

**SERIES 500  
PERSONNEL**

## Administrative Rule 527.2

## IMPARTIAL HEARING OFFICER SELECTION PROCEDURE

In the event an employee grievance related to employee discipline, termination, or workplace safety proceeds to a hearing before an impartial hearing officer, the District Administrator or designee shall identify an impartial hearing officer consistent with the following minimum requirements:

1. The hearing officer shall be (1) an attorney who is licensed to practice in the State of Wisconsin; (2) a current or former school administrator provided the person demonstrates to the satisfaction of the District Administrator sufficient familiarity with the procedures for conducting a fair and impartial hearing; or (3) such other individuals deemed qualified by the School Board provided that the Board, upon recommendation by the District Administrator, affirmatively approves such individual's alternative qualifications prior to the person serving as a hearing officer.
2. If the hearing officer is an attorney, that individual may not be an attorney who (or whose firm) represents the District.
3. The hearing officer shall not be an employee of the District.
4. Due to their background and experience, hearing officers may be identified based on their suitability to hear grievances over particular issues. For example, an individual may be deemed well-qualified to hear a grievance over a "workplace safety" issue, or perhaps well-suited for grievances other than a grievance over a workplace safety issue.
5. The hearing officer assigned to any pending grievance must be available to hear the case and render a decision in a timely manner. To the extent that the District has compiled a list of two or more potential impartial hearing officers who the District deems qualified to serve as a hearing officer with respect to any pending grievance, the District Administrator or designee may use a rotational system, random drawing, or similar system to identify the hearing officer who will be contacted first and asked about his/her availability. However, the failure to use such a system shall not be deemed error unless the individual selected as the hearing officer fails to satisfy the statutory requirement of impartiality.

Legal References: 2011 Wisconsin Act 10, Section 66.0509(1m) Wisconsin Statutes;  
Section 19.81-19.88 Wisconsin Statutes

Cross Reference: Marshall Education Association Agreement  
Board Policy 527 Employee Grievances

Administrative Rule 527.1 Grievance Procedures  
Administrative Exhibit 527.1 Employee Grievance Form

Date of Adoption: September 21, 2011

Date of Revision: