

**CIVIL SERVICE RULES AND REGULATIONS
WILKES-BARRE CITY SCHOOL DISTRICT**

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CIVIL SERVICE RULES AND REGULATIONS
OF THE SCHOOL DISTRICT
OF THE CITY OF WILKES-BARRE

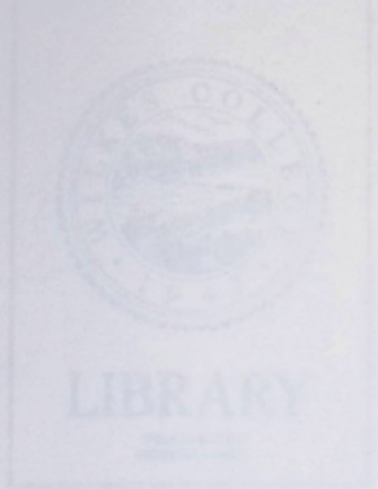
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ARTICLE I

GENERAL PROVISIONS

SECTION 1. Short Title. These rules shall be known and cited as the "CIVIL SERVICE RULES AND REGULATIONS OF WILKES-BARRE CITY SCHOOL DISTRICT" and these rules and any amendments thereto shall have the effect of law one week after their adoption.

SECTION 2. Purpose. These rules are promulgated to the Authority vested in the Board of Directors of the School District of the City of Wilkes-Barre under the Act of 1949 known as the "School Code" wherein inter alia the operation and administration of the district is solely within the discretion and authority of the Board. The primary intent herein is to establish a merit system of employment for non-professional employees of the School District and to achieve a more economical and efficient operation of the administrative departments of the School District. These rules shall be liberally construed in order to effectuate its purpose.

SECTION 3. Definition of Terms. Unless otherwise expressly stated, the following words and phrases wherever used in these rules and regulations shall be construed to have the meaning indicated herein:

Certification - The submission to the appointing authority (the Board of Directors of the School District of the City of Wilkes-Barre) of names taken from the eligible list.

Chairman - The Chairman of the Civil Service Commission of the Wilkes-Barre City School District.

Commission - Civil Service Commission of the Wilkes-Barre City School District.

District (School) - The School District of the City of Wilkes-Barre (a school district of the second class under the laws of Pennsylvania) which is the appointing authority.

Eligible - A person whose name is recorded on a current eligible or furlough list.

Eligible List - The lists of names of persons who passed any examinations for a particular position (other than professional employees) in the Wilkes-Barre City School District.

Furlough List - The list of persons who were laid off from positions in the School District because of a reduction in the number of employees of the School District.

Probationer - An employee in the District who has been appointed from any eligible list, but who has not yet completed his work test period.

Reduction in Rank - A change to a different position or rank which results in a decrease in salary; provided, however, that a decrease in salary without a change to a different position or rank shall not constitute a reduction in rank.

Removal - The permanent separation of an employee from employment with the School District.

Suspension - The temporary separation of an employee from a position with the School District.

Secretary - The Secretary of the Civil Service Commission.

School Secretary - The Secretary of the School District of the City of Wilkes-Barre.

ARTICLE II

THE COMMISSION

SECTION 201. Officers, Qualifications, etc.

The Civil Service Commission of the Wilkes-Barre City School District, on the second Tuesday of each December, shall elect one of its members as the Chairman, one Vice-Chairman and one as Secretary. Any person appointed as a member of the Commission shall be a citizen and legal resident of the Commonwealth of Pennsylvania and the City of Wilkes-Barre for at least one year prior to said appointment. No person who within one year of appointment, or after appointment, has been an officer of a political party shall be eligible to serve as a Commissioner. The Board of School Directors by majority vote may remove any member of the Commission for incompetence, inefficiency, neglect of duty, misfeasance or malfeasance in office, after notice of the charges and an opportunity of answer and defense at a public hearing.

SECTION 202. Meetings of Commission.

The Commission shall meet at least once each month after reasonable notice of time and place made by the Chairman. Two members of the Commission shall constitute a quorum at any meeting. Chairman, or in his absence the Vice-Chairman, shall preside at all meetings and hearings of the Commission and decide all points of order and perform all duties.

