

**UNIVERSITY LOGO**

TITLE IX HEARING PANEL RESOLUTION PROCESS  
OUTLINE OF HEARING PROCEEDINGS (ZOOM)

## INSTRUCTIONS FOR USE

The outline is intended to support a smooth hearing for all participants. Preparing and reviewing this document beforehand will make you feel more comfortable the day of the hearing.

There are places for you to fill in relevant information, such as dates, participant names, and allegation information. These fields are highlighted in yellow.

The day of the hearing, you will follow and read through the outline. You can print a hardcopy or read from your tablet or computer. To help keep you on track, there are places for you to mark (or, “check off”) that you completed a step. In some areas, there are blanks available, should you need to account for something that occurs during the hearing.

**OFFICE** does not collect this document, so you may complete and use it as you find most helpful.

## REMINDERS

As Hearing Officer, you control the hearing. You have the discretion to:

- Call breaks as needed
- Warn or remove Advisors, Parties, or witnesses

In addition, it will be your responsibility to:

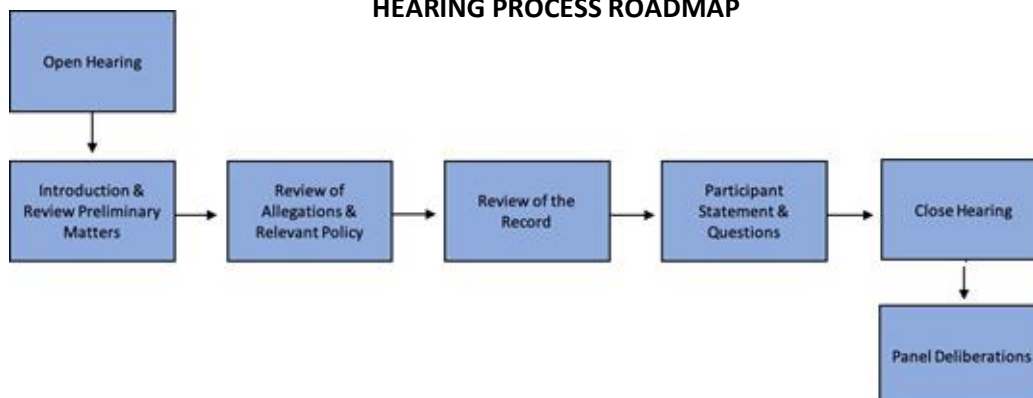
- Determine the relevancy of questions
- Determine the relevance and admissibility of offered evidence
- Prepare and deliver to the Title IX Coordinator the written determination reflecting the decision of the Hearing Panel regarding responsibility, sanctions and remedial actions, if any

You will have a member of General Counsel at the hearing to act as your legal advisor. Please look to them for support for questions.

The Investigatory/**OFFICE** representative will be responsible for recording the hearing. Because this is being held over Zoom, please ensure you monitor both the video screen and chat window, in case a participant raises their hand or sends you a message.

Please remind all Panelists: (1) Be mindful of facial expressions and tone when asking questions. Virtual communications limit the ability for others to pick up on body language and other nuances that may get lost in the virtual world. (2) Limit the proximity of potential distractions during the hearing (i.e. family members, pets, etc.). (3) Consider reducing strains on your bandwidth (i.e. limit the use of internet by others in the home). (4) Hearing participants are the only persons that are to be present in the space from which they are appearing. *If something unforeseen occurs, request a break to resolve the matter.*

