

Request to Place an Item on the AgendaName: Camille Dillingham

Address: _____

Telephone number: _____

Name of school children attend, if applicable: _____

Group represented: _____

Check if request was submitted to: ☐ Superintendent ☒ Board ChairpersonConferred with following administrators (names): Ed Oyler

Description of Issue: _____

See attached.Specific Action Requested: The Board will appoint Kim Justice to serve on Todd County Certified Appeals panel.Check if you are: ☐ Board Member ☐ District Employee ☐ Community Member

All requests for items to be placed on the agenda must be submitted to the Superintendent prior to the Board meeting as specified in Board Policy 01.45. Items submitted shall require prior approval of the Superintendent.

Review/Revised: 3/13/06

Appeals Process

POLICY STATEMENT ON LOCAL APPEALS PANEL
AS REQUIRED BY KRS 156.557(9) and 704 KAR 3:370(17)

INTRODUCTION

The State Legislature amended KRS 156.101 (11) to read as follows:

The local board of education shall establish an evaluation appeals panel for certified personnel, which shall consist of two (2) members elected by the certified employees of the district and one (1) member appointed by the board of education who is a certified employee of the board. Certified employees who feel that they were not fairly evaluated may submit an appeal to the panel for a timely review of their evaluation.

LENGTH OF TERM

The beginning date shall be July 1 and the ending date shall be June 30. If an appeal is pending at the end of a panels term, said appeal shall be completed by that panel.

ELECTION OF APPEALS PANEL MEMBERS

The election of two members of the Appeals Panel by certified staff shall be accomplished by using the following process:

1. The Superintendent or designee, shall appoint two certified people to serve as election officers to conduct the process.
2. By the first day of September the election officers, using a nomination form, shall seek nominations of persons whose names will be placed on a ballot unless the nominee(s), when contacted, indicate(s) otherwise.
3. Ballots shall be prepared by the election officers and distributed to each certified staff member. Elections shall be by secret ballot. Elections shall be completed and ballots counted by the election officers on or before September 15th of each year. The two persons receiving the highest number of votes respectively shall serve on the panel. The two persons receiving the next highest number of votes respectively shall serve as alternates. The election officers shall certify the results to the Superintendent.
4. The chairperson of the panel shall be the certified employee appointed by the Board.

APPOINTMENT OF CERTIFIED STAFF MEMBERS TO APPEALS PANEL

Upon the recommendation of the Superintendent, the Board shall appoint one appeals panel member at the regular June Board meeting.

PROCEDURES FOR APPEAL AND TIMELINES

Any certified employee who believes that he or she was not fairly evaluated on the summative evaluation may appeal to the panel within Five (5) working days of the receipt of the summative evaluation. The certified employee may review any evaluation material related to him/her. Both the evaluator and the evaluatee shall be given the opportunity to review documents to be given to the hearing committee reasonably in advance of the hearing and may have representation of their choosing.

The panel shall present their findings within 15 calendar days after the appeal is officially filed with them to the Superintendent. The findings of the panel are advisory in nature.

The panel's review shall determine whether or not the evaluation has a factual basis. This means that if facts exist on which the evaluator could reasonably base his/her decision, then the Appeals Panel cannot find the conclusion in error merely because they would prefer a different result. The evaluatee or appealing employee would have the burden of proof and shall be required to submit proof to the panel that would compel the panel to find that the evaluation was not factually based.