CIVIL SERVICE RULES

SECTION 203. Duties of the Commission. It shall be the duty of members of the Commission as a body:

(1) To establish or record on the books of the Commission a complete list of all the non-professional employees of the School District certified and furnished to it by the Secretary of the School District. This list shall detail all the facts of the employment such as salary, length of service, job classification, age, work record and in fine all of the information required of all personnel employed by the State, County or School District. This list shall constitute the basic employment list and will be implemented by job evaluation studies made by the School District and of which the results will be furnished to the Commission.

(2) To formulate and establish lists of eligible persons for future appointment to vacancies occurring in non-professional positions under the authority and jurisdiction of the School District and provide for rules for applications and examinations as set forth in Articles III and IV of these Rules and Regulations.

(3) To recommend and certify to the appointing authority (the Board of Directors of the Wilkes-Barre City School District) the lists of eligibles at such times as may be appropriate and necessary.

(4) On its own motion or upon request, as herein provided, in all cases of demotion, furlough, leave of absence, suspension and removal to conduct investigations, hold public hearings, render decisions

on appeals and record its findings and conclusions.

(5) The only valid causes for the termination of employment of any of the non-professional employees in accord Section (541) of the Act of 1949 "The School Code", shall be: Incompetency, Immorality, Intemperance, Cruelty, Willful and Persistent Negligence, Mental Derangement, Subversive Activities contrary to the Laws of the United States or this Commonwealth, Willful Violations of the School Laws of Pennsylvania or the Rules and Regulations of the School District.

(6) Retirement of all employees and conditions for the same shall be determined as of the ages set forth in Act 274 of 1939 providing inter alia for mandatory retirement at ages specified.

(7) To establish mandatory provisions of non-political activity by employees which shall incorporate as its promises that no person holding any position in any political party may also be an employee of the District and further that any political activity by any employee shall be grounds for removal. Any employee who happens to hold any position whatsoever in any political party must divest himself of such position within ten (10) days of the adoption of these Rules or be subject to suspension and/or removal from the School District position.

(8) To administer and make effective the provisions of this Civil Service System, including those relating to the preparation and conduct of examinations, the preparation of eligible lists, the certification of persons qualified for employment, the transfer, promotion, suspension,

demotion, removal, furlough, leave of absence and resignation of employees, the rating of employee's services, the requiring of health examinations at the discretion of appointing authorities as a condition of initial or continued employment.

SECTION 204. Legal Counsel. The Solicitor of the Wilkes-Barre City School District shall be legal counsel for the Commission. Whenever the Solicitor acts for the appointing authority in a particular proceeding, this Commission may appoint special counsel.

SECTION 205. Duties of Secretary, Meetings, and Quorum:

Duties of Secretary. The Secretary shall carry on at the direction of the Commission all official correspondence of the Commission, send out all notices required by law and these rules of procedure, keep a record of each examination or other official action of the Commission, and perform all other duties required by law, by these rules and by the Commission.

Meetings. Except for the biennial organization meeting, all meetings shall be held either at the call of the Chairman, or at the call of two members of the Commission. At least twenty-four (24) hours written notice of each meeting shall be given each member. The Commission shall have the discretion to determine whether meetings shall be open to the public except that no rule or regulation of the Commission shall be adopted at other than a public meeting, and except when otherwise provided for in these rules.

Quorum. A quorum shall consist of two members, and all actions of the Commission shall have the concurrence of at least two members.

Section 206. Order of Business. The order of business of all meetings of the Commission shall be as follows:

- (a) Roll Call
- (b) Approval of Minutes of previous meetings
- (c) Communications and Reports

SECTION 207. Minutes. The Secretary shall keep minutes of the Commission's proceedings showing the vote of each member upon question, or, if absent or failing to vote, indicating such fact.

ARTICLE III
APPLICATIONS

SECTION 301. Applications Form. No person shall be admitted to an examination for a non-professional position in the School District of the City of Wilkes-Barre until after he or she shall have filed, on the official form prescribed by the Civil Service Commission, a sworn application giving such information as the Commission may require. The official application form and all notation, references, and statements appearing in it are incorporated by reference into these rules and regulations and shall be as much a part of these rules as if they were fully described herein.

