**Section 51.280** **Findings of Fact and Recommendation of the Hearing Officer**

a) The hearing officer shall issue a report of findings of fact and recommendation to the Board, stating whether the affected tenured teacher shall be retained or dismissed and the reasons for the recommended action (see Section 24-16.5 of the School Code).

1) The report of findings of fact and recommendation shall be issued within 30 days after the hearing is concluded or the record of the hearing is closed, whichever is later. The record of the proceedings shall not be considered closed until all evidence has been submitted. The hearing officer shall notify the parties, in writing, of the closing date of the record.

2) The report of findings of fact and recommendation shall not exceed 30 pages.

3) A copy of the hearing officer's findings of fact and recommendation shall be given by certified mail to the tenured teacher and his or her legal representatives of record and to the State Board of Education addressed to the General Counsel, 100 W. Randolph Street, Chicago, Illinois 60601.

b) The hearing officer shall provide a copy of the report of findings of fact and recommendation to the affected tenured teacher and the superintendent of the school district at the same time as the report is provided to the Board. The hearing officer shall provide a copy of the report to the State Board.

c) Pursuant to Section 24-16.5(e) of the School Code, if the hearing officer fails, without good cause specifically provided in writing to the parties and the State Board, to render findings of fact and recommendation within 30 days after the later of the close of the hearing or the record, the parties may mutually agree to select a hearing officer pursuant to the alternative selection procedures provided under Section 24-12(d)(4) of the School Code to rehear the charges or to review the record and render a recommendation.

1) The hearing officer who failed to timely render findings of fact and recommendation shall have his or her name struck from the master list of hearing officers maintained by the State Board for a period of not more than 24 months.

2) The parties and the State Board may take other actions as they deem appropriate regarding reducing fees paid to the hearing officer. If any hearing officer again fails to provide in a timely manner a decision or findings of fact and recommendation, the State Board shall remove him or her permanently from the master list and prohibit any party from selecting this hearing officer through the alternative selection process in Section 24-12(d)(4) of the School Code.

(Source: Added at 36 Ill. Reg. 12829, effective July 25, 2012)