

**PROCEDURES FOR GRIEVANCE HEARING BEFORE
THE GOVERNING BOARD**

1. The Board President/designee shall be responsible for conducting the hearing, including the ruling on questions of evidence and procedures.
2. The following order of proceedings shall be followed:
 - a. Presentation by charging party
 - b. Appellant-cross
 - c. Presentation by appellant
 - d. Charging party cross
 - e. Rebuttal by each party
3. The employee shall have the right to personally appear and testify, to call and cross-examine witnesses.
4. Documentary and oral evidence shall be accepted so long as it conforms with that normally acceptable by reasonable and ordinary persons as being relevant, material and operational.
5. Hearsay evidence is admissible but will be given diminished weight unless it supports direct evidence.
6. Irrelevant or unduly repetitious evidence shall be excluded.
7. The charging party has the burden of proof and shall first present evidence and testimony.
8. The employee shall have the burden of going forward with mitigating evidence.
9. The decision shall be based solely on the facts and arguments presented.
10. Hearings will be recorded at the request of the parties or the hearing officer in advance.
11. Attendance of persons in a hearing shall be limited to persons having a direct interest in the hearing. The retirement of other witnesses may be required during the testimony of certain witnesses. The Board President shall deem as to whether any other person may attend hearings.

Results of Hearing

1. The Board may make its decision at the hearing, or take the matter under consideration for decision at a specified future time.
2. Where the Board, itself, upholds a disciplinary action, it shall state the facts found, and upon which its decision is based.
3. The Board's findings and decision shall be,
 - a. expressed in writing and a copy provided to the employee by first class mail,
 - b. effective when announced in public session, and
 - c. final and conclusive.

4. If the appeal of the employee is sustained, the Board shall order all such records pertaining to the charges not placed in the employee's personnel file.