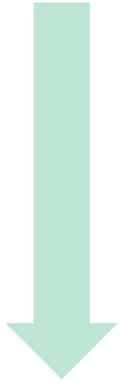


# Hearing Chairperson/ Panel Roles and Responsibilities

## 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.

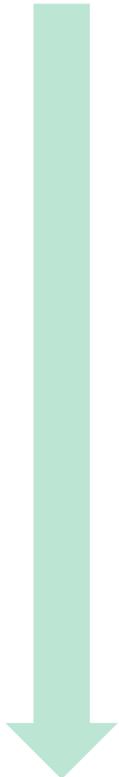
### Give Notice and Action

- ◆ 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)



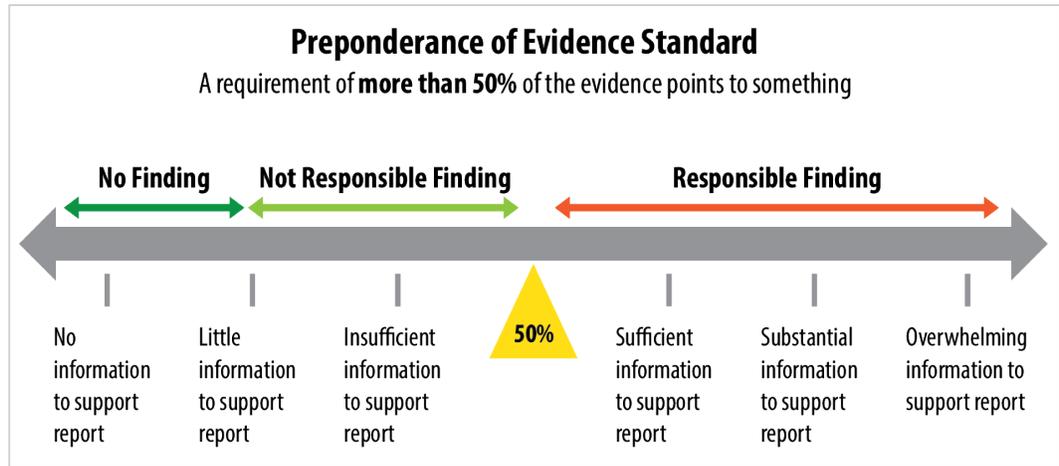
**Real**  
(Physical Object)



**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