



Potterville Public Schools

December Board Round-Up

On December 7, 2016, the Potterville Board of Education voted to proceed on tenure charges, discharging a tenured teacher from employment with the district.

The process for discharging a tenured teacher is dictated by the Michigan Teachers' Tenure Act, a state law. Prior to acting on the tenure charges, the District thoroughly investigates allegations and complaints against a teacher. In many situations, this investigation takes several months to complete, and the teacher may be placed on paid administrative leave during the time of the investigation. During the investigation, the teacher receives notice of the allegations against him or her and meets with the administration, with Association representation and/or legal counsel, to respond to the allegations. The administration then determines whether to recommend disciplinary action against the teacher.

Before the Board meets, the teacher receives a copy of the tenure charges and has the opportunity to respond to the charges either in writing or in person. The teacher is the only individual who can request to have the Board consider the charges in a closed session, without members of the public present. Once the teacher requests a closed session, the Board is not permitted to discuss the tenure charges in open session. While in closed session, the Board considers the allegations contained in the charges. The Board may review evidence such as documents, witness statements, emails, pictures, and video. The Board may also question the administration representatives about the investigation and the evidence that supports the tenure charges. The teacher is invited to address the Board in that closed session to respond to the allegations in the tenure charges. The teacher may request that the Board consider other evidence or witnesses on his or her behalf.

In this case, the Board asked the teacher to come into closed session to address the Board; the teacher declined.

On the evening of December 7th, the Board voted in open session, as required by Michigan's Open Meetings Act, to proceed on these tenure charges. The District anticipates that this decision will be appealed to the State Tenure Commission. According to the Teachers' Tenure Act, an impartial administrative law judge will hear the appeal and render an opinion regarding whether the Board's decision to discharge a teacher was arbitrary or capricious. The teacher has already requested a hearing that is closed to the public.

Throughout the entire process, the District regularly consults with legal counsel and provides the teacher with due process, as required by the Teachers' Tenure Act.

If you have any further questions regarding the Michigan tenure process generally, please contact the Superintendent. The District cannot discuss the factual allegations contained in the tenure charges out of respect for the privacy of the students involved and the teacher's due process rights.