

STATE OF RHODE ISLAND

COMMISSIONER OF EDUCATION

AND

PROVIDENCE PLANTATIONS

\*\*\*\*\*

LINDA MORGENSTERN \*

V. \*

WOONSOCKET SCHOOL COMMITTEE \*

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DECISION

Held: A more specific  
petition must be filed  
with the School  
Committee.

Date: December 21, 1995

### Findings of Fact

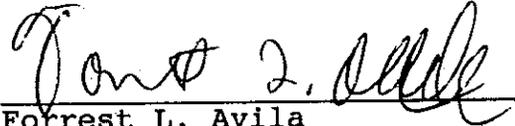
In this case the petitioner, a teacher, has claimed a hearing before the School Committee which employs her. Her claim of a hearing does not specify, even in general terms, the nature of the dispute which she wishes to put before the School Committee. The School Committee, citing the lack of specificity in the appeal, has declined to schedule a hearing in the matter.

### Conclusions of Law

We think that while a petitioner should not be required to file a detailed pleading setting forth his or her claim, due process requires that the request for a hearing at least provide some measure of specificity. This is necessary so that the school district is put on notice as to the nature and basic facts of the complaint so that it may prepare its response. Soule Glass and Glazing Co. vs. NLRB, 652 F.2d 1055, 1074 (1st Cir. 1981). The petitioner's claim for a hearing does not meet this standard.

### Holding

The petitioner is ordered to file a more specific document with the School Committee setting forth the nature of her complaint. The petition must be specific enough so that the School Committee may prepare its response to the complaint.



Forrest L. Avila  
Hearing Officer

Approved:



Peter McWalters  
Commissioner

Date: December 21, 1995