



## Ohio Administrative Code

### Rule 3335-11-02.1 Hearing officers and panels.

Effective: July 30, 2010

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(A) The council on student affairs shall recommend to the president, subject to the approval of the board of trustees, a list of attorneys, unaffiliated with the university, who shall be authorized to act as hearing officers to preside over disciplinary proceedings under rule 3335-11-02 of the Administrative Code. One such attorney shall be designated by the president as chief hearing officer, whose duties shall include:

(1) Assisting the council on student affairs in preparing and enacting procedural rules to guarantee due process, including, but not limited to, the procedural recommendations contained in the report and recommendations of the university committee on rights and responsibilities (the Ohio state university, September 15, 1968);

(2) Selecting hearing officers as needed from the approved list;

(3) Reviewing every case in which sanctions have been recommended, to determine whether such sanctions should be imposed or reduced, or whether the case should be dismissed or remanded for further hearing;

(4) Forwarding completed cases to the vice president for student life for administrative implementation in accordance with their final determination by the chief hearing officer;

(5) Hearing on appeal student disciplinary cases, not including university actions relating to academic failure or violations of a code of professional ethics or of an honor code of these colleges or academic units having such codes, where an appeal is taken by any student from any such action by the student's college, university committee, or other properly authorized university adjudicatory body, only in those cases where the penalty assessed was suspension, dismissal, or expulsion.

(B) That an array of hearing panelists, large enough to allow at least three panels, shall be selected by lot consisting of:



- (1) Faculty members,
- (2) Undergraduate students,
- (3) Graduate and professional students, and
- (4) Administrative staff members.

Any person selected to serve as hearing panelist may be exempted from such service if that person declines.

(C) The chief hearing officer shall, by lot, select from the array hearing panels, each composed of two faculty members, two undergraduate students, one graduate or professional student, and one administrative staff member. The hearing panels shall have original jurisdiction to hear cases of alleged student violation of rule 3335-11-02 of the Administrative Code brought before it by authorized university officials, make findings of fact, determine a verdict, and, in the event of a guilty verdict, to recommend sanctions.

(D) The university and the defendant shall have the right to challenge for cause. The hearing officer shall hear challenges for cause.