Appeal Procedures
Summer Food Service Program

You have the right to a hearing to appeal the administrative action cited in our letter. If you wish to exercise your right to a fair hearing, you must make a formal request.

- Mail your request to the State Superintendent of Education, Illinois State Board of Education, 100 North First Street, Springfield, Illinois 62777 within ten (10) calendar days from the receipt of the Notice of Action. The State Superintendent or his designee will act as the review official and acknowledge the receipt of the request for appeal within ten (10) calendar days. The review official will be an independent and impartial officer other than, and not accountable to, any person authorized to make decisions that are subject to appeal.
- You may refute the charges contained in the Notice of Action in person and by written documentation to the review official. In order to be considered, written documentation must be filed with the review official not later than seven (7) calendar days after submitting the appeal.
- You are allowed the opportunity to review any information upon which the action was based.
- You are allowed to refute the charges contained in the Notice of Action either in person or by filing written documentation with the review official. To be considered, written documentation must be submitted within (7) seven days of submitting the appeal, must clearly identify the State Agency action being appealed, and must include a photocopy of the Notice of Action issued by the State Agency.
- A hearing will be held by the review official in addition to, or in lieu of, a review of written information submitted only if you so specify in the letter appealing the action. You may retain legal counsel or may be represented by another person. Failure of your representative to appear at a scheduled hearing shall constitute your waiver of the right to a personal appearance before the review official, unless the review official agrees to reschedule the hearing. A representative of the State Agency shall be allowed to attend the hearing to respond to your testimony and written information and to answer questions from the review official.
- If you have requested a hearing, you shall be provided with at least five (5) days advance written notice, sent by certified mail with a return receipt requested, of the time and place of the hearing.
- The hearing will be held within fourteen (14) days of the date of the receipt of the request for review but, where applicable, not before written documentation is received.
- The review official will be independent of the original decision-making process.
- The review official will make a determination based on information provided by you, the State agency, and Program regulation 7CFR 225.13.
- Within five (5) working days after the hearing, or within five (5) working days after receipt of written documentation if no hearing is held, the reviewing official will make a determination based on a full review of the administrative record and inform you of the determination of the review by certified mail with a return receipt requested.
- The State Agency's action will remain in effect during the appeal process. However, participating sponsors and sites may continue to operate the Program during an appeal of termination, and if the appeal results in overturning the State Agency's decision, reimbursement shall be paid for meals served during the appeal process. However, such continued Program operation shall not be allowed if the State Agency's action is based on imminent dangers to the health or welfare of children. If the sponsor or site has been terminated for this reason, the State Agency shall so specify in its Notice of Action.
- The determination by the State review official is the final administrative determination to be afforded to you.