

**GUAM COMMUNITY COLLEGE
Board of Trustees**

APPEAL HEARINGS

WHEREAS, the Rules of Procedures and Evidence In Appeal Hearing was adopted by the Board of Trustees on April 10, 1981; and

WHEREAS, said procedures do not specifically provide for rebuttals and closing statements by either appellant, or his/her designee or representative, or respondent; and

WHEREAS, such provisions would provide both appellant, or his/her designee or representative, and respondent an opportunity to more fully present their respective positions to the Board of Trustees;

NOW, THEREFORE, BE IT RESOLVED that the attached Amended Rules of Procedures and Evidence In Appeal Hearings is adopted and effective immediately and supersedes any previous procedures.

Amended & Adopted: _____

Resolution_____

NOTE: To be reviewed and updated by the Board pending the new BOT-GFT Faculty Agreement

Adopted: October 29, 1986

Resolution 1-87

GUAM COMMUNITY COLLEGE
Board of Trustees

Rules of Procedure and Evidence

In Appeal Hearings:

1. The Board shall set the place, date and time of the hearing.
2. The hearing shall be conducted so as to bring out all pertinent facts, including the production of records.
3. The appellant, or his/her designee or representative, shall present his/her case before the Board.
4. After the conclusion of the appellant's case, respondent shall present its case.
5. Appellant, or his/her designee or representative, shall have a right to present rebuttal evidence, and in the event the appellant, or his/her designee or representative does so, the respondent may present surrebuttal evidence.
6. Both parties shall have the right to make closing statements if said parties choose to do so.
7. Irrelevant, immaterial, or unduly repetitious evidence shall be excluded. The rules of evidence shall not be strictly applied. The Board shall give effect to the rules of privilege recognized by law. Objections to evidentiary offers may be made and shall be noted in the record. Subject to these requirements, when a hearing will be expedited and the interests of the parties will not be prejudiced substantially, any part of the evidence may be received in written form.
8. Decisions on the admissibility of the evidence shall be made by the Chairperson, except that when a member objects to a decision of the Chairperson, the members shall decide the question.
9. Documentary evidence may be received in the form of copies or excerpts, if the original is not readily available. Upon request, parties shall be given an opportunity to compare the copy with the original.
10. A party may conduct cross-examination required for a full and true disclosure of the facts.
11. Notice may be taken of generally recognized technical or scientific facts within the College's specialized knowledge.
12. Testimony shall be under Oath.
13. Witness shall be excluded from the hearing room until called to testify.

Amended & Adopted: _____
Resolution _____

Adopted: October 29, 1986
Resolution 1-87