

Discipline

Student Hearing Agenda

STUDENT HEARING AGENDA

1. HEARING INTRODUCTION (Form 2671)

2. ENTRY OF APPEARANCE

"Will counsel for the Administration and counsel for (Student) (or student's parent/guardian if no attorney is present) enter their appearances for the record please."

3. PRELIMINARY MATTERS

"Are there any preliminary matters before we begin the hearing?"

a. Stipulations

b. Motions to dismiss

"Your objection or motion will be noted and it will be taken under submission."

4. ADMINISTRATION'S CASE

a. " _____, are you ready to proceed?"

b. Call and swear witnesses.

c. If any objections are made during testimony of witnesses, they should be resolved as follows: "Your objection has been noted for the record and will be taken under submission."

d. At the end of the questioning of each witness, the Board Attorney will state that he/she has no further questions for the witness. The student's attorney or parent/guardian should then be asked if they have any cross-examination of the witness.

e. If the student's attorney or parent/guardian cross-examine the witness, opportunities should be offered for any redirect (additional questioning by the Board Attorney) and then any re-cross (additional questioning by the student's attorney or parent/guardian).

5. STUDENT'S CASE

- a. At the conclusion of the Administration's case, the Board Attorney will state that the Administration rests its case.
- b. The student's attorney or parent/guardian should then be asked, "Are you ready to proceed?" They will answer that they are and should be directed to call their first witness.
- c. The questioning should proceed in the same manner as in the Administration's case (#4).

6. REBUTTAL

At the conclusion of the student's case, the Board Attorney should be asked if he/she has any rebuttal. In all likelihood, there will be none.

7. CLOSING

- a. At the conclusion of the hearing, a statement should be made that: "Counsel and parent/guardian will have the opportunity to present a closing oral argument and submit briefs if they so desire." "What is your preference?" Most likely, closing arguments will be presented to the Board.
- b. Upon conclusion of the arguments, the attorney(s) and parent/guardian should be briefed concerning the timing of the Board's decision.
 - i. If the attorney(s) and parent/guardian do not wish to submit briefs, the Board will adjourn to reach a decision. The Board will prepare written findings of fact and conclusions of law which should be available within three (3) days.
 - ii. If the attorney(s) and parent/guardian wish to submit briefs, a date when the briefs will be due should be set: ten (10) days from receipt of transcript. The Board should review the briefs and then reach its decision. Again, the Board's decision will be accompanied by written findings of fact and conclusion of law.