



# ABOUT HEARINGS

## Chapter UWS 14 and 17:

This document will highlight a few pieces of information regarding hearings. For more detailed information, please refer to Chapters UWS 14 and 17:

- [Chapter UWS 14.08](#)
- [Chapter UWS 17.12](#)
- [Chapter UWS 17.153 \(Sexual Misconduct Hearing\)](#)

## Flow of Academic and Non-Academic Misconduct Hearings:

### I. Introductions

- a. At this time, the panel/examiner will motion to move into closed session. This means that no one from the public may attend the hearing.
- b. Next, the panel/examiner will introduce themselves/themselves.
- c. Lastly, the chair will introduce the advisor to the panel/examiner.

### II. Purpose and Expectations

- a. At this time, the chair/examiner will state that all persons present at the hearing must present information that is true and accurate to the best of their knowledge. If it is found that someone intentionally presents false information, they will be found in violation of a Chapter UWS 17 violation.
- b. Next, the chair/examiner will describe the burden of proof that will be utilized in the hearing.
- c. Following, the chair/examiner will ask if you are being assisted by an advisor, describe their role in in the hearing process, and ask them to introduce themselves to the panel/examiner and for the record.

### III. Clarification

- a. At this time, the chair/examiner will ask if there are any questions regarding procedures or expectations.

### IV. Plea

- a. At this time, the chair/examiner will ask the Respondent if they are contesting the determination that misconduct occurred, the choice of disciplinary sanctions, or both. **You will provide a response.**
- b. Next, the chair/examiner will ask you to enter a plea to each charge. As each charge is listed, you will state **responsible** or **not responsible**.
- c. Following, they will list each sanction and ask you which sanction you are contesting. **You will answer yes or no.**

### V. Presentation of Case

- a. Prior to the presentation of the case, the chair/examiner may remove any witnesses and place them in the lobby of the Zoom room.
- b. Complainant
  - i. At this time, the Complainant will present their case.
  - ii. Once they have presented all their information, the panel/examiner will ask them questions.
  - iii. After the panel/examiner has asked all their questions, they will allow the Respondent to ask any questions through the hearing panel/examiner. You may or may not be allowed to directly question the Complainant.



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- c. **Complainant's Witnesses**
  - i. At this time, the Complainant will present their first witness. The Complainant will ask their witness any questions related to the case.
  - ii. Once the witness has presented all their information, the panel/examiner will ask them questions.
  - iii. After the panel/examiner has asked all their questions, they will allow the Respondent to ask any questions through the hearing panel/examiner. You may or may not be allowed to directly question the Complainant's witnesses.
  - iv. If there are additional witnesses, each one will be brought in individually with the same flow of questioning as noted above.
- d. **Respondent**
  - i. At this time, the Respondent will present their case.
  - ii. Once they have presented all their information, the panel/examiner will ask you questions. Regardless of if you have an advisor or not, it is expected that all Respondent's answer questions asked of them.
  - iii. After the panel/examiner has asked all their questions, they will allow the Complainant to ask any questions through the hearing panel/examiner. The Complainant may or may not be allowed to directly question you.
- e. **Respondent's Witnesses**
  - i. At this time, the Respondent will present their first witness. The Respondent will ask their witness any questions related to the case.
  - ii. Once the witness has presented all their information, the panel/examiner will ask them questions.
  - iii. After the panel/examiner has asked all their questions, they will allow the Complainant to ask any questions through the hearing panel/examiner. They may or may not be allowed to directly question your witnesses.
  - iv. If there are additional witnesses, each one will be brought in individually with the same flow of questioning as noted above.

## **VI. Final Questions**

- a. At this time, the chair/examiner will ask the panel/examiner if there are any remaining questions for the Complainant, Complainant's witnesses, Respondent, or Respondent witnesses.
- b. Next, the chair/examiner will ask if any party needs to take a short break prior to any summary statements.

## **VII. Summary Statements**

- a. At this time, the Complainant will present their summary statement.
- b. Next, the Respondent will present their summary statement.

## **VIII. Closing**

- a. At this time, the chair/examiner will reiterate the burden of proof to be utilized during the hearing and inform you of when and how you will receive a decision.