## HEARING PROCESS ROADMAP



# Table of Contents

<b>INSTRUCTIONS FOR USE</b> .....	<b>2</b>
<b>REMINDERS</b> .....	<b>2</b>
<b>HEARING PROCESS ROADMAP</b> .....	<b>2</b>
<b>SECTION I. INTRODUCTION AND PRELIMINARY MATTERS</b> .....	<b>1</b>
A. INTRODUCTIONS.....	1
B. OVERVIEW OF HEARING AND GROUND RULES .....	2
C. TECHNICAL CONSIDERATIONS .....	2
D. PRIVACY EXPECTATIONS.....	2
E. ROLE OF ADVISORS .....	3
F. QUESTIONS AND REQUESTING BREAKS .....	4
G. OPPORTUNITY TO OBJECT TO HEARING PANEL MEMBERS.....	4
H. RULES REGARDING QUESTIONING AND EVIDENCE.....	5
I. FORMAT OF HEARING .....	5
<b>SECTION II. REVIEW OF ALLEGATIONS AND UNIVERSITY POLICIES AT ISSUE</b> .....	<b>6</b>
<b>SECTION III. REVIEW OF THE RECORD</b> .....	<b>6</b>
A. NOTICE OF HEARING .....	6
B. INVESTIGATIVE REPORT AND EXHIBITS.....	6
C. PROPOSED WITNESSES IDENTIFIED BY THE COMPLAINANT, RESPONDENT, AND/OR INVESTIGATOR .....	7
D. ADDITIONAL DOCUMENTS .....	7
E. OTHER MATTERS.....	7
<b>SECTION V. PARTICIPANT STATEMENTS AND QUESTIONS</b> .....	<b>8</b>
A. COMPLAINANT .....	8
B. RESPONDENT .....	9
C. INVESTIGATOR/ <b>OFFICE</b> REPRESENTATIVE .....	10
<b>SECTION VIII. CLOSE OF RECORD</b> .....	<b>11</b>
<b>APPENDIX A</b> .....	<b>13</b>

**HEARING OFFICER NOTES & OUTLINE OF PROCEEDINGS**

[COMPLAINANT: NAME]

[RESPONDENT: NAME]

Date of Hearing: \_\_\_\_\_ Time of Hearing: \_\_\_\_\_ Location: **ZOOM**

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**SECTION I. INTRODUCTION AND PRELIMINARY MATTERS**

Start recording: *When you are ready to begin, tell the Investigator to begin recording.*

Good morning/afternoon. Today is [Date], and the time is approximately [Time]. My name is [Hearing Officer Name], and I am the Hearing Officer for today’s Title IX Resolution Hearing Panel.

This hearing is being conducted over Zoom, so I first want to ensure everyone is able to see and hear clearly before we continue. We will do brief introductions, where I will call on each person to state their name and their role in today’s hearing. I will also confirm that you are able to see and hear clearly.

**A. INTRODUCTIONS**

**Hearing Officer Note**

If a Party does not appear for the hearing, note this for the record. An Advisor must still be provided by the University for a Party even when a Party is absent from a hearing. The Advisor must cross-examine the opposing Party and any witnesses in order for the hearing panel to consider statements of those individuals during deliberations.

After each person introduces themselves, confirm that they can see/hear clearly. See example below.

*Hearing Officer: Steve Smith, please state your name and role in today’s hearing.*

*Smith: My name is Steve Smith and I am serving as a panelist.*

*Hearing Officer: Thank you. Have you been able to see/hear clearly?*

*Smith: Yes.*

\_\_\_\_\_ [Panelist Name], please state your name and role in today’s hearing.

\_\_\_\_\_ [Panelist Name], please state your name and role in today’s hearing.

\_\_\_\_\_ [Panel Legal Advisor Name], please state your name and role in today’s hearing.

\_\_\_\_\_ [Complainant Name], please state your name and role in today’s hearing.

\_\_\_\_\_ [Complainant Advisor Name], please state your name and role in today’s hearing.

\_\_\_\_\_ [Respondent Name], please state your name and role in today’s hearing.

\_\_\_\_\_ [Respondent Advisor Name], please state your name and role in today’s hearing.

\_\_\_\_\_ [Investigator Name], please state your name and role in today’s hearing.

## B. OVERVIEW OF HEARING AND GROUND RULES

As the Hearing Officer, my role is to oversee this hearing. The hearing is part of the University's Title IX Resolution Process, as set forth in *Section 600.030* of the Collected Rules and Regulations, utilized to determine whether the Respondent has violated University policy.

This hearing is being recorded. To assist with the recording, I request that everyone speak clearly, respond verbally to questions, and please refrain from speaking over others. To assist in an orderly process, I ask that all participants remain muted unless it is their turn to speak, subject to some exceptions that we will discuss momentarily. We will pause the recording during breaks, and then start it again when we resume after the break; each time we start and stop the recording, I will announce the time, for the record.

The panel members will do our best to accomplish three goals: Our role is to apply the University's rules for Title IX resolution hearings, doing the best we can to help everyone here understand and follow those rules. Second, consistent with those rules, we want to give both the Complainant and the Respondent a full and fair opportunity to be heard while allowing both of them to make a statement and to present evidence if they choose to do so. I would like to remind all participants that the Respondent is presumed not responsible for violating any University policies; only after today's proceedings have concluded will the Hearing Panel begin deliberations to consider whether the Respondent is either responsible or not responsible for a violation of University policy. Finally, we intend to ensure that everyone here—whether a Party to the case, a witness, or anyone else present—is treated with courtesy and respect.

I ask that everyone be patient and respectful during the hearing. We ask that you are honest and abide by the University's key values of [CHOOSE FOR RESPECTIVE UNIVERSITY: MU: respect, discovery, excellence, and responsibility; UMKC: accountability, learning, respect, diversity, collaboration, integrity; S&T: lifelong success, creativity, integrity, sustainability, partnerships, and inclusion; UMSL: excellence, integrity, respect, responsiveness]. The information collected during the hearing will help the Panel decide whether [Respondent's Name] is responsible for violating University policy, and, if so, to determine appropriate sanction(s) and remedial measures, if any.

## C. TECHNICAL CONSIDERATIONS

If, at any point during the hearing, you are unable to see or hear clearly, or if you experience other technology-related issues, please raise your hand or send a message to me using the Zoom chat feature. Because of various factors, such as internet connection speeds, we may have to pause to troubleshoot or ask that you repeat your question or answer. Please note that we will only do this if necessary and it is to only ensure that everyone can hear what is being said. We appreciate your patience and understanding should this occur.

## D. PRIVACY EXPECTATIONS

The University takes privacy seriously and expects the same level of privacy to occur over Zoom as it would during an in-person hearing. You previously received this information via email in a document titled, "Preparing for a Zoom Hearing;" but, I want to reiterate expectations.

As I mentioned earlier, today's hearing is being recorded and the OFFICE will maintain this recording as the official record. Using any device to record audio and/or video, or using any device to take photos or screenshots, is prohibited.

The only people permitted to attend the hearing are the Parties, witnesses (if applicable), panelists, the Investigator, and Advisors. Everyone participating over Zoom should take all reasonable measures to ensure no one else is in the room or can see or hear the proceedings. If I become aware that a non-participating individual is watching or listening to the proceedings, I will pause the hearing until that person is no longer watching or listening.

Participants who do not abide by these guidelines may either be warned or dismissed from the proceedings at my discretion. If an unforeseeable interruption occurs, please raise your hand or send a chat message to me directly, and we will pause the hearing.

Obtain verbal responses:

[Complainant Name], do you agree to abide by these rules?

[Complainant Advisor Name], do you agree to abide by these rules?

[Respondent Name], do you agree to abide by these rules?

[Respondent Advisor Name], do you agree to abide by these rules?

Does anyone have any questions regarding the use of Zoom? Please raise your hand if so.

#### E. ROLE OF ADVISORS

##### **Hearing Officer Note**

Even if a Party does not appear at the hearing, an Advisor must be present on behalf of the absentee Party to conduct cross-examination and other questioning for that Party in order for statements of the opposing Party or witnesses to be considered.

I want to review, for the record, the role of the Parties' Advisors in this hearing. The Advisor's role is limited to conducting cross-examination and other questioning for a Party, and objecting to questions on limited grounds as specified in the Rules of Decorum. An Advisor may not make a presentation or otherwise speak to the Hearing Panel directly. An Advisors may consult with the advisee quietly using their previously established means of communication or the designated breakout room in Zoom. Breakout rooms allow for participants to communicate with each other privately, away from all other participants, and will not be observed or recorded. Advisors who do not abide by these guidelines will either be warned or dismissed from the proceedings at the discretion of the Hearing Officer. If warned, a second violation may result in dismissal of the Advisor from the proceeding.

Obtain verbal responses:

[Complainant Advisor Name], do you acknowledge these ground rules?

[Respondent Advisor Name], do you acknowledge these ground rules?

I realize that it can be difficult for an Advisor to consult with an Advisee while the hearing is going on, yet such consultation may be necessary. If at any point an Advisee wishes for us to pause for a moment to allow consultation, please let me know by raising your hand or sending me a chat message. I will request that the recording be paused for a brief time during which the Party and their Advisor may consult privately in their breakout room. When you are ready to resume the hearing, you will send me a message using the Zoom chat feature and I will bring all Parties back into the hearing room. Breakout rooms are private and the conversations will not be recorded.

## F. QUESTIONS AND REQUESTING BREAKS

If a Party is unsure or confused at any point during this hearing, please raise your hand, and I will answer your question as soon as possible without disrupting the hearing.

Parties and their Advisors are encouraged to request breaks, if needed, in order to engage in self-care or to speak privately outside of the proceedings. Additionally, Panelists will occasionally request breaks in order to discuss the case. Whenever a break occurs, the Investigator will place all Parties and panelists in their respective designated breakout rooms. As a reminder, these rooms are private and the conversations will not be recorded.

I will make every effort to ensure that the hearing ends at a reasonable time today.

The Complainant, Respondent, and witnesses (if applicable) are not required to respond to any questions they do not wish to answer; the hearing will continue regardless of whether you answer. Please note, however, that if by failing to answer questions, I determine that an individual has failed to submit to cross-examination, the Hearing Panel will not be able to consider **any** statements of that Party or witness in reaching a determination regarding responsibility. The Hearing Panel is instructed that no inference can be drawn from the fact that a Party or witness has failed to submit to cross-examination. The Hearing Panel will make a decision based on the investigative report, exhibits, and the information available at the hearing.

Do you have any questions before we proceed? *(Get verbal responses)*

## G. OPPORTUNITY TO OBJECT TO HEARING PANEL MEMBERS

### Hearing Officer Note

All objections raised by a Party to any Hearing Panelist including the Hearing Officer are to be sent in writing to the Title IX Coordinator at least fifteen (15) business days prior to the hearing. The Title IX Coordinator will provide a written response to the Parties and the Hearing Officer addressing any objections made.

I am going to cover some preliminary matters for the hearing. These matters will be read aloud for the recording.

First, you have had the opportunity to object to members of the Hearing Panel. Any objections to a Hearing Panelist were required to be submitted to the Title IX Coordinator in a written statement within fifteen business days preceding this hearing. The statement needed to describe the alleged reasons why the Hearing Panelist may present bias in such way that it would affect the outcome of the Hearing.

*[If true, state for the record: No objections to the seated Hearing Panel were received].*

*[If objection received, state procedural history for record]*

Obtain verbal responses:

**[Complainant Name]**, do you agree?

**[Respondent Name]**, do you agree?

## H. RULES REGARDING QUESTIONING AND EVIDENCE

I want to remind you of the rules regarding questioning and evidence.

Part of my responsibility is to determine whether a question is relevant. I may ask for a pause to consider a question's relevance. Please do not answer if I ask for a pause until I indicate my decision. If I decide a question is not relevant, I will explain.

Certain topics are not allowed to be part of the Hearing. You may not ask questions or offer statements or documents about:

- The character of the Complainant or Respondent (unless deemed relevant by the Hearing Officer),
- Incidents not directly related to the possible violation, unless they show a pattern of behavior,
- The pre-disposition or sexual history of the Complainant, unless such questions or evidence are offered to prove consent or that someone other than the Respondent committed conduct alleged by the Complainant,
- A Party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made or maintained in connection with the Party's treatment, without express consent from that Party, and
- Information that is protected under a legally recognized privilege, unless the person holding the privilege has waived the privilege.

**[Complainant Name]** and **[Respondent Name]**, you may not directly question each other or any witness. All cross-examination and other questioning on behalf of a Party must be conducted by your Advisor. If at any point you wish to consult with your Advisor, please let me know by raising your hand or sending me a chat message. I will request that the recording be paused for a brief time where you and your Advisor may consult privately in a breakout room.

## I. FORMAT OF HEARING

The format of this hearing will be as follows; we will review the record, including the allegations, receipt of documents, and potential witnesses. After we review the record, we will begin the presentation of evidence. We will begin first with the presentation of the case of the Complainant, **[Complainant Name]**, followed by the Respondent, **[Respondent Name]**, and then the Investigator, **[Investigator Name]**. Each Party may give a verbal statement regarding the allegations at issue. The Hearing Panel will then have an opportunity to ask questions of the Party, followed by cross-examination of the Advisor of the opposing Party. Each Party may also call witnesses of their choice who will also be subject to questioning by the Hearing Panel and cross-examination by the Advisor of the opposing Party. Both Parties will also be offered the opportunity to submit documentary evidence.

Next, the Investigator will be available to answer questions of the Hearing Panel. The Investigator will then be subject to cross-examination by the Advisors of the Complainant and Respondent. The investigator may call witnesses of their choice who will be subject to questioning by the Hearing Panel and cross-examination by the Advisors of the Complainant and Respondent. The Investigator may also submit documentary evidence.