SECTION 302. Availability. Application forms shall be available to all interested persons in the office of the School Secretary, and from such other offices and officers that the Commission from time to time, may choose to delegate.

SECTION 303. Age Qualification. At the time of application, no applicant shall be less than Twenty-One (21) years of age, except in the case of clerks, who may be Seventeen (17) years of age at the time of their application. Each applicant shall present satisfactory evidence of his date of birth.

SECTION 304. General Qualifications. Each applicant for any non-professional position in the School District of the City of Wilkes-Barre shall be a citizen of the United States, and shall have graduated

from an accredited high school or have an equivalent education, such as a GED equivalent or an accredited correspondence school. Each applicant shall be medically fit for the performance of the duties required by the Office, of good moral character. In the case of foreign-born applicant, evidence satisfactory to the Commission shall be produced showing the person to be a naturalized citizen. In the case of applicants for custodian I positions the requirement is that such applicants shall have completed the 10th grade in school and they do not need a high school graduate certificate.

SECTION 305. General Qualifications - Applications for Higher-Grade Positions. In addition to meeting the qualifications fixed for all applicants for a general position as an employee of the School District of Wilkes-Barre, all applicants for advanced positions shall comply with such rules as the Commission may determine to be requisite for such higher positions. Said rules shall give consideration to length of service and length of experience within certain positions.

SECTION 306. Investigations of Applicants. An investigation of the character and reputation of the applicant may be made by the Commission and may include credit reports and reports of investigations from recognized agencies.

SECTION 307. Filing Applications. Applications for any non-professional position in the School District of the City of Wilkes-Barre may be received at any time, during normal business hours, in the office of the School Secretary, and by such other offices and officers as the Commission may designate. The receipt of such applications shall be subject to the following conditions:

- (a) No application received after 12:00 noon on the day that is fourteen (14) calendar days prior to the date fixed for the written examination shall be considered for such examination unless otherwise provided in the notice and
- (b) An application shall become void one (1) year after the date upon which it was received.

SECTION 308. Recording Applications. The office of the Secretary of the School District of Wilkes-Barre shall review each application, upon receipt, for the purpose of determining that such application contains no minor errors or omissions. Any application containing minor errors or omissions shall be returned to the applicant for correction. The Secretary of the School District of Wilkes-Barre shall date, number, and record, in the order of receipt, all applications free of minor errors or omission. An application, once recorded, shall be a public record and shall not be returned to the applicant.

SECTION 309. Disqualification of Application. The Commission shall not examine the applicant who lacks any of the prescribed qualifications unless, in the judgment of the Commission, it can be reasonably presumed that the applicant shall have acquired the necessary qualifications prior to the date of a possible certification from the list of eligi-

bles produced as a result of the examination.

SECTION 310. Penalty for False Statement. The statements made by the applicant in the official application shall contain no falsification, omission or concealment of material fact. Should investigation disclose any mis-statement, falsification or concealment with respect to an application:

- (a) The application shall be invalid and the applicant shall be disqualified from examination, or
- (b) If the applicant shall have been examined, the name of such applicant shall be removed from the eligible list, or
- (c) If the applicant shall have been appointed, such willful mis-statement, falsification, or concealment shall constitute the grounds for dismissal from the School District of the City of Wilkes-Barre.

ARTICLE IV

ANNOUNCEMENT OF EXAMINATIONS

SECTION 401. Public Notice. Public notice of the time and place of every examination, together with the information as to the position to be filled, shall be given by publication in the official newspaper of the City of Wilkes-Barre. The public notice shall be published at least three (3) weeks prior to an examination and a copy of the notice shall be posted on the bulletin board in the Administration Building of the School District. Additional public notice by publication, posting, or otherwise may be given at any time at the discretion of the Commission.

SECTION 402. Notice of Examination. In addition to the public notice, the Secretary shall give written notice to each qualified applicant by mailing or otherwise delivering to each applicant notice which shall include the date, time, place and duration of the written and oral examinations. Every notice shall be mailed or otherwise delivered at least three (3) days prior to the date fixed for examination. Only applicants receiving notices, to report for any examination shall be permitted to participate in such examination, and each applicant shall present his or her notice to the examiner before he or she shall be examined. Failure to report for any examination in accordance with the instructions contained in the written notice shall disqualify the applicant.

