

BOARD HEARINGS/APPEAL PROCEEDINGS
(Appeals by Administrative Employees and Classified Non-Supervisory Employees)

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1. THE PRESIDENT OF THE BOARD OF EDUCATION SHALL CALL THE EXECUTIVE SESSION OF THE BOARD TO ORDER.
2. THE SECRETARY OF THE BOARD SHALL CALL THE ROLL.
3. THE SECRETARY OF THE BOARD SHALL READ THE NOTICE OF THE MEETING AND SHALL KEEP MINUTES OR A TAPE RECORDING OF THE MEETING. AT THE REQUEST OF EITHER THE ADMINISTRATION OR THE EMPLOYEE, IN ADDITION TO TAPE RECORDING, THE HEARING MAY BE RECORDED BY OTHER MEANS, INCLUDING BY A COURT REPORTER. SHOULD SUCH A REQUEST BE MADE, THE PARTY MAKING THE REQUEST SHALL BE RESPONSIBLE FOR PAYMENT.
4. THE EMPLOYEE MAY BE REPRESENTED AT THE HEARING BY AN ATTORNEY-AT-LAW OR BY ANOTHER EMPLOYEE OF THE DISTRICT IF S/HE WISHES. HOWEVER, THE EMPLOYEE MUST NOTIFY THE ADMINISTRATION, IN WRITING, THROUGH THE SUPERINTENDENT, OF HER/HIS INTENTION TO HAVE AN ATTORNEY REPRESENT HER/HIM AT THE HEARING, AT LEAST SEVEN (7) CALENDAR DAYS PRIOR TO THE SCHEDULED DATE OF THE HEARING. IF S/HE DOES NOT GIVE TIMELY NOTICE TO THE SUPERINTENDENT, S/HE WILL BE BARRED FROM HAVING AN ATTORNEY REPRESENT HER/HIM AT THE HEARING.
5. THE PRESIDENT SHALL ASK THE SUPERINTENDENT OF SCHOOLS OR DESIGNEE TO GIVE A BRIEF OVERVIEW OF THE CASE AND SUCH AN OVERVIEW SHALL THEN BE GIVEN. AT THE OPTION OF THE EMPLOYEE, S/HE OR DESIGNEE, MAY THEN GIVE A BRIEF OVERVIEW OF THE CASE FROM HER/HIS PERSPECTIVE.
6. THE SUPERINTENDENT OR DESIGNEE SHALL THEN PRESENT WHATEVER EVIDENCE S/HE CHOOSES IN SUPPORT OF THE ACTION THE ADMINISTRATION HAS TAKEN OR RECOMMENDED. AFTER THIS IS DONE, THE EMPLOYEE, OR DESIGNEE WILL HAVE THE OPPORTUNITY TO PRESENT WHATEVER EVIDENCE S/HE CHOOSES IN SUPPORT OF HER/HIS POSITION.

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7. AFTER BOTH SIDES HAVE PRESENTED THEIR CASE TO THE BOARD, THE BOARD MAY ASK SUCH QUESTIONS AS IT WISHES OF ANY PERSON PRESENT AT THE HEARING. THE BOARD MAY ALSO ASK THAT ANY EMPLOYEE OF THE DISTRICT (SUCH AS A SUPERVISOR OR DIVISION HEAD) BE PRESENT IN ORDER TO ANSWER ITS QUESTIONS ABOUT THE MATTER.
8. THE BOARD SHALL HAVE THE POWER TO LIMIT THE INTRODUCTION OF EVIDENCE WHICH IS NOT, IN THE OPINION OF THE BOARD, RELEVANT TO THE ISSUES BEFORE IT, WHICH IS INFLAMMATORY OR WHICH IS REPETITIVE. THE BOARD SHALL ALSO HAVE THE POWER TO ALLOW THE DISTRICT TO PRESENT REBUTTAL EVIDENCE AND THE EMPLOYEE TO PRESENT EVIDENCE IN RESPONSE TO THE DISTRICT'S REBUTTAL.
9. AFTER BOTH THE ADMINISTRATION AND THE EMPLOYEE HAVE PRESENTED THEIR CASES, THE BOARD SHALL RECESS INTO EXECUTIVE SESSION WHERE IT WILL DELIBERATE ON THE ISSUE OF WHETHER THE ACTION TAKEN BY THE ADMINISTRATION SHOULD BE REVERSED. THE BOARD MAY DECIDE TO UPHOLD THE ACTION TAKEN BY THE ADMINISTRATION, REVERSE THE ACTION OR MODIFY THE ACTION. THE BOARD MAY EITHER ANNOUNCE ITS DECISION TO THOSE PRESENT AT THE HEARING IMMEDIATELY, OR IT MAY TAKE THE MATTER UNDER ADVISEMENT.
10. THE PRESIDENT SHALL ADJOURN THE MEETING.
11. IF THE BOARD HAS TAKEN THE MATTER UNDER ADVISEMENT, THE EMPLOYEE SHALL BE NOTIFIED IN WRITING OF THE DECISION OF THE BOARD WITHIN 10 WORK DAYS AFTER THE REVIEW HEARING, REGARDLESS OF THE TIME OF THE BOARD'S DECISION. IF THE BOARD DETERMINES THAT THE ACTION TAKEN BY THE ADMINISTRATION SHOULD BE UPHELD, IT SHALL BE A SIMPLE, STRAIGHTFORWARD STATEMENT SO NOTIFYING THE EMPLOYEE IN WRITING. IF THE BOARD DETERMINES THAT THE ACTION TAKEN BY THE ADMINISTRATION SHOULD BE REVISED OR MODIFIED, IT SHALL NOTIFY THE

AURORA PUBLIC SCHOOLS
Adopted July 1997 and May 1983
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APS Code: BEE

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EMPLOYEE AND THE SUPERINTENDENT OF SCHOOLS BY WRITTEN NOTICE
THAT STATES WHAT CORRECTIVE ACTION SHALL BE TAKEN.

CROSS REFS.: GBK-R, Staff CLASSIFIED Concerns/Complaints/Grievances

 GCOC, Evaluation of Administrative AND PROFESSIONAL/TECHNICAL
 Staff

 GDQD-R, Discipline, Suspension and Dismissal NONLICENSED
 ADMINISTRATORS AND PROFESSIONAL TECHNICAL EMPLOYEES

 GDQF, DISCIPLINE, SUSPENSION AND DISMISSAL OF CLASSIFIED
 EMPLOYEES