Panelist's Roles & Responsibilities

Training September 2021

Hearing Panel

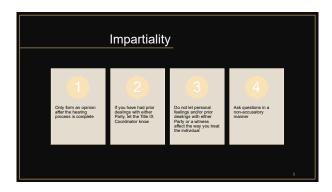
- - Panel of three members that make a recommendation or finding on each of the alleged University policy violations and sanctions and remedial actions after consideration of evidence presented at a hearing
- Available for Title IX (600.030) process
- Used when a specific complaint is not resolved through the informal resolution process
- Comprised of three (3) members
- Designated Hearing Officer will be selected
- University Panelists will be selected from the Hearing Panelist Pool
- Annual training will be required for all Panelists
- Recommendations or determinations regarding responsibility, sanctions and remedial actions will require a majority vote by the Hearing Panel

Who are the Panel members?

- Title IX Hearing Panel
 Hearing Officer
 2 University members randomly selected from Hearing Panelist pool
 - Good faith attempt will be made for Hearing Panel to include at least one faculty member and one administrator or staff member
 - Up to 2 alternates may be designated







Recusal	of a	Hear	ing
Pa	nel l	Mem	ber

- Hearing Panel members, including the Hearing Officer, shall not have a Conflict of Interest or Bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.
- If a Hearing Panel member or Hearing Officer feels that they have a Conflict of Interest or Bias, or cannot make an objective determination, they must recuse themselves.
- Not every case is right for you ... and that is okay!

Objection to a Hearing Panel Member

- Parties must raise all objections to any panelist in writing to the Title IX Coordinator at least 15 business days prior to the hearing.
- Hearing Panel members will only be unseated and replaced if the Title IX
 Coordinator concludes that **good** cause exists for the removal.

 Good cause may include, but is not limited to, bias that would preclude an impartial hearing or circumstances in which the Hearing Panel member's involvement could impact the Party's work or learning environment due to current or potential interactions with the Hearing Panel member (e.g., a panel member being in the same department as either Party).
- The Title IX Coordinator will provide a written response to all Parties addressing any objections to the Hearing Panel members, including the Hearing Officer.

TITLE IX: For conduct falling under 600.020, the resolution process is 600.030.

For complaints of sexual harassment against any Respondent, including any employee of the University.

Hearing
Process Rules
under 600.030
Hearing
Officer Role -
Procedurally

Hearing Process Rules under 600.030 Hearing Officer Role – Substantively

- The relevancy and admissibility of any evidence offered at the hearing shall be determined by the *Hearing Officer*, whose ruling shall be final.
- The Parties' Advisors may object to questions on limited grounds as set forth in the Rules of Decorum. The Hearing Officer will rule on such objections and that ruling shall be final.

Hearing Process Rules under 600.030 Hearing Panelists' Role

- At least five (5) business days prior to the hearing date, the final investigative report and all exhibits will be provided to the Hearing Panel members.
- The Hearing Panel may ask questions of the Parties or any witnesses including the Investigator at any time during the hearing.
- The **Hearing Panel** will deliberate with no others present, except any legal advisor to the Hearing Panel, to find whether the Respondent is responsible or not responsible for the policy violation(s) in question.

 Finding(s) based on a preponderance of the evidence

 If a Respondent is found responsible by a majority of the **Hearing Panel**, the **Hearing Panel** will determine appropriate sanctions and remedial actions by a majority vote.

Helpful Information

- Meet ahead of time with the other panelists
 Prepare for a full day
 Plan meals, no other appointments, etc.
 Work with OGC on any issue
- Be mindful of your social media