The Hearing Panel may ask questions of the Parties or any witnesses, including the Investigator, at any time during the hearing.

At this point, are there any questions? Please raise your hand if so.

## SECTION II. REVIEW OF ALLEGATIONS AND UNIVERSITY POLICIES AT ISSUE

[Respondent Name], we are here to determine whether you violated the University's anti-discrimination policies, specifically [Section 600.020 of the Collected Rules and Regulations, which is the Sexual Harassment under Title IX policy AND/OR add other policy name(s) and citation(s) as needed.]

As stated in the Investigative Report, you are alleged to have violated the following:

[Read APPLICABLE POLICY DEFINITIONS section from the Investigative Report in its entirety.]

## SECTION III. REVIEW OF THE RECORD

We are going to review the documents that relate to today's hearing and the Title IX Resolution Process. These documents are part of the record.

### A. NOTICE OF HEARING

First, is the Notice of Hearing that was sent on [Date Notice of Hearing was sent]. I will ask each of you to acknowledge that you received the Notice of Hearing.

Obtain verbal responses:

- \_\_\_\_\_ [Respondent Name], did you receive this Notice?
- \_\_\_\_\_ [Complainant Name], did you receive this Notice?
- \_\_\_\_\_ [Investigator Name], were any extensions of this hearing date requested? If so, please note the procedural history for the record.

### B. INVESTIGATIVE REPORT AND EXHIBITS

The Parties received access to the investigative report and accompanying exhibits on [Date of Investigative Report]. Please acknowledge that you received these documents prior to the hearing.

Obtain verbal responses:

- \_\_\_\_\_ [Respondent Name] acknowledges
- \_\_\_\_\_ [Complainant Name] acknowledges
- \_\_\_\_\_ Investigator comments, if any

Do the Parties have any objections to the Investigative Report and exhibits, before we continue?

Note any objections, if any:

Respondent Objections: \_\_\_\_\_  
Complainant Objections: \_\_\_\_\_

**C. PROPOSED WITNESSES IDENTIFIED BY THE COMPLAINANT, RESPONDENT, AND/OR INVESTIGATOR**

**Hearing Officer Note**

If no witnesses have been proposed, note for the record: "I would like to note for the record that no witnesses were proposed by either Party or by the Investigator. At the conclusion of today's hearing, because no witnesses were present for this hearing, the hearing panel shall **not** rely on any statements of any witness, including any statements contained in the investigative report and exhibits, in reaching a determination regarding responsibility. The Hearing Panel will not draw any inference from the fact that a witness failed to submit to cross-examination."

You may then skip to the next section.

I received notice that the following witnesses may appear at this hearing today:

List of Witness Name(s) for Complainant: \_\_\_\_\_

List of Witness Name(s) for Respondent: \_\_\_\_\_

List of Witness Name(s) for Investigator: \_\_\_\_\_

For the record, I will ask the Parties to acknowledge they received the names of these proposed witnesses prior to the hearing:

Obtain verbal responses:

\_\_\_\_\_ [Respondent Name] acknowledges

\_\_\_\_\_ [Complainant Name] acknowledges

\_\_\_\_\_ Investigator comments, if any

**D. ADDITIONAL DOCUMENTS**

I received notice that the Parties may use the following evidence at the hearing:

List of Evidence for Complainant: \_\_\_\_\_

List of Evidence for Respondent: \_\_\_\_\_

List of Evidence for Investigator: \_\_\_\_\_

For the record, I will ask the Parties to acknowledge they received this evidence prior to the hearing:

Obtain verbal responses:

\_\_\_\_\_ [Respondent Name] acknowledges

\_\_\_\_\_ [Complainant Name] acknowledges

\_\_\_\_\_ Investigator comments, if any

**E. OTHER MATTERS**

Are there any other matters or questions that need to be addressed by the Hearing Panel before we proceed? Does anyone need a break before we continue? (If a break is requested, state for the record something similar to: "I will ask that the Investigator stop the recording and move all Parties to their respective breakout rooms. The time is now XXX. and we are off the record.")

## SECTION V. PARTICIPANT STATEMENTS AND QUESTIONS

We will now hear from the Parties and any other witnesses in this case. We ask that you answer truthfully and abide by the University's principles of [CHOOSE FOR RESPECTIVE UNIVERSITY: MU: respect, discovery, excellence, and responsibility; UMKC: accountability, learning, respect, diversity, collaboration, integrity; S&T: lifelong success, creativity, integrity, sustainability, partnerships, and inclusion; UMSL: excellence, integrity, respect, responsiveness].

