



## **New York State Training and Technical Assistance Professional Credential Professional Development Specialist**

### **1. Appeal Process**

The appeal process has been established to ensure that the New York State Training and Technical Assistance Professional Credential for the Professional Development Specialist review process has been administered correctly. The Appeals Panel will only review and address issues raised by the candidate that meet one or more of the appeal criteria. Should the panel determine that none of the issues raised by the candidate meet the appeal criteria, the appeal request will be denied and the matter will be considered closed.

#### **A. Appeal Criteria**

1. Must be received within 30-days of denial notification
2. Must be written
3. A legitimate appeal should provide evidence that, when rendering a decision, the T-TAP program or reviewers did not follow its established policies and/or procedures; and/or made a substantive error, such as a factual error, mistake, or misinterpretation. In addition, the candidate should provide evidence that the T-TAP error or T-TAP's failure to follow its established policies and/or procedures affected the outcome of the candidate's credential decision.
4. The appeal may not include new information that the candidate had the opportunity to provide previously or changes to the portfolio that occurred after the T-TAP Reviewer's decision.

#### **B. Non-Appealable Issues**

1. Dissatisfaction with the decision is not sufficient grounds for an appeal.
2. Code of Ethics Violation
3. Suspension or revocation of licensing or trainer status by the Office of Children and Family Services, SUNY Professional Development Program or any other partnering agency

### **1.1 Appeal Initiation**

Appeals may be initiated by the candidate only.

The candidate has the right to submit a written request for an appeal to the NYSELTC Credential Review Panel within (30) calendar days from the date of the determination letter (weekends and holidays are included). Emailing or faxing the appeal letter to the NYSELTC Review Panel usually assists in expediting the appeal decision process. A NYSELTC Review Panel staff member will confirm receipt of the appeal letter within 2 business days of receipt. Appeals received more than 30 days after the decision date will not be reviewed.

The written appeal must contain a clear statement of the procedural or policy violation(s) upon which the appeal is based, along with a factual account of the circumstances involved. This means only specific documented facts should be stated. Although many programs find that they are able to provide a summary of their appeal in 1-2 typed pages, an appeal letter may be up to 5 pages. If the appeal letter exceeds the 5 page limit, information beyond the fifth page will *not* be considered.

#### **Appeals must be sent to:**

New York State Association for the Education of Young Children  
New York State Training and Technical Assistance Professional Credential Program  
230 Washington Avenue Extension  
Albany, NY 12203  
Phone: (518) 867-3517

Fax: (518) 867-3520

Email: [credentials@nysaeyc.org](mailto:credentials@nysaeyc.org)

### **1.2 Reviewing The Appeal**

The Credential Review Panel is responsible for reviewing appeals and rendering appeal decisions. NYSAEYC staff members black out all personal identifying information before providing the candidate's appeal letter, factual summary, and related documents from the candidate's T-TAP file to the Credential Review Panel.

Appeals are typically reviewed in the calendar month following the date that the appeal is received.

The Credential Review Panel may request additional factual information about the appeal from NYSAEYC, the T-TAP Reviewers, and/or the candidate. NYSAEYC staff members are available to assist the Credential Review Panel with questions.

### **1.3 Accountability**

The Credential Review Panel is an independent body of early education experts with knowledge of NYSAEYC Credentialing Programs that ensures the equity, integrity, and accountability of the credentialing system. Each appeal is handled equitably throughout the appeal process.

### **1.4 Conflict Of Interest Policy**

Credential Review Panel members are required to disclose for himself/herself and members of his/her immediate family the existence of any actual or pending employment, appointment, activity, relationship, or other position which may be of divided interested with the candidate or its appeal under consideration; or the existence of any actual or pending investment, contract, conveyance, purchase, sale or other transaction directly or indirectly involving or affecting such persons and which might involved a real or potential conflict with the interest of program or its appeal under consideration. If a conflict of interest is disclosed between a Credential Review Panel member and a candidate or its appeal, the Credential Review Panel member will not participate in the appeal decision process for that candidate.

Conflict of interest is defined as when a relationship exists between the Credential Review Panel member and the candidate's appeal that might compromise the objectivity and reliability of the Credential Review Panel member's review of the candidate's appeal. This would include but not necessarily be limited to employee/employer relations, family or close friendship relations, any evaluative or consultative capacity, and/or board member representation.

### **1.5 Appeal Decision**

After a detailed review of the program's appeal letter, factual summary, and related documents from the candidate's T-TAP file, the Credential Review Panel determines the outcome of the appeal by majority vote. The following are possible outcomes of the appeal:

1. Uphold the T-TAP Reviewer decision,
2. Overturn the T-TAP Reviewer decision, with additional verification (such as an additional portfolio review) required at the candidate's expense,
3. Overturn the T-TAP Reviewer decision, with a revisit required at NYSAEYC's expense, or
4. Overturn the T-TAP Reviewer decision.

The Credential Review Panel communicates the outcome of the appeal to NYSAEYC staff members.

### **1.6 Notification Of Decision**

The candidate will receive the Credential Review Panel's decision through email *approximately* 90 calendar days after the candidate's receipt of their credential decision. The appeal decision letter is sent via postal service within 10 business days following the decision.

**The Credential Review Panel's decision is final.**