

**Illinois State Board of Education
Nutrition Programs
Procedures for an Administrative Review/Hearing
Child and Adult Care Food Program**

If the institution, responsible individuals, or responsible principals do not agree with an administrative decision made by the Illinois State Board of Education regarding the organization's participation in the Child and Adult Care Food Program (CACFP), the institution, responsible individuals, and responsible principals have the right to review that decision. The institution, responsible individuals, and responsible principals may either request to have:

- 1) The disputed records reviewed; or
- 2) An Administrative Hearing which the institution, responsible individuals, and responsible principals may attend in person; or
- 3) The disputed records reviewed and an Administrative Hearing which the institution, responsible individuals, and/or responsible principals may attend in person.

The following are the procedures and timelines for an Administrative Review:

- The institution, responsible individuals, and responsible principals must make a formal written request to have records reviewed and/or to have an Administrative Hearing within fifteen (15) calendar days from the date the institution, responsible individuals, and responsible principals receive our Notice of Action.
 - The institution, responsible individuals, and/or responsible principals submit their request to have records reviewed and/or to have an Administrative Hearing by mail to Nutrition Programs, Illinois State Board of Education, 100 North First Street, Springfield, Illinois 62777.
 - An Administrative Hearing will be held only if the institution, responsible individuals, and/or responsible principals specify they are requesting an Administrative Hearing when they submit a letter requesting a review of our administrative decision.
 - The State Superintendent of Education or his designee will act as the review official. The review official will be an independent and impartial officer. Although this individual may be an employee of the State Agency, he/she must not have been involved in the action that is subject to Administrative Review, or have direct personal or financial interest in the outcome to the Administrative Review.
 - The institution, responsible individuals, and responsible principals may retain legal counsel or be represented by another person.
 - The institution, responsible individuals, and responsible principals may contact the Administrative Review Official (ARO) directly if so desired.
- The State Superintendent of Education or his designee will act as the Administrative Review Official and acknowledge the receipt of the request for a records review and/or an Administrative Hearing within ten (10) calendar days.
- If the institution, responsible individuals, and/or responsible principals request a review of disputed records, the institution, responsible individuals, and/or responsible principals must submit the written documents to the Administrative Review Official. In order to be considered, the written documents must be filed with the ARO not later than thirty (30) calendar days after the institution, responsible individuals, and responsible principals receive our Notice of Action.

- Any information on which our action was based shall be available to the institution, responsible individuals, and responsible principals for inspection from the date our agency's Administrative Review Official receives the request for a records review and/or an Administrative Hearing.
- The institution, responsible individuals, and responsible principals will be notified by certified mail, with return receipt requested, at least ten (10) calendar days prior to the time and place of the Administrative Hearing.
- Failure by the institution, responsible individuals, and/or responsible principals to appear at a scheduled Administrative Hearing shall constitute the institution, responsible individuals, and/or responsible principal's waiver of the right to a personal appearance before the Administrative Review Official unless the Administrative Review Official agrees to reschedule the Administrative Hearing.
- A representative of the State Agency must be allowed to attend the Administrative Hearing to respond to the testimony of the institution, responsible individuals, and/or responsible principals and to answer questions posed by the Administrative Review Official.
- The Administrative Review Official shall make their determination based on information provided by this office, by the institution, responsible individuals, and/or responsible principals, Federal and State laws, and CACFP regulations, policies, and procedures.
- The Administrative Review Official will inform the institution, responsible individuals, and responsible principals of his/her decision regarding the issues addressed in the Notice of Action within sixty (60) calendar days of the institution, responsible individuals, and/or responsible principal's request to have records reviewed and/or to have an Administrative Hearing.
- The Illinois State Board of Education's action will remain in effect during the records review and/or Administrative Hearing process.
- The determination by the Administrative Review Official is the final administrative determination to be afforded to the institution, responsible individuals, and/or responsible principals.