

0133 ADJUDICATION OF DISPUTES

The Board of Education may assume jurisdiction over any dispute or controversy arising within this school district and concerning any matter over which authority has been vested in the Board by statute, rule of the State Board of Education, or a contract or policy of this Board.

The Board may hold hearings that will offer the parties to a dispute, on notice duly given, a fair and impartial forum for the resolution of the matter.

Beyond the basic requirements of due process a hearing will vary in form and content as dictated by the severity of the consequences that may flow from the Board's determination, the degree of difficulty of establishing findings of fact from conflicting evidence, and the impact of the Board's decision on the school district.

Regulations for the conduct of adjudicatory hearings of the Board shall be prepared as guidelines for those who may be heard by the Board. The conduct of adjudicatory hearings for certain specific disputes and controversies prescribed by State statutes, regulations, policies and regulations of this Board shall govern the adjudication of those disputes. For those disputes or controversies for which there are no State statutes, regulations, policies or regulations of this Board that prescribe specific procedures for the conduct of adjudicatory hearings, the following shall apply:

1. The proceeding before the Board shall not be an adversarial proceeding. The purpose of the proceeding shall be to provide the Board members the opportunity to reject or modify the decision being challenged or appealed.
2. The Board shall exercise discretion in determining a reasonable length of time for the proceeding, depending upon each instance's specific circumstances.
3. The Board shall provide adequate written notice regarding the date and time of the proceeding.
4. The party(ies) may be represented by counsel.
5. The party(ies) may present on their behalf witnesses who do not need to present testimony under oath and shall not be cross-examined by the Board. Witnesses shall be called one at a time into the proceeding to address the Board and shall be excused from the proceeding after making their statements.
6. The Board shall notify the party(ies) in writing of its final determination. The Board may delegate notification to the Superintendent of Schools or Business Administrator.



BYLAWS

FRANKLIN LAKES BOARD OF EDUCATION

A decision of the Board may be appealed to the Commissioner of Education.