SECTION 403. Scheduling Medical Examinations. The time of the medical examination shall be within the sole discretion and judgment of the Civil Service Commission, with consideration being given to the date fixed in the public notice for a written examination.

ARTICLE V

MEDICAL EXAMINATION

SECTION 501. Appointment of Medical Examiners. The Commission shall, from time to time, appoint one or more medical examiners to make all medical examinations required by these rules.

SECTION 502. Medical Requirements. Every applicant for appointment to any non-professional position in the School District of the City of Wilkes-Barre shall submit, at his or her expense, to a medical examination and shall meet the minimum medical requirements established by the Commission before he or she shall be permitted to take any written or oral examination. A statement of the medical requirements established by the Commission shall appear in the official application form and a copy of such statement of medical requirements shall be filed in the office of each medical examiner.

SECTION 503. Report of Medical Examiner. The Commission shall furnish each medical examiner with forms upon which the medical examiner shall state the bodily and mental condition of each applicant.

SECTION 504. Rejection of Medically Unfit Applicants. If the medical examiner shall deem any applicant medically unfit for performance of the duties of a non-professional employee because of any bodily or mental defect, whether or not the defect shall be specifically stated

as a cause for rejection in the statement of medical requirements, such applicant shall be rejected and a brief statement of the reasons for rejection shall be practicable; however, the medical examiner shall determine the medical fitness of an applicant by adhering to the statement of medical requirements.

SECTION 505. Re-examination of Medical Fitness. Each applicant eligible for certification to the School Board for appointment to any non-professional position in the School District of the City of Wilkes-Barre shall be instructed by the Secretary, before being certified, to inform the Commission of any illness or injuries requiring the attendance of a physician or requiring hospitalization, and of any surgical operations that shall have occurred after the original medical examination. If, in the judgment of the Commission, there shall have been any change in the medical fitness of any applicant, whether or not such change shall have been reported by the applicant, the Commission may require the applicant to submit a further medical examination before his or her name shall be certified for appointment. Any such further medical examination shall be performed at the expense of the School District of the City of Wilkes-Barre by a regularly appointed medical examiner.

ARTICLE VI

WRITTEN AND ORAL EXAMINATIONS

SECTION 601. Examinations for all Basic Non-Professional Positions.

(a) Examination for all basic or starting non-professional positions whether for janitors, clerks, stenographers, custodians, cleaning women, or cafeteria workers shall consist of the following two parts:

(1) A written examination which shall include a general aptitude test, an intelligence test, personality profile, and such other written tests as the Commission, may from time to time designate, and

(2) An oral examination..

(b) Only those candidates who shall achieve a passing grade on the written examination shall be eligible to take the oral examination.

(c) Each part of the written examination and the oral examination shall be graded on the scale of one hundred (100) per cent and shall be weighted as follows:

(1) For the written portions of the examination, total of seventy (70) points, (aptitude 50, mental maturity 10, and personality 10), and

(2) For the oral examination, a total of thirty (30) points. The sum of the weighted score shall not exceed one hundred (100) per cent.

SECTION 602. Examinations for Higher Positions or Ratings.

(a) Examinations for higher ratings or greater than starting positions shall consist of three parts:

(1) A written examination which shall include a test of knowledge and performance in this particular position, an intelligence test, and other tests as designated; and

(2) Oral examination; and

(3) Evaluation of service ratings and performance records of the applicant.

(b) The examination shall be graded on a scale of one hundred (100) per cent and shall be weighted as follows:

(1) For the written portions of the examination, a total of seventy (70) points, and

(2) For the oral examination, a total of twenty (20) points, and

(3) For the evaluation of the service ratings or performance records of the applicant, a total of ten (10) points.

The weight assigned to the test of any position shall become greater with the increase in the responsibility and rank of the position.

SECTION 603. Passing Grade. The passing grade shall be seventy (70) per cent on every portion of the examination except that in the case of the written examination for custodians, where the passing grade shall be sixty (60) per cent. All those who receive a passing grade on both the written and oral examinations and are veterans of the Armed Services with an Honorable Discharge shall be entitled to an additional 3 points credit. Proof of service must be made to establish veterans preference.

