

Conduct Hearing Script

Revised September 20, 2007

Today is _____ and we are called to discuss case # _____ with regard to alleged violation(s) of the Code of Student Responsibility.

My name is _____ and I am charged with the responsibility of maintaining order during these proceedings and to determine the admissibility of information.

I would like for the other panel members to introduce themselves (starting on my right).

The advisor for this hearing is _____.

Before we begin, are there any panel members who have previous knowledge of this incident or the parties involved?

Would the Student Attorney General and the University witness(es) please introduce yourselves?

Would the Student Counsel and the accused student(s) please introduce yourselves?

If there are two or more accused students, read the following. If not, skip to the arrow.

Mr./Ms. _____ (**accused students**), do you consent to have your cases heard together at this time? (**Each accused student should respond verbally**)



Before we begin, I would like to remind all parties that the information in this hearing is confidential. It is a violation of the Code of Student Responsibility and federal law to disclose the contents of this hearing to anyone. Please remain seated and address all comments and questions to the chair of this panel.

All hearings are closed to the public unless the witness(es) to the incident and accused party mutually agree to an open hearing. In a closed hearing, admission of any person to the hearing shall be at the discretion of the advisor. An open hearing means that anyone may stay in the room for the proceedings. A closed hearing means that only those persons directly involved with the case may remain for the proceedings.

Mr./Ms. _____ (**accused student/s**), do you wish to have an open or closed hearing?

Mr./Ms. _____ (**University witness**), do you wish to have an open or closed hearing?

If a closed hearing is held, read the following. If not, skip to the arrow.

I move that we go into closed session to prevent the disclosure of confidential student records under the federal Family Educational Rights and Privacy Act. (Motion must be **seconded** by the Note Taker and **approved** by the Recorder.)



Will all witnesses please leave the room at this time. You will be called in individually to present your information regarding this case.

At this time, I will read the notice of violations and the alleged behavior. (**read the notice of charges and alleged behavior**)

Mr./Ms. _____ (**accused student**), what is your plea to the violation of _____, responsible or not responsible? (**Read each violation separately and note for the record a plea of responsible or not responsible**)

If the accused student has more than one violation and enters a plea of not responsible to any of them, follow the “not responsible” script.

Important Notes:

Attorney General/Student Counsel – if you wish to confer with the witness(es) or accused student(s), request a moment to do so, or a recess, from the chair of the panel

NOT RESPONSIBLE SCRIPT

Mr./Ms. _____ (**accused student**), you have entered a plea of not responsible to the violation of _____. (**Repeat for additional violations**)

Call in first University witness. (Pause the tape)

Mr./Ms. _____ (**1st University Witness**), please present your information regarding this incident.

Are there any questions from the Hearing Panel? **remember that panel members can ask questions at any time**

Mr./Ms. _____ (**accused student**), do you have questions you feel the Panel should consider asking to better understand this situation?

Mr./Ms. _____ (**1st University witness**) do you have additional information you feel the Panel should consider to better understand this situation?

Repeat the witness information and questions for additional witnesses.

Mr./Ms. _____ (**accused student**), please present your information regarding this incident.

Are there any questions from the Hearing Panel?

Mr./Ms. _____ (**University witness/es**) do you have questions you feel the Panel should consider asking to better understand this situation?

Mr./Ms. _____ (**accused student**), do you have additional information you feel the Panel should consider to better understand this situation?

If witnesses for the accused student are present, proceed with the following. If not, skip to arrow.

Call in the accused student's first witness. (Pause the tape)


Mr./Ms. _____ (**accused student's 1st witness**), please present your information regarding this incident.

Are there any questions from the Hearing Panel? **remember that panel members can ask questions at any time**

Mr./Ms. _____ (**University witness/es**) do you have questions you feel the Panel should consider asking to better understand this situation?

Mr./Ms. _____ (**accused student**), do you have questions you feel the Panel should consider asking to better understand this situation?

Repeat the witness information and questions for additional witnesses.

 Witnesses are now excused at this time. Thank you for your information.

If the University witness is a “victim” (i.e. physical/sexual assault), read the following. If not, skip to the arrow.

At this time, would Mr./Ms. _____ (**victim**), like to make a statement of how this incident has impacted you?

 At this time, would Mr./Ms. _____ (**accused student**), like to make a statement of how this incident has impacted you?

At this time, I will ask everyone to wait outside as the panel deliberates responsibility. (**Pause tape**)

From this point forward, if there is more than one accused student, the script should be presented to each accused student separately.

This hearing is now back in session.

Mr./Ms. _____ (**accused student**), the hearing panel has carefully deliberated and made the following decision. With the charge of _____ the panel finds you _____. (**repeat for each additional charge**)

If found not responsible for all charges, read the following.

I would like to thank each of you for your time and remind you that all information regarding this hearing is confidential. (**If closed session**) I move to go back into open session (**second needed**). This hearing is adjourned.

If found responsible, read the following.

We will now enter into the sanctioning phase of the hearing.

Mr./Ms. _____ (**accused student**), do you have witnesses to testify on behalf of your character?

If there are character witnesses, read the following. If not, skip to the arrow.

Please state your name and the information you have in regard to the character of Mr./Ms. _____ (**accused student**).

Are there any questions from the Hearing Panel?

