

## **Personnel -- Certified**

### **Grievance Procedure – Title IX**

#### **Informal Appearance of Staff Member Before the Board**

The following procedure is adopted for granting an “informal appearance” before the Board of Education to a staff member:

##### **1. Purpose of Informal Appearance**

The purpose of granting an informal appearance before the Board of Education to the staff member is to provide that member with an opportunity to dissuade the Board from its determination not to offer reemployment.

##### **2. Procedure**

- A. A timely written request must be made by the staff member for a written statement of reasons within thirty (30) calendar days from the receipt of the Board's written notification of failure to renew employment.
- B. The Board of Education must present a written statement of reasons to the staff member within fifteen (15) calendar days of its receipt of the formal request for said reasons.
- C. The staff member, having requested and received a written statement of reasons, must make a timely request for an appearance before the Board of Education; “timely” to be interpreted to mean that the request must be made within ten (10) calendar days and the appearance scheduled within thirty (30) calendar days from the receipt of the requested statement of reasons.
- D. The staff member's informal appearance before the Board of Education is not an adversary proceeding.
- E. The proceeding is not intended to be protracted. The Board of Education will find it necessary to exercise discretion regarding the reasonable length of time of the proceeding, depending upon specific circumstances in each instance.

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**Informal Appearance of Staff Member before the Board** (continued)

- F. The individual staff member must receive adequate written notice of the date and time when the informal appearance is scheduled.
- G. The staff member may be represented by counsel or an individual of the staff member's own choice before the Board of Education, and may present witnesses on his/her behalf.
- H. Such witnesses need not present testimony under oath, and should not be cross-examined by the Board of Education.
- I. Witnesses should be called into the meeting to address the Board of Education one at a time and should be excused from the meeting after making their statements.
- J. If the Board of Education has refused employment for proscribed reasons (i.e., race, color, religion, etc.) or in violation of constitutional rights, such as free speech, or if the Board of Education was arbitrary, capricious or abused its discretion, and the staff member is able to prove allegations, then the staff member may file a Petition of Appeal before the appropriate judicial body which will result in a full adversary proceeding.