

# Section XII: Procedures for Conducting a Hearing by an Administrative Hearing Officer

## 1. Closed Hearings

All hearings are closed to anyone other than those persons directly involved, ODSSS staff, University counsel, the Complainant, the Accused Student, and witnesses unless the hearing officer determines otherwise.

## 2. Witnesses

Only those persons with direct knowledge of the incident shall be allowed to appear as witnesses. Those attesting to character alone are not allowed to serve as witnesses. A list of any witnesses speaking on behalf of the Accused Student or Complainant must be submitted to the Office of the Dean for Special Student Services not later than two (2) days prior to the hearing.

## 3. Postponement

A one-time request for postponement may be considered and granted by ODSSS only when it determines that there is a compelling reason for the delay. In that event, ODSSS will set a new date for the hearing and notify all parties involved.

## 4. Role of the Administrative Hearing Officer

The Administrative Hearing Officer is responsible for conducting the hearing in a fair manner and for recommending such action(s) as necessary to sanction or control disruptive or inappropriate behavior.

## 5. Burden of Proof

The Complainant has the burden of proof to establish that the Accused Student violated the Code. The Accused Student should be prepared to respond to charges and evidence presented against him/her with documents and/or witnesses, as appropriate.

## 6. Steps in the Hearing

Hearings shall follow a standardized format. Copies of the procedures may be obtained from ODSSS.

## 7. Deliberation, Decision Making, and Reporting Results to ODSSS

The Administrative Hearing Officer shall consider all information in the record. The Hearing Officer shall prepare a written report including any recommended sanctions, and submit the report to ODSSS within five [5] days of the hearing. ODSSS shall notify the Accused Student and the Complainant of the Hearing Officer's determination.

Sensitive information considered to determine sanctions by the Dean of Special Student Services or designee shall be deemed confidential and will not be shared with students, except upon written request from any alleged victim of a crime of violence or non-forcible sex act, the results of the University's disciplinary proceedings against the accused student will be disclosed.