### Hearing Officer Note

In the case of multiple Respondents or Complainants, the process and order of questioning as listed above will apply for each Complainant and Respondent. The order in which Complainants and Respondents are called is up to the discretion of the Hearing Officer.

### A. COMPLAINANT

The Complainant, [Complainant Name], will present first and will be given an opportunity to make a statement. Then, the Hearing Panel may ask questions, followed by cross-examination by the Advisor of the Respondent. There will be a break after the Hearing Panel asks questions so that the Respondent may confer with their Advisor. Are there any questions before we proceed?

[Complainant Name], Complainant

- Statement by Complainant
- Questions by Hearing Panel
- Cross-examination by Advisor of Respondent
- Did Not Appear\*
- Attended but Declined to Speak\*
- Call witness(es)
- Submitted documentary evidence

*\*If applicable:* It will be noted for the record that Complainant [Complainant Name] (did not appear)(attended but declined to speak, at this hearing). Due to Complainant's (failure to appear)(decision to not answer questions), I find that the Complainant did not submit to cross-examination and this hearing panel must not rely on any statement of Complainant in reaching its determination regarding responsibility. The Hearing Panel will draw no inference from the fact that Complainant failed to submit to cross-examination at this hearing.

Does anyone need a break before we continue? ( If yes, state for the record something similar to: "I will ask t the Investigator to stop the recording and move all Parties to their respective Breakout Rooms where Parties can speak in private. The time is now XXX. and we are off the record."

[Complainant name] Do you have any witnesses you wish to call?

USE IF COMPLAINANT CALLS A WITNESS

Witness Name	Each is provided the opportunity to ask questions.				
	Complainant Advisor	Hearing Panel	Respondent Advisor	Declined to Speak	Did not Appear

The Advisor for the Complainant will begin the questioning of this witness, followed by questioning from the Hearing Panel, and then the Advisor of the Respondent will be given the opportunity to cross-examine this witness.

**Witness Name**], Witness of Complainant

- \_\_\_\_\_ Questions by Complainant’s Advisor
- \_\_\_\_\_ Questions by Hearing Panel
- \_\_\_\_\_ Cross-examination by Respondent’s Advisor

[Repeat for each Witness of Complainant]

**Complainant Name**] do you have any additional evidence that you would like the Hearing Panel to consider in making its determination?

Exhibit Information		Submitted by:			Determination by Hearing Officer	
Exhibit	Description	Complainant	Respondent	Investigator	Included	Excluded
Exhibit A						
Exhibit B						
Exhibit C						
Exhibit D						

**B. RESPONDENT**

Next, **Respondent Name**] will be given an opportunity to make a statement. Then, the Hearing Panel may ask questions of the Respondent, followed by cross-examination of the Respondent by the Advisor of the Complainant. There will be a break after the Hearing Panel asks questions so that the Complainant may confer with their Advisor. Are there any questions?

**Respondent Name**], Respondent

- \_\_\_\_\_ Statement by Respondent
- \_\_\_\_\_ Questions by Hearing Panel
- \_\_\_\_\_ Cross-examination by Advisor of the Complainant
- \_\_\_\_\_ Did Not Appear\*
- \_\_\_\_\_ Attended but Declined to Speak\*
- \_\_\_\_\_ Call witness(es)
- \_\_\_\_\_ Submitted documentary evidence

*\*If Applicable:* It will be noted for the record that Respondent [Respondent Name] (did not appear)(attended but declined to speak). Due to Respondent's (failure to appear)(decision to not answer questions), I find that the Respondent did not submit to cross-examination and this hearing panel must not rely on any statement of Respondent in reaching its determination regarding responsibility. The Hearing Panel will draw no inference from the fact that Respondent failed to submit to cross-examination at this hearing.

Does anyone need a break before we continue? (If yes, state for the record something similar to: "I ask that the Investigator to stop the recording and move all Parties to their respective Breakout Rooms. The time is now XXX. and we are off the record.")

[Respondent name] Do you have any witnesses you wish to call?

