

PROFESSIONAL STAFF EMPLOYMENT STATUS

Hearing Procedures

If a continuing contract teacher does not waive a hearing, pursuant to SDCL 13-43-6.1, after receiving notice by the Board of its determination not renew his/her contract, the hearing will be held at a time designated by the school board. A written notice of hearing must be provided on the form of notice found in GCPD-E.

At the hearing, either party may have counsel present. The board will determine whether or not the hearing should be held in executive session. It is recommended but not required that the administration and Board each have separate counsel and that a court reporter record the proceedings.

The Board's designated spokesman will begin the hearing by introducing the Board, counsel, party, etc., and by stating the purpose of the hearing.

The statements of reasons for nonrenewal should be given orally by the administration. These will be the same as the written reasons previously given, but they may be more specific.

The Superintendent will present the case for nonrenewal. Witnesses need to be sworn in. Both parties have the right to cross-examine.

The teacher will then present his/her case. Relevant evidence may include a prepared statement, which is read, witnesses, letter, etc.

Upon the presentation of both cases, the Board continues in executive session without the Superintendent, teacher, or administration counsel present. The Board's separate counsel, if any, may remain with the Board.

After weighing the evidence, the Board will reconvene in a public meeting. The Board's action must be by motion in the open session and should incorporate findings by reference of fact to be proposed by the Board's separate counsel.

Adopted 11/9/98

Revised 1/2009

WEST CENTRAL SCHOOL DISTRICT

