including the student whose eligibility is at issue, may make a statement in support of the appealing school's position. If the appeal relates to an eligibility determination based on a transfer, the Athletic Director or their designee from the sending school may then make a statement explaining the sending school's position, if the sending school objects to a determination of eligibility. Members of the Appeals Review Committee may ask anyone present any questions the member deems relevant.

An audio recording of the Appeals Review Committee hearing shall be made by the NMAA. A copy of the recording shall be made available to the member school that requested the appeal upon request.

13.1.7 Participation Procedures in Appeals Review Committee Hearings

- A. Appealing School:** An administrator of the member school or district must attend the Appeals Review Committee hearing. A coach, the student, the student's parent or guardian, and any other individuals with firsthand knowledge of facts relevant to, and in support of, the appeal may also attend. The Director shall present the background information and introduce the case in accordance with any procedural rules established by the Appeals Review Committee for the hearing. The administrator, coach or other persons with pertinent information may make a statement and answer questions from the Review Committee. Parents and Students directly affected are encouraged to be present at the Appeals Hearing.
- B. Sending School:** In the case of an appeal relating to transfer eligibility, an administrator from the sending school shall be permitted to attend and make a statement explaining its position and relevant records if the sending school objects to eligibility.
- C. Coaches/Advisors:** A school administrator must be present and introduce the coach/advisor before the coach/advisor may speak, unless the school administrator designates an individual to serve as the presenter for the agenda item submitted.
- D. Others:** A school administrator shall accompany guests, parents, or any other party, when the agenda item being considered affects the school's status, personnel, and/or students.
- E. Limitations:** While the NMAA desires its hearings to be accessible to the members and to others who may have a direct interest in the proceedings, some limitation may be placed upon individuals who wish to actively participate in appeals cases. The Appeals Review Committee may establish procedural rules and limitations relating to the hearing that differ from or are in addition to those provided in this Handbook. A school administrator of the appealing school must be present and take part in any discussion/case which affects the member school.
- F. Legal Counsel:** If legal counsel for the student, parents or guardians of the student, or for the member school or district will attend the Appeals Review Committee hearing, such counsel, or the party represented by legal counsel, shall notify the NMAA of counsel's intended appearance the same day the NMAA notifies the appealing school of the date and time of the hearing. If counsel for the NMAA is not available to attend the hearing as scheduled, the hearing may be rescheduled and the deadline for the Appeals Review Committee to hear the appeal will be extended as needed to secure attendance of counsel for the NMAA.

13.1.8 Record of Appeals Review Committee Hearing

The official record of the Appeals Review Committee hearing shall include the audio recording of the hearing, and all documents, records and written statements provided to the Appeals Review Committee.

13.1.9 Appeals Review Committee Decisions

The Review Committee shall verbally announce its decision on an appeal at the conclusion of the Appeals Review Committee hearing. The NMAA shall issue written notice of the Review Committee's decision to the parties within three (3) business days of the Review Committee hearing and shall provide verbal notice within 24 hours. In affirming or denying the decision of the Director, the Review Committee may direct actions to be undertaken by the parties not inconsistent with the articles, bylaws, rules and regulations of the NMAA. The member school may appeal the Review Committee's decision to the Board of Directors pursuant to Section 13.2 of these Bylaws.

13.2 APPEAL TO BOARD OF DIRECTORS

13.2.1 Right of Appeal

Any decision made by the Appeals Review Committee of which a student is aggrieved may be appealed to the Board of Directors. An appeal to the Board of Directors of a decision by the Appeals Review Committee shall be on the record and shall be decided by five (5) members of the Board of Directors who shall act on behalf of the Board. Evidence (records, information) or testimony that was not provided to the Appeal Review Committee shall not be considered by the Board of Directors.

The imposition of sanctions against a team, student or school employee that has been appealed to and upheld by the Director in accordance with Section 7.7.2.F., may be appealed directly to the Board of Directors. An appeal to the Board of Directors of sanctions shall be *de novo* and shall be decided by five (5) members of the Board of Directors who shall act on behalf of the Board. Evidence (records, information) provided to the Director for the review under Section 7.7.2.F., the "Request for Appeal to Board of Directors – Sanctions Appeal" form, written statements and other records submitted by the member school with the "Request for Appeal to Board of Directors – Sanctions Appeal" form, and testimony may be considered by the Board of Directors at the hearing on the appeal of sanctions, in accordance with the procedures and rules contained in Section 13.2, as may be modified by any rules adopted by the Board for such hearing.

