

GUIDELINES FOR THE FILING OF A GRIEVANCE AGAINST AN IMPARTIAL HEARING OFFICERS OR THE CHIEF HEARING OFFICER

The following guidelines shall be implemented when any representative of the Office of the State Superintendent of Education (OSSE) receives a grievance against a hearing officer or the Chief Hearing Officer under contract with the Student Hearing Office (SHO).

1. A “grievance” shall be defined as any written allegation that a hearing officer or the Chief Hearing Officer has engaged in inappropriate conduct of such significance that if found to be valid it would warrant consideration of discipline or sanction. Any person making such an allegation verbally will be requested to reduce it to writing. Such inappropriate conduct shall not be deemed to include a ruling, decision or other action taken by the hearing officer during the course of the hearing process which a party could challenge on appeal, and if the party did so, could provide all the relief appropriate to address the alleged improper conduct.
2. Any grievance shall be promptly referred to the Chief Hearing Officer (CHO), unless the grievance is against the CHO, in which case the grievance shall be referred to the independent evaluator of the CHO (who shall thereafter handle the matter as if the CHO under these guidelines utilizing the Evaluation Work Plan for the CHO).
3. The CHO shall review the situation underlying the grievance by initially interviewing the complainant, then the hearing officer and thereafter taking such other steps as the CHO deems necessary, if any, to determine whether the hearing officer engaged in the alleged inappropriate conduct. If the CHO finds the hearing officer did engage in inappropriate conduct, the conduct shall be addressed in accordance with the provisions of the Evaluation Work plan for Hearing Officers, which includes various possible sanctions.
4. The CHO shall advise the grievant in writing when the review of the grievance has been completed and that any conduct found inappropriate is being addressed with the hearing officer in accordance with the Evaluation Work Plan.

7/2009