



**Iowa Statewide Interoperable Communications System (ISICS)
Standards, Protocols, Procedures**

Standard Name:	The Appeal Process for Decisions on Non-Compliance		Date Created:	06-19-2018	
Standard Policy #	7.3.0	Section Title:	Compliance & Conflict Resolution	Status	Approved
Approval Authority:	ISICSB		Adopted:	6/19/18	Reviewed: 6/13/2019

1. Purpose or Objective

The purpose of this standard to describe the process by which a decision of the owner agency, Governance or the Iowa Statewide Interoperable Communications Systems Board (ISICSB) under State Standard 7.2.0 may be appealed.

2. Technical Background

Capabilities

Constraints

3. Operational Context

The ISICSB is charged with setting standards and determining protocols and procedures for the smoothest possible operations between and among users of the ISICS Platform. Access to the ISICS Platform is completed via an application process and adherence to Standards upon approval and continued compliance. It is understood that access to the ISICS Platform is a privilege and not a right.

4. Recommended Protocol/ Standard

All approved participants of the ISICS platform, at any level, have the ability to appeal a procedure or decision set forth by the Governance Committee and the ISICSB.

5. Recommended Procedure

Step 1: APPEAL

The Appeal Process
State Standard 7.3.0
ISICSB Approval: 6/13/2019

- In the event of a dispute regarding the outcome of non-compliance procedure under State Standard 7.2.0, an aggrieved party may file a written appeal to the ISICSB Chair, Vice Chair and SWIC to reverse recommendations or sanctions within 30 days of issuance of directives or sanctions.
- Within ten days of receiving a request for appeal, the ISICSB shall provide notice of the request to all interested parties and set a date for an appeal hearing by the full ISICSB within 45 days. The sanction may be stayed depending on the level of severity of the alleged non-compliance pending the outcome of the appeal.

DECISION –The ISICSB, after a hearing on the matter, shall issue a decision regarding the dispute within 60 days and transmit the Decision to all parties involved. Unless a request for mediation by an aggrieved party is received within 30 days, the action called for shall be implemented in accordance with the Decision. Copies of the Decision will be mailed the aggrieved party and interested parties, as well as the ISICSB Chair.

Step 2: MEDIATION

- If a dispute between an aggrieved party and the ISICSB is not satisfied by Step 1 (above), an aggrieved party may file a written request for mediation with the ISICSB Chair, Vice Chair and SWIC. This may be filed at any time prior to a deadline for action or within 30 days of the Decision.
- Within ten days of receiving a request for mediation, the ISICSB shall provide written notice of the request for mediation to all interested parties. The ISICSB shall also provide a list of neutral parties experienced in the ISICS system, public safety, and public service issues. Within 30 days, the affected parties shall select a mediator from the list of neutrals, or someone else mutually acceptable to all parties, and submit to mediation for a period of 30 days.

If the parties are not able to mutually select a mediator, a mediator will be selected by the ISICSB representative in Attorney General’s Office.

- Any cost incurred throughout this process will be shared equally by all involved parties.

DECISION – The mediator will assist the parties in their attempt to achieve a negotiated agreement.

If no agreement is reached, the ISICSB’s previous sanctions, directives, or findings in the Decision will remain in effect.

The ISICSB Chair will maintain a master schedule and calendar for each event to ensure timely response. These will be posted to the ISICSB calendar that is publicly viewable online unless extenuating circumstances dictate confidentiality.

6. Management

The ISICSB Chair, acting on behalf of the ISICSB, will manage this process.

The Appeal Process

State Standard 7.3.0

ISICSB Approval: 6/13/2019