

Title IX Administrative Hearing Script Involving Students as Respondents

Introduction

Once the participants have entered the virtual room, the Hearing Chair will turn on the record button in Webex.

HEARING CHAIR: “Good morning/afternoon, my name is [include chosen name and gender pronouns], and I will be serving as the Hearing Chair for the administrative hearing regarding case number []. My role as the Hearing Chair is to maintain the published expectations for the hearing. Please note that today’s virtual hearing is recorded via Webex, for appellate purposes and will be available for review upon request by the Parties. The recording is the property of the University of Connecticut and is considered part of the student record. All participants in the administrative proceeding are expected to be in a private area so that no one other than the participants may observe, hear, or otherwise have access to the hearing. Recording of the hearing in any way (audio, video, etc.) is expressly prohibited.

At this time will all other participants state their chosen name, gender pronouns, role in this hearing (*Hearing Officers, Investigating Student Conduct Officer, Complainant, Respondent, Support Persons, Advisor*) and acknowledge the expectations?

This hearing has convened on [date and time] to hear the case of [name of Respondent].

Each of the participants’ roles are defined in a manner which does not disturb the proceedings. The following Rules of Decorum are to be observed in the hearing and applied equally to all participants.

- Participant’s chosen names and gender pronouns will be honored.
- The Hearing Chair will determine if a posed question(s) (from the Hearing Officers and/or Advisors) is relevant. When the Hearing Chair determines a question has been “asked and answered” or is otherwise not relevant, the Hearing Officer(s) and/or Advisor must move on.
- Questions are used to identify consistency or understand a fact; they may not include accusations within the text of the question.

As the Hearing Chair, I will notify a participant directly should there be a violation of the Rules of Decorum and either remove the participant or allow them to continue participating in the hearing. At this time, will all participants acknowledge the expectations and Rules of Decorum?

Thank you.

HEARING CHAIR: “Reasonable delays and/or breaks, including the temporary adjournment of the hearing, may be anticipated. Upon return from any breaks, the participants will reintroduce themselves and acknowledge that the recording has resumed.”

HEARING CHAIR: “Information presented is expected to be truthful and complete as it is a violation of the University of Connecticut’s Student Code as well as the Code of Conduct for faculty and staff to present false information. This is an administrative proceeding. As outlined in The Student Code, a preponderance of the evidence standard of the information must be shown to find a Respondent in violation of a policy.

The role of Hearing Officers is to review all information, including the final investigation report, to determine whether the investigation was conducted in a fair, impartial, and reliable manner; the information is sufficient to support the factual findings; and there is a rational basis, applying a preponderance of the evidence standard, for the investigation regarding a potential violation of The Student Code. In conducting this hearing, the Hearing Officers may accept or reject the Investigative report in whole or in part.

Advisors

HEARING CHAIR: “The role of the Advisor during this administrative hearing is limited. It reflects that this process is not a courtroom proceeding but is part of the institution’s programs that are designed to provide a good living/learning environment for all members of our academic community. You may not speak for either party, except for the purpose of cross-examination.”

When a Support Person is Present

HEARING CHAIR: “The role of the support person during this administrative hearing is also limited. It reflects that this process is not a courtroom proceeding but is part of the institution’s programs that are designed to provide a good living/learning environment for all members of our academic community. You may not question witnesses or make statements. Your role is to provide advice to the parties in a manner which does not disturb the proceedings. When the support person is also a witness, they will be permitted to answer questions from the Hearing Officer and/or Advisor when the question is determined relevant.”

WITNESSES:

HEARING CHAIR: “Witnesses were contacted prior to the hearing and received the Webex invitation. At this time, I would like to confirm which witnesses are present. [Complainant Name], will you please share which witnesses are present? [Complainant shares any known witnesses]

“Thank you [Complainant Name]. [Respondent Name], will you please share which witnesses are present? [Respondent shares any known witnesses]

“Thank you [Respondent Name].”

Those identified witnesses will wait in a virtual breakout room and will be permitted into the Webex call at the appropriate time below.

“If any participant fails to act in accordance with the procedures for this hearing, you may be dismissed from this hearing.”