All appeals to the Board of Directors shall be recorded by the NMAA.

13.2.2 Notice of Appeal

A. Appeal of Appeals Review Committee Decision

Appeals to the Board of Directors from the Appeals Review Committee shall be initiated by the member school by completing the "Request for Appeal to Board of Directors" form posted online at www.nmact.org and delivering it to the Director within ten (10) business days of the date of receipt of the Appeals Review Committee decision being appealed. Failure to comply strictly with this deadline or process for making an appeal is sufficient grounds for denial of the appeal. The Request for Appeal must be signed by the Athletic Director and Superintendent/Headmaster/CEO acknowledging the minimum appeal fee of \$500.00. The NMAA must be in receipt of the appeal fee prior to the scheduled appeal. If the appeal results in the modification or overturning of the original ruling, the appeal fee will be reimbursed.

In the event that a student and parent or guardian are aggrieved by a decision of the Appeals Review Committee and wishes to appeal to the Board of Directors, but the member school does not support the appeal to the Board, at the request of the parent or guardian, the member school must complete the "Request for Appeal to Board of Directors" form posted online at www.nmact.org, note on such form that the member school does not support the appeal, and deliver it to the Director within ten (10) business days of the date of receipt of the Appeals Review Committee decision being appealed. The "Request for Appeal to Board of Directors" form must be signed by the Athletic Director and Superintendent/Headmaster/CEO acknowledging the minimum appeal fee of \$500. The NMAA must be in receipt of the appeal fee prior to the scheduled appeal. If the appeal results in the modification or overturning of the original ruling, the appeal fee will be reimbursed.

B. Appeal of Sanctions

In the event the appeal relates to the imposition of sanctions against a team, student or school employee that has been reviewed and upheld by the Director pursuant to Section 7.7.2.F., the appeal must be initiated by the member school by completing the "Request for Appeal to Board of Directors – Sanctions Appeal" form posted online at www.nmact.org and delivering it to the

Director with any written statements and all records supporting the appeal not previously provided to the Director within ten (10) business days of the date the sanctions were upheld by the Director. Failure to comply strictly with this deadline or process for making an appeal is sufficient grounds for denial of the appeal. The "Request for Appeal to Board of Directors – Sanctions Appeal" form must be signed by the Athletic Director and Superintendent/Headmaster/CEO acknowledging the minimum appeal fee of \$500. The NMAA must be in receipt of the appeal fee prior to the scheduled appeal. If the appeal results in the modification or overturning of the original ruling, the appeal fee will be reimbursed.

If the appeal relates to sanctions against a student or school employee, the Athletic Director should notify the aggrieved student's parent or guardian or school employee of the need to provide them with all supporting records to be submitted with the "Request for Appeal to Board of Directors – Sanctions Appeal" form. The aggrieved party must sign the "Request for Appeal to Board of Directors – Sanctions Appeal" form acknowledging that they were notified that all records supporting the appeal must be submitted by the school to the NMAA with the "Request for Appeal to Board of Directors – Sanctions Appeal" form and that they have provided all such records to the Athletic Director.

13.2.3 Statement Supporting the Appeal

A. Appeal of Appeals Review Committee Decision

The member school may submit a statement explaining the basis for the appeal from the Appeals Review Committee with references to specific records, information, and testimony presented at the Appeals Review Committee hearing. If the member school submitted the Request for Appeal to Board of Directors form on behalf of an aggrieved student and parent or guardian and the member school does not support the appeal, the student and parent or guardian may prepare a written statement explaining the basis for the appeal, including references to specific records, information, and testimony presented at the Appeals Review Committee hearing to be submitted by the member school to the NMAA with the "Request for Appeal to Board of Directors" form. The statement of the basis for appeal shall not refer to or include information or documents not previously provided to the Appeals Review Committee.

