

BOARD HEARING POLICY

The following policy is applicable to an employee non-renewal of contract, termination, or other situations, where a hearing before the RCC Board of Education is required or provided by law.

1. The Employee shall be notified in writing, if the pending action to non-renew, dismiss, or demote and shall have fifteen (15) days from the date of the notice to make a written request for a hearing before the Board. Upon written request from the Employee, the College will provide the Employee with a written copy of the reasons for the action, which shall provide the basis for the hearing.
2. The College President shall set a time and place for the hearing before the Board. The hearing shall not be less than ten (10) days; and, not more than sixty (60) days after written request for the hearing is received by the President from the Employee.
3. The Chair of the Board, or his/her representative, shall conduct the hearing.
4. At the time and place of the hearing, the following procedure shall be followed:
 - a. The administrator and/or his/her representative shall present the basis for the recommendation for action and may call witnesses and introduce documentary and evidentiary material.
 - b. The Employee may present testimony and witnesses and introduce documentary and other evidentiary materials as a defense.
 - c. The administrator and/or his/her representative may submit testimony or other evidence in rebuttal to matters submitted by the Employee.
5. Witnesses need not be sworn and must submit to cross-examination. For good cause shown, testimony of a witness who is unavailable for attendance at the hearing may be submitted and received in the form of an affidavit.
6. Documentary evidence must be an original or true copy thereof.
7. All testimony of the hearing shall be electronically recorded. A written transcript shall be prepared from the electronic record upon request at the expense of the party requesting the transcript.
8. Both side may be represented by an attorney or other representative of his/her choice.
9. All hearing before the Board of Education will be executive session, unless a public hearing is requested in writing by the Employee. Request of a public hearing shall constitute a waiver of confidentiality of all matters in the Employee's personnel file.
10. Following closing statements and conclusion of the hearing, the Board of Education shall take final action in public session, and the Board's decision in said matter shall be final.