

**STAFF AND PERSONNEL
SERIES 400**

403.2

TITLE: DISMISSAL

The Board of Trustees of the Wilder School District shall have the power and duty to: suspend, grant leaves of absence, place on probation or discharge certified professional personnel for a material violation of any lawful rules or regulations of the Board of Trustees or of the State Board of Education, or for any conduct which could constitute grounds for revocation of a teaching certificate. Any certified professional employee, except the Superintendent may be discharged during a contract term under the following procedures:

- (a) The Superintendent or any other duly authorized administrative officer of the school district may recommend the discharge of any certified employee by filing with Board of Trustees written notice specifying the alleged reasons for discharge.
- (b) Upon receipt of such notice, the Board, acting through their duly authorized administrative official, shall give the affected employee written notice of the allegations and the recommendation of discharge, along with written notice of a hearing before the Board prior to any determination by the Board of the truth of the allegations.
- (c) The notice must be delivered to the teacher via certified mail or by hand at a time outside of class time, and proof of delivery must be obtained.
- (d) The hearing shall be scheduled to take place not less than six (6) days nor more than twenty-one (21) days after receipt of the notice by the employee. The date provided for the hearing may be changed by mutual consent.
- (e) The hearing shall be public unless the employee requests in writing that it be in executive session.
- (f) All testimony at the hearing shall be given under oath or affirmation. Any member of the Board, or the clerk of the Board, may administer oaths to witnesses or affirmations by witnesses.
- (g) The employee may be represented by legal counsel and/or by a representative of a local or state teachers' association.
- (h) The chairman of the Board or the designee of the chairman shall conduct the hearing.
- (i) The board shall cause an electronic record of the hearing to be made or shall employ a competent reporter to take stenographic or stenotype notes of all the

testimony at the hearing. A transcript of the hearing shall be provided at cost by the Board upon request of the employee.

- (j) At the hearing, the Superintendent or other duly authorized administrative officer shall present evidence to substantiate the allegations contained in such notice.
- (k) The employee may produce evidence to refute the allegations. Any witness presented by the Superintendent or by the employee shall be subject to cross-examination. The Board may also examine witnesses and be represented by counsel.
- (l) The affected employee may file written briefs and arguments with the Board within three (3) days after the close of the hearing or such other time as may be agreed by the affected employee and the Board.
- (m) Within fifteen (15) days following the close of the hearing, the Board shall determine and, acting through their duly authorized administrative official, shall notify the employee in writing whether the evidence presented at the hearing established the truth of the allegations and whether the employee is to be retained, immediately discharged upon termination of the current contract.

Legal Reference: 33-513
Revised: March 9, 1992