

02-0925-RU02

September 25, 2002

**AMEND BOARD RULE 6-29**

**~~CHALLENGES TO LOSS OF LOCAL SCHOOL COUNCIL ELIGIBILITY~~**

**~~505 DUE TO ETHICS VIOLATIONS~~**

ons Local

**Sec. 6-29. Challenges to Loss of Local School Council Eligibility for Due to Ethics Violati**

addition the Board may accept (b) Anonymous information regarding alleged members  
ethical violations; or (l) Knowledge or information of ethical violations by council members  
agents or employees.

eligibility based on et  
obtained by Board a

Investigation of Complaint Ethical Violations The Chief Fiscal Officer or designee shall

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present statements and evidence on his or her behalf and make a recommended finding to the Board  
Secretary as to whether the Local School Council member is in violation of the Code of Ethics or this Rule

from the Local School Council, within fifteen (15) days or as soon thereafter as  
or employees or anonymous sources shall be reviewed by the General Counsel. If the General Counsel  
determines that there is merit to the challenge or report, he/she shall refer the challenge or report to the  
Office of the Chief Executive Officer for investigation. The General Counsel shall review the results of the

challenge or report as revealed  
opportunity to personally present  
defined in writing of the date, time, and place of the hearing, of his or her right to  
of the specific provisions of this Rule as

tion of the Code of Ethics  
hearing officer shall forward  
officer's recommendations.

investigation. If the General Counsel determines that there is merit to the  
by the investigation, the concerned council member shall be afforded an o  
statements and evidence on his or her  
council member shall be noti  
hearing officer shall make findings whether (i) the council member is in viol  
on this Rule, and (ii) should be disqualified from the Local School Council. The he  
his/her findings to the Board's General Counsel, who will rule upon the hearing o

or designee shall forward  
to the affected local  
Council in writing by certified mail.

4. Notice of Declaration of Vacancy. The Secretary of the Board  
his/her determination to a permanent challenge and Local School Council

Declaration of Vacancy

member has been afforded a hearing pursuant to this Rule and the General Counsel  
has found that he or she should be disqualified from the Local School Council based upon a violation of the  
Code of Ethics or this Rule, the Secretary of the Board shall forward a Declaration of Vacancy to the  
to the council members  
effective on the date the

When a council m

concerned council member and Local School Council by certified and regular mail  
last known address and the school where he or she serves. The vacancy shall be  
to appeal within the time allowed; or (2) the concerned council member's appeal is denied.

caused by a determination  
The vacancy declared by the  
below is exhausted:

5. Declaration of Vacancy. Any vacancy on a Local School Council  
pursuant to this Board Rule shall be declared by the Secretary of the Board  
vacancy, however, shall not be filed until the appeal process outlined

Economic Interests shall only require

A vacancy declared for failure to timely file a Statement of E

served by certified mail.

Local School Council member to comply  
with the filing requirements of the Statement of Economic Interests. The challenged Local School Council  
member shall have ten (10) days from the date of service of the Notice of Intent to Disqualify to file the  
Statement of Economic Interests form. If said Council member does not file within ten (10) days of the  
service of intent to disqualify a vacancy shall be declared by the Chief Fiscal Officer.

If the council member fails to file a Statement of Economic Interests form within the time allowed, a vacancy shall be declared by the Chief Fiscal Officer.

Appeal Process

Within ten (10) days (20) days of receipt of the date of the Secretary's determination on appeal, the challenger of the challenged Declaration of Vacancy based upon a ruling by the General Council shall file with the Secretary a written appeal. The appeal shall state specific reasons or grounds for rescinding the General Council's prior determination. New evidence not readily available at the time that the challenge was filed may be submitted.

The Secretary of the Board shall forward the final determination shall be final and shall be forwarded to the complainant challenger, if any, the challenged Local School Council member and the school where he or she serves. The Secretary shall also forward the final determination to the complainant challenger, if any, the challenged Local School Council member and the school where he or she serves.

Statement of Economic Interests Filing Requirements

Failure to timely file a Statement of Economic Interests (hereinafter "Statement"), or failure to file

Notice of Declaration