If member school does not support an appeal from the Appeals Review Committee to the Board of Directors, the Athletic Director at the member school must advise the parent/guardian of the student of their right to do so, and of their right to prepare a written statement as described above, and that the Athletic Director will submit the "Request for Appeal to Board of Directors" form and the written statement, if any, to the NMAA. The member school must pay the \$500 appeal fee before the date the appeal will be heard.

Any written statements to be considered by the Board must be submitted with the "Request for Appeal to Board of Directors" form.

B. Appeal of Sanctions

If the appeal relates to sanctions, and the sanctions have been reviewed and upheld by the Director, the member school whose team, student, or school employee was sanctioned, may submit a written statement explaining the basis for the appeal. In the case of an appeal relating to sanctions against an individual student, the student, and the student's parent or guardian may also provide written statements for the Athletic Director to submit to the NMAA with the "Request for Appeal to Board of Directors – Sanctions Appeal" form.

13.2.4 Scheduling the Appeal

Five members of the Board of Directors shall meet to consider the appeal no later than five (5) business days after the applicable form is received by the Director.

Upon receipt of the “Request for Appeal to Board of Directors” form or the “Request for Appeal to Board of Directors – Sanctions Appeal” form, the Director shall notify the Board of Directors of the appeal and shall coordinate with the President or their designee to identify five (5) members of the Board who will consider the appeal and the date on which such appeal will be considered. Once a quorum is arranged, the Director shall send notice to the member school the date on which the five members of the Board of Directors will consider the appeal and the date when their decision shall be rendered. The school shall notify the coach, and the parent or guardian of the student, or school employee, as applicable, of the hearing date.

13.2.5 The Record

A. Appeal of Appeals Review Committee Decision

The record for an appeal from a decision of the Appeals Review Committee shall consist of the decision of the Appeals Review Committee, the “Request for Appeal to Appeals Review Committee” form, all written statements, and any other records that were provided to the Appeals Review Committee prior to its hearing, and the audio recording of the Appeals Review Committee hearing.

No less than 24 hours prior to the date scheduled for the five Board members to meet and consider the appeal from the Appeals Review Committee, the Director shall provide each of the five Board members with a copy of the record. The five members of the Board of Directors who shall hear the appeal may each review the record independently prior to the date of the hearing.

The record shall be retained by the NMAA pending the Board’s decision on the appeal and any additional appeal.

B. Appeal of Sanctions

The record of an appeal to the Board of Directors of sanctions shall include all records and testimony provided to the Board of Directors, and the audio recording of the Board of Directors hearing.

The record shall be retained by the NMAA pending the Board’s decision on the appeal and any additional appeal.

13.2.6 Matters Considered

An appeal of a decision of the Appeals Review Committee will be decided on the record. New evidence or testimony will not be considered.

An appeal of sanctions that have been reviewed and upheld by the Director will be decided *de novo*. The Board of Directors may consider records provided to the Director for the review pursuant to Section 7.7.2.F., the decision of the Director relating to such review, the “Request for Appeal to Board of Directors – Sanctions Appeal” form, all records and written statements provided with the form, and testimony presented at the hearing. The Board of Directors may establish procedures and limitations relating to evidence and testimony to be presented at the hearing.

13.2.7 Standard of Review

The decision being appealed shall be affirmed by the Board if a preponderance of the evidence supports the decision of the Appeals Review Committee, or in the case of the appeal of sanctions, the decision of the Director.

13.2.8 Conduct of Hearings

A. Appeal of Appeals Review Committee Decision

Five (5) board members must meet either in person, teleconference, or by Zoom or other virtual platform to consider the appeal. The five members shall select among themselves a person to chair the meeting who shall announce the matter being heard and explain the procedures to be followed as stated in the Handbook. The NMAA shall record the hearing. The members shall review and discuss the decision being appealed and the related record and shall vote on whether to uphold the decision of the Appeals Review Committee. The decision of the members hearing the appeal shall be announced verbally at the hearing. The NMAA shall issue written notice of the Board's decision to the member school three (3) business days of the Board hearing and shall provide verbal notice to the member school within 24 hours.

