

(Adopted April 7, 1978)

RULE 1217. DISQUALIFICATION OF HEARING OFFICER OR BOARD MEMBER

A hearing officer or District Board member shall voluntarily disqualify himself and withdraw from any case in which he cannot accord a fair and impartial hearing or consideration. Any party may request the disqualification of any hearing officer or District Board member by filing an affidavit, prior to the taking of evidence at a hearing or as soon as possible after knowledge is obtained of possible grounds for disqualification, stating with particularity the grounds upon which it is claimed that a fair and impartial hearing cannot be accorded. Where the request concerns a District Board member, the issue shall be determined by the other members of the District Board. Where the request concerns the hearing officer, the issue shall be determined by the District Board itself if the District Board itself hears the case with the hearing officer, otherwise the issue shall be determined by the hearing officer. No District Board member shall withdraw voluntarily or be subject to disqualification if his disqualification would prevent the existence of a quorum qualified to act in the particular case.