**Section 2504.90 Program Unit Hearing Procedures**

a) The Program Unit hearing shall be convened, but need not be concluded, within 7 days after the commission of the offense or its discovery, whenever possible, unless the youth is unable to participate in the hearing.

b) The youth shall receive written notice of the facts and charges being presented against him or her prior to the hearing.

c) Any person who initiated the allegations that serve as the basis for the disciplinary report, or who conducted a formal investigation into those allegations, or who witnessed the incident, or who is otherwise not impartial shall not conduct a hearing on that report.

d) The hearing may be continued to obtain additional information or upon the youth's written request and for good cause shown.

e) The youth shall have the right to appear before and address the Program Unit Hearing Officer.

f) The Program Unit Hearing Officer may call witnesses and review any information relevant to the charge.

g) The youth shall not have the right to retained or appointed counsel. The youth may request the assistance of a staff member in the preparation of his or her defense if the individual is illiterate or does not speak English or when other circumstances exist that preclude the individual from adequately preparing his or her defense.

h) The Program Unit Hearing Officer may return a disciplinary report to the Chief Administrative Officer with a recommendation for a hearing before the Adjustment Committee. The factors listed in Section 2504.20(b) shall be considered when making this determination.

1) If approved by the Chief Administrative Officer, a hearing before the Adjustment Committee shall commence within 7 days after the approval, whenever possible.

2) If not approved, the disciplinary report shall be referred back for a hearing before the Program Unit which shall commence within 7 days after the decision not to approve the recommendation, whenever possible.

i) The Program Unit Hearing Officer may recommend any of the actions authorized in Section 2504.70(k) of this Part except that the Officer may not recommend placement in segregation or confinement, delay in referral of a youth to the Prisoner Review Board for recommended parole or aftercare, an increase in the youth's security classification, or transfer to another youth center.

j) A record shall be signed by the Hearing Officer that contains a summary of oral and written statements and other evidence presented, the decision, and the disciplinary action recommended.

k) The summary shall be processed in accordance with Sections 2504.70(o) and (p) and 2504.80 of this Part.