

**EXECUTIVE SUMMARY**

**Title:** Final Decisions in Contested Cases

**Type of Executive Summary:**

- Action
- Action on First Reading
- Discussion
- Information

**Policy Implications:**

- Constitution \_\_\_\_\_
- General Statute G.S. 115C-3, 150B-36
- SBE Policy \_\_\_\_\_
- SBE Policy Amendment
- SBE Policy (New)
- APA # \_\_\_\_\_
- APA Amendment
- APA (New)
- Other \_\_\_\_\_

**Presenter(s):** Mr. Harry Wilson (Staff Attorney, State Board of Education Office)

**Description:**

- A. Linda Ellis filed a petition for a contested case to challenge the agency’s failure to waive the repayment fee for the NBPTS program. The Administrative Law Judge granted her motion for summary judgment.
- B. Margaret Frances Handest filed a petition for a contested case to challenge the agency’s failure to waive the repayment fee for the NBPTS program. The Administrative Law Judge granted her motion for summary judgment.
- C. Darrell Wayne Purcell filed a petition for a contested case to challenge the agency’s failure to waive the repayment fee for the NBPTS program. The Administrative Law Judge granted his motion for summary judgment.

**Resources:**

NA

**Input Process:**

The administrative hearing process allows both parties to present evidence to an impartial fact-finder.

**Stakeholders:**

SBE, DPI, LEAs, Teachers

**Timeline For Action:**

The Final Decisions are presented for action on first reading this month.

**Recommendations:**

It is requested that the State Board of Education approve the Final Decisions prepared by staff.

-----  
**Audiovisual equipment requested for the presentation:**

- Data Projector/Video (Videotape/DVD and/or Computer Data, Internet, Presentations-PowerPoint preferred)  
Specify: \_\_\_\_\_
- Audio Requirements (computer or other, except for PA system which is provided)  
Specify: \_\_\_\_\_
- Document Camera (for transparencies or paper documents – white paper preferred)  
\_\_\_\_\_

-----  
 Motion By: \_\_\_\_\_ Seconded By: \_\_\_\_\_  
 Vote: Yes \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_  
 Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Postponed \_\_\_\_\_ Revised \_\_\_\_\_  
 -----

\*Person responsible for SBE agenda materials and SBE policy updates: Harry Wilson, 807-3406