



FURTHERING OUR COMMITMENT TO ENHANCING THE SAFETY OF ILLINOIS' STUDENT-ATHLETES AND COLLABORATING WITH OTHERS WHO SHARE THAT MISSION

ILLINOIS HIGH SCHOOL ASSOCIATION –  
BOARD OF DIRECTORS HEARING PROCEDURES

The Illinois High School Association hereby adopts the following procedures for any eligibility hearings conducted before it pursuant to Section 1.460 of the IHSA Constitution and By-Laws:

I. PRE-HEARING.

A. The student, school or other individual whose eligibility is at issue (the “Appealing Party”) shall first have received a ruling from the Executive Director pursuant to the authority granted under Section 1.460. The Executive Director’s ruling will state the nature of the issue and the By-Law(s) implicated. Claims not previously addressed by the Executive Director shall not generally be raised for the first time before the Board.

B. The member school shall submit the appeal request to the IHSA, regardless of whether the school is a participant in the appeal. In connection with the appeal request, the member school shall indicate to the IHSA whether it supports the appeal. In the event the member school fails or refuses to make an appeal request and such failure or refusal is documented, the Appealing Party may directly submit the appeal request.

C. Except in extraordinary circumstances, the Board Appeal shall be scheduled for the next regular meeting of the IHSA Board, at the IHSA’s offices in Bloomington.

D. The member school and/or Appealing Party may submit any additional written materials (including any written arguments) they wish the Board to consider in advance of the Board Appeal Hearing.

II. HEARING

A. The Appeal Hearing will be conducted by the Board, with the President of the Board presiding. One half hour is typically allotted for each Appeal Hearing, but if additional time is needed it will generally be accommodated.

B. Witnesses are not sworn, but are expected to be forthright and truthful.

C. Court reporters are not permitted. An audio recording of the proceedings will be made, and a copy is available from the IHSA for a small fee.

D. In addition to the Board, the Executive Director and members of the IHSA’s staff, the IHSA’s attorney and Board Liaisons may be present for the hearing. Due to the nature of the proceedings and because the IHSA is not subject to the Illinois Open Meetings Act, Board Appeal Hearings are not open to the public.

E. The Appealing Party may be represented by counsel at the Appeal Hearing and may be accompanied by their parent(s)/guardians and such other witnesses as he/she deems appropriate. The IHSA reserves the right to limit attendees to witnesses who the Appealing Party or the IHSA intend to have testify, representatives of the member school and other individuals having a genuine interest in the matter.

F. School representatives (including, but not limited to the Official Representative) are encouraged to attend all Appeal Hearings affecting their school, whether or not the school is an active participant in the appeal.

G. The Appeal Hearing will generally commence with the Executive Director introducing the Appealing Party (and any individuals accompanying them) and members of the Board. The Executive Director will briefly summarize the matter, identifying the by-law(s) implicated and the violations, and will then turn the Hearing over to the Board President.

H. The Board President will make a brief statement regarding the procedures to be followed, reminding the Appealing Party that the Board has had the opportunity to fully review all materials and to try to avoid repetition and duplication. The Appealing Party will then be invited to make its presentation.

I. The Appealing Party shall be permitted to present any evidence (including witness testimony) they deem pertinent to the Board's consideration. They shall be permitted to question any witnesses who are present and may present evidence by way of affidavit, letter, statement, records or other documentation. Strict rules of evidence shall not apply. Board members, IHSA staff and the Board's attorney may question witnesses. At the conclusion of the evidence, the Appealing Party will be permitted to summarize the evidence and present any oral or written argument they deem appropriate.

### III. POST-HEARING

A. The Board shall deliberate and decide all appeals in closed session. The Executive Director shall not participate in the deliberations or decision. The IHSA shall maintain minutes of all closed session deliberations.

B. In consideration and determination of an appeal, the Board may sustain, modify or overturn the Executive Director's decision, and may sustain, increase, decrease or otherwise modify any penalty for violation of any by-law or rule or take such other action as it finds appropriate.

C. In the event evidence not presented to the Executive Director is presented to the Board, additional evidence is requested by the Board, or it is represented that additional evidence not presented to the Executive Director or Board exists which would be pertinent to the determination of the issues, the Board may direct that such additional evidence be submitted to the Executive Director and that the matter be submitted to the Executive Director for reconsideration, taking into account such additional evidence. The Executive Director's determination following such reconsideration may be appealed to the Board under Section 1.460.

D. The Board's decision on any appeal shall be communicated, in writing, to the member school.