Review of the Hearing Process and Proceedings

HEARING CHAIR: “During this portion of the hearing each party will have an opportunity to make an opening statement in response to the allegations, investigation report and documentation. This portion of the hearing is specific to the incident(s) and facts of the case, not the student’s background, academic experience, impact, etc. As the Hearing Chair, I will facilitate questions from the Hearing Officers and/or the Advisors. Each party will have the opportunity for closing statements before the conclusion of the hearing. No determination will be rendered during this live hearing.

Following the Hearing, each party will have 1 business day to submit an optional written impact statement to hearings@uconn.edu. Parties may include any information about how this experience has impacted them as an individual or any other information they deem important to share. This email is monitored by the Office of Community Standards. Impact statements are not shared with the other party.

Following the live portion of the hearing, the Hearing Officers will deliberate in private to determine if there is a violation of The Student Code. Should the Hearing Officers determine that there’s a policy violation, they will request any submitted impact statements, including past conduct history (if any) to hearings@uconn.edu. Impact statements and past conduct history (if any) are only utilized during the sanctioning phase of the determination.

Finally, the Hearing Officers will notify each party simultaneously in writing no later than 10 calendar days from (INSERT DATE OF THE HEARING) of their decision. This written notification will also include a rationale and steps to appeal.”

Are there any questions regarding the hearing process? Will each of the participants verbally indicate that you’re ready to proceed?”

Opening Statements

Each party is given the opportunity to provide an opening statement. This may be limited to 10 minutes.

HEARING CHAIR: “At this point, the complainant has the opportunity to share an optional opening statement. [Complainant Name] would you like to share an opening statement?”
{Complainant’s Statement}

HEARING CHAIR: “Thank you. Now, [Respondent Name], you too have the opportunity to share an optional opening statement. Would you like to share an opening statement?”
{Respondent’s Statement}

HEARING CHAIR: “Thank you [Respondent Name]”

Questions from the Hearing Officers, and Advisors of Parties, Witnesses and ISCO

Each party is provided the opportunity to pose questions to all other Parties, Witnesses and ISCO.

HEARING CHAIR: “We will now provide you the opportunity for each party in the room to ask questions of the other parties. These questions should be verbally directed to myself, and I will determine if the question is pertinent. If a question is determined to be pertinent, then the directed party may answer the question. If denied, the Hearing Officer(s), and/or party’s Advisor will not be permitted to ask the question(s). The Party’s should not be compelled to participate and/or respond to each approved question. Please wait to hear if the question was approved prior to providing a response.”

HEARING CHAIR: “We will begin with questions to the Complainant from the Hearing Officers”
{Hearing Officer’s Questions}

HEARING CHAIR: “We will continue with questions to the Complainant from the Complainant’s Advisor”
{Complainant’s Questions}

HEARING CHAIR: “We will continue with questions to the Complainant from the Respondent’s Advisor”
{Respondent’s Questions}

HEARING CHAIR: “Are there any final questions to the Complainant from the Hearing Officers”
{Hearing Officer’s Questions}

HEARING CHAIR: “Thank you, we will now move to questions to the Respondent”

HEARING CHAIR: “We will begin with questions to the Respondent from the Hearing Officers”
{Hearing Officer’s Questions}

HEARING CHAIR: “We will continue with questions to the Respondent from the Complainant’s Advisor”
{Complainant’s Questions}

HEARING CHAIR: “We will continue with questions to the Respondent from the Respondent’s Advisor”
{Respondent’s Questions}

HEARING CHAIR: “Are there any final questions to the Respondent from the Hearing Officers”
{Hearing Officer’s Questions}

Witnesses

HEARING CHAIR: “At this point, we will move to questions to the witness(s). The Hearing Officers may determine the order in which the witnesses enter the hearing. [Hearing Officer Name], which witness would you like to invite into the hearing?”

This must be used each time a new witness enters the hearing.