SECTION 604. Notice of Applicant's Grade. When the grading of each examination is completed, the Secretary shall give each applicant written notice of his grade.

SECTION 605. Ineligibility for Future Examinations for Six Months. If an applicant fails to obtain a passing grade in any examination, he or she shall not be eligible for a subsequent examination for any non-professional position in the School District of the City of Wilkes-Barre for a period of six months.

SECTION 606. Administering Examinations. The Commission may designate the Institute of Regional Affairs of Wilkes College, the State Civil Service Commission of the Commonwealth of Pennsylvania, any other recognized examining agency, or any qualified person to act as examiner for the written examinations. The Commission shall reserve the right to accept or reject, in whole or in part, the recommendations of the regularly appointed examining agency. The oral exami-

nation and the evaluation of the service or performance record of any applicant shall be the responsibility of the Commission, provided, however, that the Commission may designate, from time to time, such persons qualified to evaluate performance or service records, as are considered necessary to assist in such examinations and evaluations.

SECTION 607. Conduct of Written Examinations. The Commission shall prepare a statement of instructions and rules for the conduct of written examinations. The regularly appointed examiner shall carry on each such examination in accordance with the instructions of the Commission, and be responsible for enforcing the rules of conduct for written examinations.

SECTION 608. Penalty for Improper Conduct. Should any applicant be found guilty of any act tending to defeat the proper conduct or the result of any examination, his or her name shall be removed from any eligible list resulting from the examination and the applicant shall not be permitted to make any future application for any non-professional position in the School District of the City of Wilkes-Barre.

ARTICLE VII

ELIGIBLE LISTS

SECTION 701. Preparation of Eligible List. As soon as possible, after the completion of each examination, the Secretary shall prepare an eligible list upon which shall appear the name of each applicant who re-

ceived a passing grade in the examination. The names on the eligible list shall be arranged, from the highest to the lowest, in the order of the final weighted score received by each such applicant. The eligible list shall be filed in the office of the School Secretary, and a copy posted on the bulletin board in the Administration Building of the School District.

SECTION 702. Breaking the Scores. When two (2) or more qualified applicants shall receive the same final weighted score, the order in which the names of such persons shall appear on the eligible list shall be determined by their scores on the part of the examination assigned the greatest weight. In the event that two (2) or more qualifying applicants also receive identical scores on the part of the examination assigned the greatest weight, the order of listing shall be determined by the order in which the applications were numbered for recording purposes.

SECTION 703. Life of Eligible Lists. In no case shall any eligible list remain in effect for a period of more than one (1) year from the date of its preparation. Date of preparation refers here to the actual compilation of the list which is to take place no more than 60 days after the receipt of the request from the School Board calling for the establishment of same.

SECTION 704. Furlough Lists. Whenever the Board of Education causes a reduction in the numbers of non-professional employees in any one of the general groupings such as custodians, administrative as-

sistants, etc., then the Commission shall prepare and maintain a list of the names of all such furloughed employees, together with the position held by each such employee at the time of furlough. The names on the furlough list shall be arranged, from the greatest to the least, in the order of the length of service of each furloughed non-professional employee in the School District.

ARTICLE VIII

CERTIFICATIONS AND APPOINTMENTS

SECTION 801. Filling Vacancies. When a vacancy is to be filled in the School District of the City of Wilkes-Barre, the School Board shall submit a written request to the Commission for certification of eligibles. In making the request, the School Board shall state the title of the position to be filled and the compensation to be paid.

SECTION 802. Furlough List to Fill Appointments. Upon receipt of a request from the School Board, the Commission shall first certify the names of those eligibles who were furloughed because of a reduction in force. In filling a vacancy from the furlough list, the Commission shall certify the top name only. If more than one (1) vacancy is to be filled, the Commission shall certify from the top of the list that number of names equal to the number of vacancies to be filled.

