

504.01R2 Establishing a Hearing

Friday, August 11, 2023

ESTABLISHING A HEARING AND SELECTING A HEARING OFFICER FOR LONG-TERM SUSPENSION AND EXPULSION HEARINGS

The hearing examiner's report and recommendations shall be reviewed by the superintendent of schools and by the board of education if appealed. The superintendent of schools and board of education may change or reduce the penalty but may not increase it.

The Hearing Examiner

The hearing examiner shall:

- I. Be any person (including any school employee) who A. has not brought the charges. B. will not be a witness. C. has no involvement in the charge.
- II. Be appointed by the superintendent of schools upon receipt of a written request for a hearing.
- III. Give written notice, within two (2) days of being appointed, the time and place of the hearing.
- IV. Set the hearing within five (5) days of the request, but may extend this time period for good cause.
- V. Not set the hearing on less than two (2) days' actual notice to the parties (without their consent).
- VI. Remain impartial.
- VII. Be available before the hearing to answer questions on the nature and conduct of the hearing.

VIII. Request legal counsel to be present at the hearing if he or she deems it advisable. The hearing examiner may be advised by legal counsel in the conduct of the hearing.

IX. Exclude the student, if he or she deems it advisable, at times when the student's psychological evaluation or emotional problems are being discussed.

X. Be in charge of the hearing and exclude disorderly persons.