**USE IF RESPONDENT CALLS A WITNESS**

Witness Name	Each is provided the opportunity to ask questions.					
	Respondent Advisor	Hearing Panel	Complainant Advisor	Declined to Speak	Did not Appear	

The Advisor of the Respondent will begin the questioning of this witness, followed by questioning from the Hearing Panel, and then the Advisor of the Complainant will be given the opportunity to cross-examine this witness.

[Witness Name], Witness of Respondent

- \_\_\_\_\_ Questions by Respondent's Advisor
- \_\_\_\_\_ Questions by Hearing Panel
- \_\_\_\_\_ Cross-examination by Complainant's Advisor

[Repeat for each Witness of Respondent]

[Respondent Name], do you have any additional evidence that you would like the Hearing Panel to consider in making its determination?

Exhibit Information		Submitted by:			Determination by Hearing Officer	
Exhibit	Description	Complainant	Respondent	Investigator	Included	Excluded
Exhibit A						
Exhibit B						
Exhibit C						
Exhibit D						

**C. INVESTIGATOR/OFFICE REPRESENTATIVE**

The Investigator will now be available to answer questions of the Hearing Panel. The Investigator may then be subject to cross-examination by the Advisor of the Complainant, followed by cross-examination by the Advisor of the Respondent.

[Investigator Name], Investigator

- \_\_\_\_\_ Questions by Hearing Panel
- \_\_\_\_\_ Cross-examination by Complainant’s Advisor
- \_\_\_\_\_ Cross-examination by Respondent’s Advisor

[Investigator name] Do you have any witnesses you wish to call?

USE IF INVESTIGATOR CALLS A WITNESS

Witness Name	Each is provided the opportunity to ask questions.					
	Hearing Panel	Complainant Advisor	Respondent Advisor	Declined to Speak	Did not Appear	

The Hearing Panel will begin the questioning of this witness, followed by cross-examination from the Complainant’s Advisor, and then the Advisor of the Respondent will be given the opportunity to cross-examine this witness.

[Witness Name], Witness of Investigator

- \_\_\_\_\_ Questions by Hearing Panel
- \_\_\_\_\_ Cross-examination by Complainant’s Advisor
- \_\_\_\_\_ Cross-examination by Respondent’s Advisor

[Repeat for each Witness of Investigator]

[Investigator Name], do you have any additional evidence that you would like the Hearing Panel to consider in making its determination?

Exhibit Information		Submitted by:			Determination by Hearing Officer	
Exhibit	Description	Complainant	Respondent	Investigator	Included	Excluded
Exhibit A						
Exhibit B						
Exhibit C						
Exhibit D						

**SECTION VIII. CLOSE OF RECORD**

This concludes this hearing. The Hearing Panel will now deliberate in private without anyone else present except, for the legal advisor to the Hearing Panel.

The Hearing Panel is instructed to disregard any statement or testimony of any individual who did not appeal today and submit to cross-examination [including (Name of Party/Witness)]. The Hearing Panel shall not rely on any statement by such individual(s) in reaching a determination regarding responsibility. You shall not draw any inference about the determination regarding responsibility based solely on the failure of such individual(s) to submit to cross-examination.

The Hearing Panel, will determine whether [Respondent Name] is responsible for violating University policy. If so, we will determine sanctions and remedial measures, if any.

The Hearing Panel will reach a decision after deliberations and I will prepare a written determination reflecting the decision of the Hearing Panel regarding responsibility, and sanctions and/or remedial actions, if any.

The Hearing Panel's decision typically is submitted to the Title IX Coordinator within five (5) business days of the end of deliberations. If necessary, deviations from this five-day period will be communicated to you along with an expected time of completion. The Title IX Coordinator will provide the written determination to the Parties simultaneously within five (5) business days after receipt of the written determination. Both Parties will have the right to appeal the decision.

If you have any questions about the Title IX Resolution Process or this hearing, please contact [Investigator Name], the Investigator in this matter. I ask [Investigator Name] to move everyone to their respective breakout rooms. You are free to remain in your breakout rooms to speak with your Advisor or you may leave at any time as the hearing has now concluded. I thank everyone for taking the time to be here today. The time is approximately XXX. We are now off the record.

Stop Recording: *Tell the Investigator to stop the recording.*

**APPENDIX A**  
Question Preparation

**Questions for the Hearing:**

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**Question Prompts:**

“Tell me about...”

“Help me understand...”

“Can you clarify...”

“How would you describe...”

“Can you tell us what [ambiguous word] means to you?”