

	Huron School District #2-2	Code:
	Policies and Regulations	AEA Contested Hearings

Contested Hearings

The Board may be required to assume a judicial role to ensure adherence to district policy. All contested matters will be heard in a fair and impartial manner, and the Board will resolve all disputes. All contested hearings shall adhere to the procedures outlined in this policy.

HEARING

- Hearings involving personnel and students are closed to the public.
- Requests for hearings to be conducted in open session will be considered by the Board.
- A verbatim record of the hearing will be made.
- Closed hearing records will be sealed pending a determination of the Board.

CONDUCT OF THE HEARINGS

- The Board shall appoint a school Board member or a person who is not an employee of the school district as the hearing officer.
- Each party may be represented by an attorney.
- Each party may make an opening statement.
- The complainant/petitioner shall present its case first.

WITNESSES

- All witnesses must take an oath or affirmation of truth.
- Witnesses may be present only when testifying.
- Each party may present, examine and cross-examine witnesses.
- The hearing officer may ask questions of witnesses and may allow other school Board members to question witnesses.

EVIDENCE

- Each party may introduce evidence.
- All relevant evidence must be admitted.
- Unproductive or repetitious evidence may be limited by the hearing officer.
- Each party may raise objections. The basis for the objection must be stated.
- Each party may make a closing statement.

DELIBERATION

- After the hearing, the school Board shall continue to meet in executive session for deliberation.
- No one other than the hearing officer may meet with the school Board during deliberation.
- The school Board may seek advice during deliberation from its legal counsel.
- Consultation with any other person during deliberation may occur only if representatives of the parties are present.

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DECISION

- The decision of the Board must be based solely on the evidence presented at the hearing and must be formalized by a motion made in open meeting.
- For closed hearings, the motion must omit the names of the parties.
- The Board shall notify the parties in writing of its decision.