HEARING CHAIR: “Thank you, as a participant in the live hearing, please know that this hearing is being recorded for appellate purposes and will be available for review upon request by the Parties. The recording is the property of the University of Connecticut and is considered part of the student record. All participants in the administrative proceeding are expected to be in a private area so that no one

other than the participants may observe, hear, or otherwise have access to the hearing. Recording of the hearing in any way (audio, video, etc.) is expressly prohibited.

HEARING CHAIR: “Hello [Witness Name], we are here today to discuss the case involving [Respondent Name]. Will you please introduce yourself by providing your chosen name and gender pronouns?”

“Additionally, each of the participants’ roles are defined in a manner which does not disturb the proceedings. The following Rules of Decorum are to be observed in the hearing and applied equally to all participants.

- Participant’s chosen names and gender pronouns will be honored.
- The Hearing Chair will determine if a posed question(s) (from the Hearing Officers and/or Advisors) is relevant. When the Hearing Chair determines a question has been “asked and answered” or is otherwise not relevant, the Hearing Officer(s) and/or Advisor must move on.
- Questions are used to identify consistency or understand a fact; they may not include accusations within the text of the question.

At this time, will you acknowledge the expectations and Rules of Decorum?

Thank you.”

HEARING CHAIR: “Similar to the facilitation of questions between Parties, questions for the Witness should be verbally directed to myself, and I will determine if the question is pertinent. If approved, the Hearing Officer(s), and/or party’s Advisor will be permitted to question to the Witness. Please know that no one can compel your participation. If denied, the Hearing Officer(s), and/or party’s Advisor will not be permitted to ask the question(s). Following the questions, you may rejoin the virtual breakout room for the duration of the questioning portion of the live hearing. You may be asked to return to the administrative hearing to answer additional questions. At the conclusion of the questioning section, I will rejoin the breakout room to dismiss you.”

HEARING CHAIR: “We will begin with questions from the Hearing Officers”
{Hearing Officer’s questions}

HEARING CHAIR: “We will continue with questions from the Complainant’s Advisor”
{Complainant’s questions}

HEARING CHAIR: “We will continue with questions from the Respondent’s Advisor”
{Respondent’s questions}

HEARING CHAIR: “Are there any final questions from the Hearing Officers”
{Hearing Officer’s questions}

ISCO

HEARING CHAIR: “Similar to the facilitation of questions for the witnesses, questions for the ISCO should be verbally directed to myself, and I will determine if the question is pertinent. If approved, the Hearing Officer(s), and/or party’s Advisor will be permitted to question to the ISCO.”

HEARING CHAIR: “We will begin with questions from the Hearing Officers”
{Hearing Officer’s questions}

HEARING CHAIR: “We will continue with questions from the Complainant’s Advisor”
{Complainant’s questions}

HEARING CHAIR: “We will continue with questions from the Respondent’s Advisor”
{Respondent’s questions}

HEARING CHAIR: “Are there any final questions from the Hearing Officers”
{Hearing Officer’s questions}

Closing Statements

Each party is given the opportunity to provide a closing statement which may be limited to 10 minutes.

HEARING CHAIR: “Each party will now have the opportunity to provide concluding remarks. This will be your final opportunity to speak to the allegations, investigation report, documentation and additional information shared in the live hearing prior to deliberations by the Hearing Officers.”

HEARING CHAIR: “At this point, [Complainant Name] has the opportunity to share an optional closing statement. [Complainant Name] would you like to share a closing statement?”
{Complainant’s Statement}

HEARING CHAIR: “Thank you. Now, [Respondent Name], you too have the opportunity to share an optional closing statement. Would you like to share a closing statement?”
{Respondent’s Statement}

HEARING CHAIR: “Thank you [Respondent Name]”

Concluding Remarks

HEARING CHAIR: “As a reminder, the Hearing Officers will meet in private following the live hearing and use the preponderance of the evidence standard to deliberate and determine if a violation of *The Student Code* had occurred. If it is determined that there is a violation of The Student Code, the Hearing Officers will contact hearings@uconn.edu to review any submitted impact statements prior to applying a sanction. Within 10 days, parties will receive a written notice of the rationale for the decision and information regarding the appeal process. At this time, we will stop the hearing.”