SECTION 803. Certification from Eligible Lists. If no furlough list exists or if the total number of vacancies cannot be filled from the available names on the furlough lists, the Commission shall certify names

from the eligible lists. The Board of Education shall notify the Commission of any vacancy which is to be filled and shall request the certification of a list of eligibles. The Commission shall certify for each existing vacancy from the eligible list the names of three (3) persons thereon, or a lesser number where three (3) are not available, who have received the highest average.

SECTION 804. Removal of Names from Furlough and Eligible Lists. In addition to the other reasons stated as grounds for removal in these rules, the name of any person appearing on a furlough list or an eligible list shall be removed by the Commission if such person:

(a) Is appointed to a non-professional position in the School District of the City of Wilkes-Barre, or

(b) Declines an appointment to a permanent non-professional position in the School District of the City of Wilkes-Barre, or

(c) Fails to make written reply to the Commission within seven (7) calendar days from the date of mailing of a notice of certification, or

(d) Indicates availability for appointment and is appointed to fill a vacancy but fails to report for duty at the time prescribed by the Board of Education, unless, in the opinion of the Board of Education, such person can show good and sufficient reasons for failing to report.

The name of any person on any eligible list also shall be removed by the Commission if he or she is three (3) times certified for consideration for appointment and is not appointed. Nothing in this section, however, shall be construed as authorizing the removal of the name of any person or any furlough list or eligible list who refuses or accepts a position of a lower rank than that for which he or she has qualified.

SECTION 805. Appointment Procedures. Whenever the name of any person is certified to the Board of Education from either the furlough list or the eligible list, the person shall be immediately notified of his or her certification by either certified or registered mail. The notice shall include the title of the position and the compensation to be paid, and shall also state that the person certified make a written reply within seven (7) days from the date of mailing such notice.

SECTION 806. Probationary Period. All original appointments to any non-professional position in the School District of the City of Wilkes-Barre shall be for a probationary period of six (6) months. The Secretary shall investigate the adjustment, performance, and general acceptability of each probationer under his supervision to determine whether such probationer is fully qualified for permanent appointment. The Secretary shall make a report on the performance and conduct of each probationer at the end of the fourth month of the probationary period, and finally not less than ten (10) calendar days nor more than fifteen (15) calendar days before the next regular meeting of the Board of Education immediately preceding the end of the probationary period. Each final probationary report shall include the recommendation of the Secretary either to retain or to reject the probationer. Each report shall be submitted in writing to the Board of Education. Within five (5) calendar days after the regular meeting of the Board of Education immediately preceding the end of the probationary period, the Board of Education shall

notify the Commission, in writing, of its decision to retain or reject the probationer. The Commissioner, in turn, shall notify the probationer of the decision of the Board of Education on or before the date of the close of his or her probationary period.

ARTICLE IX

SUSPENSIONS, REMOVALS, AND REDUCTIONS IN RANK

SECTION 901. Procedure. Whenever any non-professional employee of the School District is suspended, removed, or reduced in rank, the specific charges warranting each such action shall be stated in writing by the appointing authority. The charges shall be stated clearly and in sufficient detail to enable the person accused to understand the charges made against him or her and to answer to them. As soon as practicable, the statement of charges shall be filed in duplicate with the Commission, and within five (5) calendar days of such filing, the original copy of the statement of charges shall be delivered to the person accused either by personal service or by certified or registered mail.

SECTION 902. Demand for Hearing. Any non-professional employee of the School District suspended, removed or reduced in rank may file with the Commission a written demand for a hearing. Such written demand and any statement of written answers to the charges made against the person accused shall be filed no later than seven (7) calendar days from the date upon which the statement of charges were personally served or mailed. Within the period fixed by law, the Commission shall grant a hearing to any person accused who complies with the provisions of this

section. Each such hearing shall be open to the public unless the person accused, when making his or her written demand for a hearing, requests that such hearing be closed.

SECTION 903. Notice of Hearing. Notice of the date, time and place for each hearing shall be given in the following manner:

(a) By either personal service or by certified or registered mail to each person making charges and to the person accused, and

(b) By mailing a notice to all other parties who have stated an interest in the hearing; provided, however, that any failure to give the notice required by this subsection shall not invalidate any action taken by the Commission.

SECTION 904. Oaths. All testimony shall be taken under oath. The Chairman, or in his absence the Vice Chairman, shall administer all oaths.

