

McGUFFEY SCHOOL DISTRICT

SECTION: LOCAL BOARD PROCEDURES

TITLE: PERSONNEL HEARINGS

ADOPTED: February 7, 2002

REVISED: April 19, 2012

003.1. PERSONNEL HEARINGS

Section 1. Purpose

The School Board shall adjudicate all personnel hearings fairly and impartially and shall not create the appearance of bias.

This policy shall not apply to allegations of wrongdoing, incompetency, or improper conduct of the Superintendent.

Section 2. Investigation

The School Board shall not participate in the investigation of alleged wrongdoing, incompetency, or improper conduct by any employee. Instead, the Superintendent shall be required to investigate or cause the investigation of such wrongdoing, incompetency, or improper conduct as may be warranted by the circumstances.

If any Board member learns of information relating to alleged wrongdoing, incompetency, or improper conduct, the Board member shall advise the Superintendent and shall not take other action to investigate or prosecute the matter.

To fulfill his/her responsibility to properly investigate alleged employee wrongdoing, incompetency, or improper conduct, the Superintendent shall be authorized, as s/he deems necessary, to:

- a. Retain counsel to assist in or to conduct the investigation and to advise the Superintendent.
- b. Retain such investigators as may be justified to assist in the investigation.

<p>SC 1127 2 Pa. C.S.A. Sec. 551 et seq</p>	<p>Section 3. <u>Statement of Charges</u></p> <p>Based upon the facts learned during the investigation and with the advise of counsel, the Superintendent shall determine whether a statement of charges in accordance with the School Code or a notice in accordance with the Local Agency Law shall be issued.</p> <p>In the event a statement of charges is issued in accordance with the School Code as a result of the decision of the Superintendent, the Board President and Secretary shall perform the ministerial act of signing the statement.</p> <p>Section 4. <u>Hearing/Adjudicatory Functions</u></p> <p>The School Board shall not perform any prosecutorial role in any personnel matter.</p> <p>The district solicitor shall advise the School Board with respect to its hearing and adjudicatory functions and shall act as hearing chairperson.</p>
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