

I. Appeal Procedures

An athletic coach who has served in the same coaching position for three or more consecutive school years may appeal any such non-renewal or termination decision (except if such decision was due to cancellation of the sport) to the LEARN Board of Directors in accordance with the following procedures:

- A. The athletic coach must file a written appeal with the LEARN Board of Directors within ten (10) calendar days of the Executive Director/designee's written notification of non-renewal or termination. Such appeal shall set forth the basis on which the athletic coach seeks review of that decision, and must contain all relevant information that the athletic coach wishes to place before the Board in connection with his/her appeal, including any and all documents that may be relevant. A copy of the appeal shall be sent to the Executive Director/designee. Failure to submit a timely written appeal shall constitute a waiver of any appeal opportunity.
- B. Within a reasonable period of time of its receipt of a written appeal of the Executive Director's decision, the LEARN Board of Directors or a committee of the Board, as designated by the Chair, shall conduct a hearing to consider such appeal. Reasonable notice of the time and place for such hearing shall be issued to the athletic coach prior to the commencement of the hearing.

At the hearing, the athletic coach shall have the opportunity to present facts and evidence in support of renewal and/or reinstatement, and the Executive Director shall have the opportunity (but shall not be obligated) to present facts and evidence in support of the decision of non-renewal and/or termination. For good cause shown, the athletic coach may call a limited number of witnesses to testify, if there is a clear need for witnesses to present factual information (rather than simply expressing an opinion on the competence of the athletic coach). Cumulative or redundant testimony shall not be allowed.

- C. The decision of non-renewal or termination shall be affirmed unless the LEARN Board of Directors or designated committee determines that the decision is arbitrary and capricious. The coach shall bear the burden of proof on this point.
- D. Within a reasonable time following the hearing, the LEARN Board of Directors or designated committee shall issue a written decision, determining whether the Executive Director acted in an arbitrary and capricious manner in deciding not to renew and/or terminate. A copy of the Board or committee decision shall be provided to the coach.
- E. The decision of the LEARN Board of Directors or designated committee shall be final and binding and shall not be subject to any further appeal, or administrative challenges, including but not limited to, grievance or arbitration claims.