SECTION 905. Subpoenas. The Chairman, or in his absence the Vice Chairman, may compel the attendance of witnesses and the production of records and papers pertaining to any hearing. However, upon the written request of the person accused or of any person making charges, the Chairman, or in his absence the Vice Chairman, shall order the attendance of any witness or the production of any pertinent document; provided that such written request is filed with the Secretary within five (5) calendar days from the date appearing on the notice of the hearing.

SECTION 906. Hearing Procedure. Each hearing shall be conducted in the following manner:

(a) The Chairman shall state the general purpose of the hearing, and

(b) The Secretary, upon direction of the Chairman, shall read the charges against the person accused together with the record of action taken against such non-professional employee, and next

(c) The Secretary shall read any written reply of the person accused, and next

(d) The Chairman shall afford each person making charges, or his or her counsel, an opportunity to make any further statement in support of the charges and to produce any witness, and next

(e) The Chairman shall afford the person accused, or his or her counsel, an opportunity to question or cross examine any person making charges, and to question or cross examine any witness produced by such person, and next

(f) The Chairman shall afford each person making charges an opportunity to examine the person accused, and next

(g) The Chairman shall permit each person making charges, or his counsel, to make a summation, and next

(h) The Chairman shall afford the person accused, or his or her counsel, an opportunity to produce any witness and to sum up the defense.

The Commission, at any time during the course of the hearing, may question or cross-examine any person making charges, the person accused, or any witness.

SECTION 907. Decision of the Commission. Within fifteen (15) calendar days after the hearing, the Commission shall issue its decision in the form of a written order approved by at least two (2) members of the Commission. The written order shall include all findings of fact. If, during the public hearing, opposing facts are presented, the Commission shall include in its written order its decision as to the correct facts.

The findings and decision of the Commission shall be certified to any person making charges, to the accused non-professional employee, and to the Board of Education.

ARTICLE X

SECTION 1001. Inspection in General. Except as otherwise provided in this Article, all of the records of the Commission shall be open to the public and available for inspection during normal business hours. A member of the Commission, or any person who may, from time to time, be designated by the Commission, shall be present at all times during any inspection of any record of the Commission.

SECTION 1002. Character and Reputation Reports. All reports of investigations and inquiries into the character and reputation of applicants shall be kept in the strictest confidence, and shall not be open to inspection.

SECTION 1003. Inspection of Examination Materials. All examination material shall be confidential and shall not be open to general public inspection. Any examined applicant may inspect his or her examination papers, provided that:

(a) He or she makes a written request to the Commission within seven (7) calendar days from the date of mailing of the written notice of his or her grade, and

(b) He or she received the written consent of the Commission to inspect his or her examination papers, and

(c) He or she makes his or her inspection within five (5) calendar days from the date of the mailing of the consent of the Commission.

The Commission shall not consent to the request of any examined applicant to inspect any written examination paper which may be used in any subsequent written examination that may be scheduled within ninety (90) calendar days following the date of receipt of the written request. If the Commission consents to an inspection of any of the written examination papers by any examined applicant, it shall state in its letter of consent the specific examination papers that may be inspected. Before any members of the Commission, or any person designated by the Commission, permits any inspection of examination papers, he shall require the examined applicant to produce the letter indicating the consent of the Commission and he shall limit the inspection by the examined applicant to only those examination papers indicated on the letter of consent. No examined applicant shall be permitted to inspect any examination papers other than his or her own, nor shall he or she be permitted to make any written notes while he or she is inspecting any examination paper.

ARTICLE XI

AMENDMENTS

SECTION 1101. Amendments. The Commission, with the approval of the Board of Education, may, from time to time, amend any part of these rules and regulations. The foregoing rules and regulations, which are in accordance with the powers granted by the School Code, en-

acted by the General Assembly of the Commonwealth of Pennsylvania
and in accordance with the authority granted by the School District of
Wilkes-Barre City ,
September 13, 1966.

_____(Signed)
David W. Kistler, M.D. President

_____(Signed)
Thomas F. O'Donnell, Vice President

_____(Signed)
Leonard A. Miller, Secretary



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