Mr./Ms. _____ (**accused student**), do you have questions you feel the Panel should consider asking this character witness?

Repeat the witness statement and questions for additional witnesses.

Dismiss character witnesses.



Will the Attorney General (*or advisor*) please read the previous findings of responsibility?

Are there recommendations for sanctioning from the Attorney General's Office? From the Student's Counsel's Office? From Housing and Residence Life, Police & Public Safety, others?

Mr. Ms. _____ before we deliberate, we would like to ask you a few questions.

What is your class standing? (freshman, sophomore, etc)

How many hours are you taking this semester?

Do you have a job? How many hours do you work per week?

Are you involved in any extracurricular activities?

Do you have a car on campus?

How old are you?

What is your current school/local address?

Given the fact that Student Conduct system is part of the educational process, the panel requests that you answer the following questions:

Why do you think the University is concerned with this incident?

What have you learned from this experience?

Do you have anything else you would like share with the panel for sanctioning purposes?

At this time, I will ask everyone to wait outside as the panel deliberates sanctioning. **(Pause tape)**

From this point forward, if there is more than one accused student, the script should be presented to each accused student separately.

This hearing is now back in session.

Mr./Ms. _____ (**accused student**), after careful consideration, the panel has determined the following sanctions: _____ (**read sanctions and completion deadlines**)

Should you fail to complete these sanctions by the designated deadlines, you may be charged with violating the terms of a conduct sanction, and your registration records will be flagged.

You have the right to appeal the decision of the hearing panel on the following grounds:

1. a violation of due process
2. a material deviation from Substantive and Procedural Standards adopted by the Board of Governors, set forth in Board of Governor's Policy 700.4.1

You must complete this appeal in writing to the Dean of Students Office in 217 King Building within five days of receiving the hearing panel's written decision on responsibility, excluding weekends and University holidays.

Are there any questions?

I would like to thank each of you for your time and remind you that all information in this hearing is confidential. **(If closed session)** I motion that we go back into open session **(second needed)**. This hearing is adjourned.

RESPONSIBLE SCRIPT

Mr./Ms. _____ (**accused student**), you have entered a plea of responsible to the violation of _____ . (**Repeat for additional violations**)

Call in first University witness. (Pause tape)

Mr./Ms. _____ (**1st University Witness**), please present your information regarding this incident.

Are there any questions from the Hearing Panel? **remember that panel members can ask questions at any time**

Mr./Ms. _____ (**accused student**), do you have questions you feel the Panel should consider asking to better understand this situation?

Mr./Ms. _____ (**1st University Witness**), do you have additional information you feel the Panel should consider to better understand this situation?

Repeat the witness statement and questions for additional witnesses.

Mr./Ms. _____ (**accused student**), please present your information regarding this incident.

Are there any questions from the Hearing Panel? **remember that panel members can ask questions at any time**

Mr./Ms. _____ (**University Witness/es**), do you have questions you feel the Panel should consider asking to better understand this situation?

Mr./Ms. _____ (**accused student**), do you have additional information you feel the Panel should consider to better understand this situation?

If witnesses for the accused student are present, proceed with the following. If not, skip to the arrow.

Call in accused student's first witness. (Pause the tape)


Mr./Ms. _____ (**accused student's 1st witness**), please present your statement regarding this incident.

Are there any questions from the Hearing Panel? **remember that panel members can ask questions at any time**

Mr./Ms. _____ (**University Witness/es**), do you have questions you feel the Panel should consider asking to better understand this situation?

Mr./Ms. _____ (**accused student**), do you have questions you feel the Panel should consider asking to better understand this situation?

Repeat the witness statement and questions for additional witnesses.

 Witnesses are now excused at this time. Thank you for your information.

If the University witness is a “victim” (i.e. physical/sexual assault), read the following. If not, skip to the arrow.

At this time, would Mr./Ms. _____ (**victim**), like to make a statement of how this incident has impacted you?

 At this time, I would Mr./Ms. _____ (**accused student**), like to make a statement of how this incident has impacted you?

We will now enter into the sanctioning phase of the hearing.

Mr./Ms. _____ (**accused student**), do you have witnesses to testify on behalf of your character?

If there are character witnesses, read the following. If not, skip to the arrow.


Please state your name and the information you have in regard to the character of Mr./Ms. _____ (**accused student**).

Are there any questions from the Hearing Panel?

Mr./Ms. _____ (**accused student**), do you have questions you feel the Panel should consider asking this character witness?

Repeat the witness statement and questions for additional witnesses.

Dismiss character witnesses.

 Will the Attorney General (*or advisor*) please read the previous findings of responsibility?

Are there recommendations for sanctioning from the Attorney General’s Office? From the Student’s Counsel’s Office? Housing and Residence Life? Police & Public Safety? Others?

Mr./Ms. _____ before we deliberate, we would like to ask you a few questions.

What is your class standing? (freshman, sophomore, etc)

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Do you have a job? How many hours do you work per week?

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Given the fact that the Student Conduct system is part of the educational process, the panel requests that you answer the following questions.

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What have you learned from this experience?

Do you have anything else you would like share with the panel for sanctioning purposes?

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From this point forward, if there is more than one accused student, the script should be presented to each accused student separately.

This hearing is now back in session.

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