

Educational Support Personnel

Administrative Procedure – Educational Support Personnel - Suspensions

Suspension Without Pay

Actor	Action
Board or Superintendent	<p>Prior to a suspension without pay, the educational support employee will be notified of the charges by the Superintendent and have an opportunity to explain or rebut the charges at a meeting with the Superintendent. The educational support employee will be provided with a written notice of suspension that includes:</p> <ol style="list-style-type: none"> 1. The reason(s) for the suspension; 2. The date(s) and duration of the suspension; 3. How the employee may request a hearing; and 4. The employee’s rights to be represented at the hearing, present witnesses on his/her behalf, and cross-examine any witness who testifies against him/her.
Educational Support Employee	<p>If a hearing appealing the suspension without pay is desired, submit a written request to the Superintendent with five (5) calendar days of receipt of the notice of suspension.</p>
Board or Superintendent	<p>If a hearing is requested:</p> <ol style="list-style-type: none"> 1. Appoint a hearing officer, if desired. 2. Promptly schedule a hearing and give the employee written notification of its date, time, and place at least two (2) calendar days before the hearing. This notification shall set forth the procedure to be followed at the hearing as stated below. <ol style="list-style-type: none"> a. If the hearing is held before the Board, the hearing shall be in closed session. If the hearing is held before a hearing officer, the hearing will be closed to the public. b. The educational support employee may be represented by a person of the employee’s choice at his/her expense. c. The Administration and the employee may make short opening statements. d. The Administration shall present its evidence in oral or written form. e. After the Administration concludes its evidentiary presentation, the employee may present evidence to refute the charges orally or in writing. f. Each party shall be afforded an opportunity to cross-examine all witnesses who testify and to examine all written evidence presented. g. The Board or hearing officer, as applicable, may receive all relevant oral and written evidence without regard to the legal

	<p>rules of evidence, but shall consider the weight of the evidence in making a determination.</p> <p>h. The Administration and the employee may make closing statements at the conclusion of the hearing.</p> <p>i. The hearing may be recorded steno graphically or by tape at the direction of either party at its own expense. If either party makes a recording, the other party shall be offered an opportunity to purchase a copy of the transcript or to reproduce the tape.</p>
Board or Hearing Officer, and Educational Support Employee	<p>Participate in hearing.</p> <p>The hearing officer, if one was used, shall prepare a written summary of the evidence for the Board, and may include a recommendation regarding the suspension.</p>
Board	<p>Decide whether to uphold the suspension of the educational support employee. If a hearing officer was used, the Board may uphold, modify, or reverse the hearing officer's recommendation, if any. If the employee's suspension is not upheld, the Board shall determine whether the employee should be paid for any suspension days implemented prior to the Board's determination and whether the employee's personnel record shall be expunged of any notices or material relating to the suspension.</p>

Suspension With Pay

Actor	Action
Board or Superintendent	<ol style="list-style-type: none"> 1. Inform the educational support employee of the suspension with pay by written or oral notice, which shall specify the reasons for the suspension. If the notice is oral, give written notice as soon as reasonable. 2. Meet with the employee before the suspension to discuss the reasons for the suspension. If the Superintendent cannot, for reasonable cause, meet with the employee before the suspension, the Superintendent shall attempt such a meeting after the suspension begins. 3. Give the educational support employee written confirmation of the suspension as soon as reasonably possible.

ADOPTED: April 27, 2009