**Section 204.85 Proceedings for Hearings Involving Action by the Board**

a) The Board shall conduct a de novo hearing. Except as otherwise provided (e.g., prima facie evidence rule at Section 603.55), counsel for the Board shall have the burden of proof by a presponderance of evidence.

b) Any testimony shall be given under oath or affirmation.

c) Both parties may present an opening statement on the merits.

d) Upon conclusion of the petitioner's case, the Board may present evidence in rebuttal to the petitioner's case.

e) Both parties may present closing arguments. The Board proceeds first, then the petitioner, and thereafter the Board may present rebuttal closing argument.

f) Each party may conduct cross-examination of any witnesses presented. The Board may also, as a matter of right, examine the petitioner as an adverse witness.

(Source: Added at 26 Ill. Reg. 10806, effective July 1, 2002)