The Director or Director's designee shall attend the hearing and assure that the hearing is being recorded, confirm the presence of five members of the Board, and assist with other procedural matters as needed. An administrator and a coach from the school or district that requested the appeal, the parent or guardian of the student whose status is being appealed, and the student may attend the hearing by the same means as the hearing is conducted, but may not make a statement, ask or answer questions or otherwise participate in the hearing.

B. Appeal of Sanctions

Five (5) board members must meet either in person, by teleconference or Zoom or other virtual platform to consider the appeal. The five members shall select among themselves a person to chair the meeting who shall announce the matter being heard and explain the procedures to be followed as stated in the Handbook. All documents and records, including video and photographic records, provided to the Director for review under Section 7.7.2.F., the "Request for Appeal to Board of Directors – Sanctions Appeal" form, and all written statements submitted with the "Request for Appeal to Board of Directors – Sanctions Appeal" form shall be provided to the members who will hear the appeal no later than 24 hours prior to the hearing.

The Director or Director's designee shall attend the hearing and assure that the hearing is being recorded, confirm the presence of five members of the Board, and assist with other procedural matters as needed.

Evidence and testimony at a Board hearing on an appeal of sanctions shall be informal but shall follow generally accepted rules and procedures for ensuring due process. The Board may set rules regarding the amount of time allocated to each party to present their case, including statements made in support of such party's position, and may establish procedures, time limits and other limitations applicable to a specific appeal to be heard. Subject to specific procedures established by Board for the hearing, the NMAA shall proceed first, followed by the school's statements, unless a different order is determined by the Review Committee.

The Director or their designee shall make a statement identifying the issue being appealed and explaining the initial decision. The Athletic Director or other administrator of the member school appealing the decision shall then make its statement summarizing the basis for the appeal. Individuals with firsthand knowledge of facts relevant to the appeal, including the aggrieved student or school employee may make a statement in support of the appealing

school's position. Members of the Board may ask anyone present any questions the member deems relevant.

C. All Board of Directors Appeal Hearings

Upon request, an audio recording of the Board of Directors appeal hearing shall be made available to the member school that requested the appeal.

13.2.9 Participation Procedures and Attendance

- A. Appeal of Appeals Review Committee Decision:** If the hearing is an appeal of a decision of the Appeals Review Committee, an administrator of the member school or district may attend the hearing but may not testify or answer any questions. A coach, the student, the student's parent or guardian, may also attend but may not testify or answer any questions. The Director or Director's designee shall present the background information and introduce the case in accordance with any procedural rules established by the Board for the hearing. The Director may also assist the Board with any procedural matters. The five Board members hearing the appeal shall discuss the record and shall vote on whether to uphold or reverse the decision of the Appeals Review Committee.
- B. Appeal of Sanctions:** If the hearing is an appeal of sanctions that have been reviewed and upheld by the Director, an administrator of the member school or district must attend the hearing. If the sanctions were imposed on a team, a coach, and, subject to any limitations established by the Board on the number of witnesses who may testify at the hearing, one or more members of the team selected by the Athletic Director may attend the hearing. If the sanctions are imposed on a student, the student and student's parent or guardian, or if the sanctions were imposed on a school employee, the employee, may attend the hearing. The Director shall present the background information and introduce the case in accordance with any procedural rules established by the Board for the hearing. The administrator or administrator's designee shall make a statement summarizing relevant facts and the basis for the appeal shall answer questions asked by the Board members. As appropriate for the nature of the sanctions being appealed – whether the sanctions are on a team, student, or school employee - the coach, designated team member(s), student, student's parent or guardian, the school employee, and other persons with pertinent information may testify and answer questions asked by the Board. The Director may assist the Board with procedural matters.
- C. Coaches/Advisors:** If the appeal relates to sanctions, a school administrator or school administrator's designee must be present and must introduce the coach and others who may testify before the coach or others may speak.
- D. Limitations:** While the NMAA desires its hearings to be accessible to the members and to others who may have a direct interest in the proceedings, some limitation may be placed upon individuals who wish to actively participate in appeals cases. The Board of Directors members who will hear an appeal may establish procedural rules and limitations relating to the hearing that differ from or are in addition to those provided in this Handbook
- E. Legal Counsel:** Legal counsel who attends a hearing on the appeal of an Appeal Review Committee decision may not speak or answer questions. If legal counsel for a team, team member, student, parents or guardians of the student, school employee or the member school or district will attend a hearing on the appeal of sanctions, such counsel, or the party represented by legal counsel, shall notify the NMAA of counsel's intended appearance the same day the NMAA notifies the appealing school of the date and time of the hearing. If counsel for the NMAA is not available to attend the hearing as scheduled, the hearing may be rescheduled and the deadline for the Board of Directors to conduct the hearing on the appeal of sanctions will be extended as needed to secure attendance of counsel for the NMAA.

13.2.7 Decision

The five members of the Board of Directors who hear the appeal shall render their decision verbally at the conclusion of the hearing, and the Director shall issue written notice of the Board's decision to the member school within three (3) business days of the Board hearing and shall provide verbal notice to the member school within 24 hours.

The decision of the Board of Directors may be appealed to the Public Education Department pursuant to New Mexico statutes and regulations, copied in Section 13.3 below. In the event of a change to the New Mexico regulations relating to appeals to the State Education Agency that is inconsistent with this Handbook, the revised New Mexico regulations shall apply.

13.3 APPEALS TO STATE PUBLIC EDUCATION DEPARTMENT

13.3.1 State Administrative Review Procedure – SBE Regulation No. 95-10 Section V

“STATE ADMINISTRATIVE REVIEW PROCEDURE”: The following requirements apply to the state administrative review of decisions of the New Mexico Activities Association:

- A.** A decision of the New Mexico Activities Association, in which a party is aggrieved, may be appealed to the Secretary of Public Education or his/her designee after all New Mexico Activities Association grievance and appeal procedures have been followed.
- B.** All requests for state administrative review shall be made in writing to the Secretary of Public Education and be filed with his/her office within fourteen (14) calendar days of the date of mailing of the decision of the New Mexico Activities Association's review authority. Please submit your request to “Cabinet Secretary of Education, 300 Don Gaspar Avenue, Jerry Apodaca Education Building, Santa Fe, New Mexico 87501-2786.” Filing shall be accomplished when the request for state administrative review is received in the office of the Secretary of Public Education. The aggrieved party shall further send a copy of the request for state administrative review to the Executive Director of the New Mexico Activities Association.

The request for state administrative review shall be signed by the aggrieved party or his/her designated representative and shall state specifically the questions raised before the New Mexico Activities Association's review authority which the State Superintendent of Public Education is requested to review with reference to the applicable rules of the New Mexico Activities Association.

- C.** Within seven (7) calendar days of the receipt of the copy of the request for state administrative review, the Executive Director of the New Mexico Activities Association shall send to the State Superintendent of Public Education by certified mail the decision of the New Mexico Activities Association's review authority; the record of the hearing before the review authority, including any exhibits admitted into evidence before the review authority, and the document evidencing the date on which the decision of the review authority was mailed to the aggrieved party.
- D.** The Secretary of Public Education may appoint a state Administrative Review Panel consisting of members selected by the State Education Agency to review the decision of the New Mexico Activities Association. No person who participated in the New Mexico Activities Association grievance and appeal procedures shall serve on the State Administrative Review Panel.

The State Administrative Review Panel shall provide a recommended decision to the Secretary of Public Education within twenty-five (25) calendar days of the filing of the request for state administrative review.

