

Hearing Chairperson/ Panel Roles and Responsibilities

BEFORE THE HEARING



Ensure Privacy

- ◆ Ensure that the hearing is being held in a private space, either in-person or virtual.
- ◆ Arrange for each party and their Advisor, the Hearing Panel, and the Title IX Coordinator/Designee to have private break areas and access to restrooms.
- ◆ Uphold confidentiality and use discretion when preparing for the Hearing.

Give Notice and Action

- ◆ Notify all participants of the date, time, and location of the hearing.
- ◆ Confirm how each participant will appear at the Hearing. Participants may appear in person or by Zoom.

Record the Hearing

- ◆ The Hearing must be recorded in either an audio, audio-visual, or transcript format.
- ◆ Arrange for the use of a recording device.

DURING THE HEARING



Ask Questions

The primary purpose of asking questions during a hearing is to determine: who was involved; what happened; when did it happen; where did it happen; how did it happen.



Always be mindful of how a question could be perceived and develop questions with caution. Be cautious of your tone when questioning.

TIPS: Asking Questions Effectively

Allow room for an answer. Meaning, ask open-ended questions to start the conversation about a relevant fact.

LISTEN! LISTEN! LISTEN!

Ask follow up questions AFTER the questionee has finished answering.

If you are confused by an answer, it is OKAY and APPROPRIATE to **ask for clarification**.

Take breaks when needed and always remain professional!

Determine Relevance

Evidence is relevant IF the information helps to prove or disprove a fact at issue

TYPES OF EVIDENCE



Documentary
(Writing & Documents)



Electronic (Photos, Text Messages, Videos)



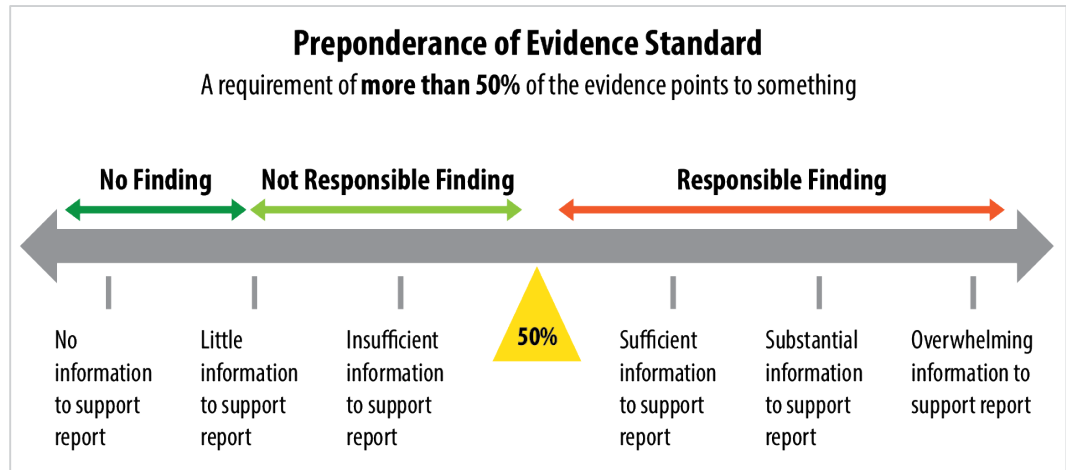
Real
(Physical Object)



Direct or testimonial
(Personal Observation)

DURING THE HEARING
(Continued)

Understanding the Preponderance of Evidence Standard



Determining Credibility of Information

To assess credibility is to assess overall the extent to which you can rely on a witness' testimony to be accurate and helpful:

1. Memory errors do not necessarily destroy a witness's credibility
2. Refrain from focusing on irrelevant inaccuracies and inconsistencies

Potential Assessment Factors:



AFTER THE HEARING

Determination

- ◆ 48 Hours to make a determination of responsibility
- ◆ vote for each member of the Hearing Panel
- ◆ Document the results and share them with the Title IX Coordinator
- ◆ Begin to discuss appropriate disciplinary action with hearing panel