Pequot Lakes School District

Free and Reduced-price Meals Fair Hearing Procedure for Households

When the school makes an initial meal benefit determination or change to a determination, households receive written notification. The notification informs the household of the meal benefit determined for your student(s) and the effective date of the meal benefit. If you disagree with the meal benefit determination, you have the right to appeal the decision. During the appeal and/or hearing process, meal benefits, which were determined on the face value of the application submitted, will continue to be received.

There are two levels to the appeal process:

1. **Appeals Conference**:
   The household may request an informal appeals conference to provide an opportunity to discuss the determination, clarify information provided on the Application for Educational Benefits, and receive an explanation of how the benefit determination was made. The Appeals Conference may be held in person, virtually, or by phone. Local Educational Agency (LEA) participants may include the determining official and/or School Nutrition Program Director. Based on the clarifying information provided, the determining official will re-determine the meal benefit. If the household is not satisfied with the results of the Appeals Conference, a Fair Hearing may be requested. Such a conference shall not in any way prejudice or diminish the right to a Fair Hearing.

2. **Fair Hearing:**
   A Fair Hearing is more formal and is conducted by a Hearing Official who was not involved with the meal benefit decision. Regulations require the hearing procedure to provide the following for both the household and the LEA.

   a. A simple, publicly announced method to make 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, any documents and records presented to support the decision under appeal
   d. An opportunity to present oral or documentary evidence and arguments supporting a position without undue interference

e. An opportunity to question or refute any testimony or other evidence and to confront and cross-examine any adverse witnesses
f. The hearing must be held with reasonable promptness and convenience, and adequate notice shall be given as to the time and place of the hearing
g. The hearing must be conducted and the decision made by a hearing official who did not participate in making the decision under appeal or in any previously held conference
h. The decision of the hearing official shall be based on the oral and documentary evidence presented at the hearing and made a part of the hearing record
i. The parties concerned and any designated representative shall be notified in writing of the decision of the hearing official
j. A written record shall be prepared with respect to each hearing, which shall include the challenge or the decision under appeal, any documentary evidence and a summary of any oral testimony presented at the hearing, the decision of the hearing official, including the reasons therefor, and a copy of the notification to the parties concerned of the decision of the hearing official
k. The written record of each hearing shall be preserved for a period of three years and shall be available for examination by the parties concerned or their representatives at any reasonable time and place during that period.

LEA Fair Hearing Procedure

Households must request an Appeals Conference or Fair Hearing within fourteen (14) calendar days of receiving the notice of benefit determination.

If the household is not satisfied with the results of the Appeals Conference, a Fair Hearing must be requested within fourteen (14) calendar days following the Appeals Conference.

An Appeals Conference and/or Fair Hearing request and scheduling can be made by emailing Superintendent Kurt Stumpf kstumpf@isd186.org.

The LEA will provide a notice with the date and time of the conference or hearing within 14 calendar days of receiving the request for an appeals conference or fair hearing.

A minimum of three (3) LEA staff will be present at each Appeals Conference and/or Fair Hearing. One staff person will be responsible for maintaining meeting minutes. The determining official may participate.

The appeal will be considered abandoned if:
- Households do not submit a request for a conference/hearing within 14 days of receiving the notice of benefit determination.
- Households or their authorized representative do not participate in the conference/hearing.

Within ten (10) calendar days of the fair hearing, households will be provided with written notification of the results of the hearing. The hearing official's decision is final.

The LEA will maintain records of all hearing requests, correspondence related to the hearing and the final decision for a minimum of three (3) years.

For questions regarding this procedure, please contact Food Service Director Patty Buell at pbuell@isd186.org or Superintendent Kurt Stumpf at kstumpf@isd186.org.

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