b. Meetings

- (d) A statement of the issues involved, along with a reference to any pertinent statute or regulation, so as to give the parties reasonable opportunity to prepare evidence and argument;
- (e) A statement of the procedures to be followed during the hearing;
- (f) A statement advising Appellant of his/her right to retain legal counsel;
- (g) A statement of the right of the parties to examine, prior to the hearing, any documentary evidence to be used at the hearing and to be advised of witnesses to be present;
- (h) A statement advising that any party who fails to attend or participate as required at any stage of the administrative hearing process may be held in default;
- (i) The Office of the Provost and/or the hearing officer may include additional requirements in the Notice consistent with this Operational Policy.

## D. Conduct of the Hearing

- (1) The hearing shall be conducted at a time and place determined by the Office of the Provost.
- (2) The hearing officer shall preside over the conduct of the hearing and shall regulate the course of the proceedings in a manner which will promote the orderly and prompt conduct of the hearing.
- (3) The hearing officer shall afford all parties the opportunity to respond, present evidence, conduct cross-examination, and submit rebuttal evidence.
- If a party fails to attend or participate in the hearing or other stage of the administrative hearing process, or fails to comply with the orders of a hearing officer, the hearing officer may adjourn the proceedings and issue a recommendation to the Provost for default order granting or denying residency as appropriate, or may conduct the proceedings without the participation of the defaulting party, having due regard for the interest of justice and the orderly and prompt conduct of the proceeding.
- (5) A hearing officer may conduct an administrative hearing by telephone or video conference if each party to the hearing agrees.
- (6) All testimony shall be made under oath or affirmation.
- (7) All testimony, motions, and objections shall be accurately and completely recorded.

## E. Final Disposition

- (1) The hearing officer shall render a written recommendation to the Office of the Provost within fourteen (14) calendar days after the hearing is concluded. The written recommendation shall state the reason(s) for the recommendation.
- (2) Within fourteen (14) calendar days of receipt of the hearing officer's recommendation, the Office of the Provost shall render a final written decision. Notice of the decision and the hearing officer's recommendation shall be made to the Appellant by registered mail, return receipt requested.

## III. Effective Date

These procedures will be deemed effective upon approval by the Murray State University Board of Regents, but such effective date will not be earlier than July 1, 2001.

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