**Section 2504.80 New or Additional Proceedings**

a) The Director, Deputy Director, or Chief Administrative Officer shall remand the decision to the Adjustment Committee for new proceedings if the proceedings are found to be defective due to:

1) Inadequate notice, including failure to state the correct date of the offense on the disciplinary report or failure to provide the youth with 24-hour notice of the hearing and such notice was not waived.

2) Lack of impartiality of the Adjustment Committee.

3) Improper exclusion of witnesses.

4) Failure to provide exonerating information to the youth prior to the hearing.

b) New or additional proceedings may be ordered in other circumstances, as determined by the Director, Deputy Director, or Chief Administrative Officer.

1) The youth shall be provided with notice of the rehearing within a reasonable time after the Chief Administrative Officer's decision or the youth center's receipt of the decision.

2) The rehearing shall commence within 7 days after the Chief Administrative Officer's decision or the youth center's receipt of the decision, whenever possible.

3) The procedures on remand shall be conducted in accordance with the procedures governing the hearing on the original charge.

c) The Director, Deputy Director, or Chief Administrative Officer may remand the decision to the Adjustment Committee for additional documentation, correction, or clarification of the Adjustment Committee summary, including the statement of reasons for excluding witnesses, the basis for the finding of guilt and imposition of sanctions, statement of reasons for deeming sources to be confidential, or the failure to specify reasons for finding a confidential source to be reliable.

1) The youth shall not have the right to a new hearing, but shall be notified of the decision.

2) After the Adjustment Committee has amended its summary, it shall be forwarded to the Chief Administrative Officer and then to the Director in accordance with the procedures applicable to review of the original disposition.

d) Upon remand, sanctions greater than those imposed at the original hearing shall not be permitted unless the youth is charged with a different offense that provides for a greater penalty than provided for under the original charge or new evidence is produced which was not available at the original hearing which justifies the imposition of greater punishment. However, this does not prohibit the youth from being found guilty and disciplined on remand when the Adjustment Committee had erroneously dismissed the disciplinary report on procedural grounds.