

**EXECUTIVE SUMMARY**

**Title:** Final Decision in Contested Case: Forrister v. DPI

**Type of Executive Summary:**

- Action
- Action on First Reading
- Discussion
- Information

**Policy Implications:**

- Constitution \_\_\_\_\_
- General Statute #150B-36
- SBE Policy # \_\_\_\_\_
- SBE Policy Amendment
- SBE Policy (New)
- APA # \_\_\_\_\_
- APA Amendment
- APA (New)
- Other \_\_\_\_\_

**Presenter(s):** Mr. Thomas J. Ziko (Special Deputy Attorney General)

**Description:**

Mr. Forrister filed a petition for a contested case to challenge the Department’s decision to deny his request for graduate level pay. The Administrative Law Judge ruled in favor of Mr. Forrister finding that the policy on which the denial was based is invalid since it has not been through rule-making.

**Resources:**

NA

**Input Process:**

The administrative hearing process allows each party to present evidence to an impartial fact-finder.

**Stakeholders:**

SBE, DPI, LEAs, Teachers

**Timeline For Action:**

The recommended final decision is presented for action on first reading.

**Recommendations:**

The State Board is requested to adopt the Final Decision presented by the Office of the Attorney General.

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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)

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 Motion By: \_\_\_\_\_ Seconded By: \_\_\_\_\_  
 Vote: Yes \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_  
 Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Postponed \_\_\_\_\_ Revised \_\_\_\_\_  
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\*Person responsible for SBE agenda materials and SBE policy updates: Kathy Sullivan, 807-3608