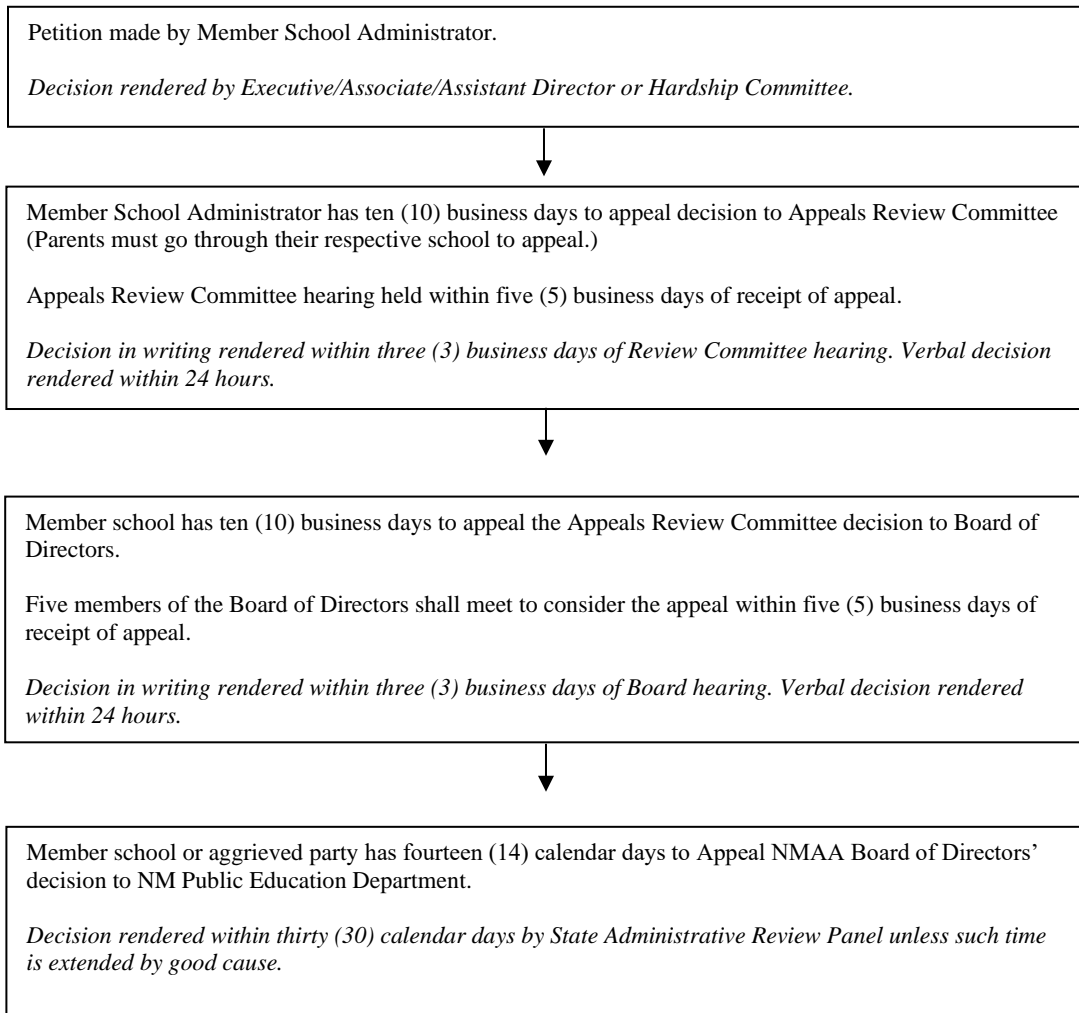
- E.** The review by the Secretary of Public Education and/or the Administrative Review Panel shall be on the record and shall be limited to the questions raised in the hearing before the New

Mexico Activities Association's review authority and set forth in the request for state administrative review.

- F. The Secretary of Public Education shall issue a written decision within thirty (30) calendar days of the filing of the request for state administrative review, unless such time is extended by the Secretary of Public Education for good cause. Such written decision shall be sent to the parties by certified mail.

13.4 APPEAL PROCESS FLOWCHART FOR STUDENTS

STUDENT APPEAL PROCESS



School Appeal Process

Any decision or determination in which an employee or school is aggrieved.

Decision rendered by Executive Director.



Member school or aggrieved party has ten (10) business days to appeal the decision to the Board of Directors.

Five members of the Board of Directors shall meet to consider the appeal within five (5) business days of receipt of appeal.

Decision rendered within three (3) calendar days of Board hearing. Verbal decision rendered within 24 hours.



Member school or aggrieved party has fourteen (14) calendar days to Appeal NMAA Board of Directors decision to Public Education Department.

Decision rendered within thirty (30) calendar days by State Administrative Review Panel unless such time is extended by good cause.