

UNIVERSITY HEARING PANEL SCRIPT

Definition of Terms:

- Chairperson: A member of the University Hearing Panel responsible for coordinating the UHP during both hearings and deliberations
- Complainant: The person filing the charge
- Respondent: The registered student organization representative responding to the charge
- UHP: University Hearing Panel
- UHP Advisor: The staff member responsible for the conduct of a disciplinary hearing. It is also the role of the UHP Advisor to assist the UHP in gathering relevant information during the hearing. In deliberations, the UHP Advisor directs proceedings and insures that the UHP operate within established parameters. The UHP Advisor is not a voting member of the UHP.

The following process shall be utilized in the conduct of all disciplinary hearings conducted by the University Hearing Panel.

1. The UHP members will arrive in the room **thirty minutes** prior to a scheduled hearing. The UHP Advisor will already have pertinent case information available and have the room prepared for the hearing. The UHP Advisor will test the tape to be certain that it is recording. The UHP members will read the report, examine all accompanying documents thoroughly, and discuss questions to ask so they will be prepared for the hearing.
2. The UHP Advisor will escort all appropriate parties into the hearing room at the scheduled time. The hearing will then be called to order by the UHP Advisor and the recorder shall be activated.

Call To Order:

UHP Advisor: **“We will now call this hearing to order. These members of the University Hearing Panel are called here today to review allegations and information, and to reach an informed decision. The hearing process has been designed to reinforce the core values of this institution, including character, conscience, civility, citizenship, appreciation of diversity, and individual and social responsibility. We will now acknowledge the importance of this process to the University community with a pause for quiet reflection.”**

The UHP Advisor and panel members allow 15 seconds of silence before proceeding.

UHP Advisor: **“Let us now proceed with the hearing.”**

3. The **chairperson** of the University Hearing Panel **will ask all parties to introduce themselves** for the record.
4. Once all parties have been introduced, the UHP Advisor will read the following statement:

Introductory Statement:

UHP Advisor: **“Welcome to the University Hearing Panel. We are here today to determine whether or not University values, encompassed in rules and regulations, have been violated by members of the Illinois State University community.**

This process is provided to registered student organizations in accordance with rights established under the Code of Student Conduct. This is an educational hearing, and all procedures reflect the educational nature of the student disciplinary system.

The following ground rules apply to this proceeding:

All parties will treat one another with respect.

The members of the hearing panel and the UHP Advisor are at all times in charge of these proceedings. All directives of the UHP and its advisor must be followed.

It is expected that the full truth will be told at all times throughout this hearing.

Any party who is considered by the panel or its Advisor to be disruptive may be removed from the hearing. The hearing would then continue in that person’s absence, with that person waiving the opportunity to provide information to the Panel.

***(if applicable)* All advisors for registered student organizations who are present are reminded that their role is non-participatory in nature. They may not direct comments to the hearing panel.**

The hearing panel will take into account any information it considers to be relevant and is not bound by formal rules of evidence. The Panel will determine whether or not violations have occurred based on whether or not there is a preponderance of information that supports the allegations.

A digital record of this hearing is being made. This recording is the property of the Dean of Students Office. No transcripts or copies will be provided, nor are other parties allowed to record these proceedings. Access to the digital recording is provided when a party needs such access in order to file an appeal of a decision reached by the hearing panel. Tapes are maintained in accordance with policies outlined in the Code of Student Conduct.”

5. The chairperson of the University Hearing Panel will then ask each responding student a series of procedural questions.

Procedural Questions:

Chairperson: **“Is there anyone on this panel whom you feel should not serve on this hearing?”**

[If yes, ask who and why. Objections must be specific to an individual and for reasonable cause. The panel will consult with the UHP Advisor to determine how to respond to challenges of panel members.]

“Do you understand the rights you are entitled to as a registered student organization at Illinois State University?”

[If no, please review any concerns the student has until understanding is established.]

“Do you have any objection to proceeding with this hearing at this time?”

[If yes, ask for reason. The panel will consult with the UHP Advisor to determine how to respond to protests.]

6. The UHP Advisor will then ask the responding registered student organization representative(s) to respond to all allegations for the record.

Responses to Charges:

UHP Advisor: **“(Name), at this time we will ask you to enter a claim to each charge. Claims are non-binding and serve only to establish your opinion as to whether or not your organization violated the cited regulation. Regardless of your claim, you will be presented with sufficient opportunity to make statements and offer information and witnesses once information and witnesses on behalf of the complaint have been heard.**

When responding to each charge, your choices are:

In Violation, which indicates your belief that you violated the cited regulation.

Not In Violation, which indicates your belief that you did not violate the cited regulation.

In Violation with an Explanation, which indicates your belief that you violated the cited regulation, but have mitigating factors that you would like this panel to consider.”

The UHP Advisor then asks for a claim to each cited regulation.

7. The Panel will first review information and witnesses in support of the charges. The Chairperson will first allow any complainants or aggrieved parties attending the full hearing the opportunity to offer a statement. If there is no complaint party, move to Step #8.

Chairperson: **“We will begin by asking the complaint party to provide any statements or information that you would like to present.”**

8. The Panel will then hear witnesses in support of the charges. The order of witnesses will proceed chronologically (as it relates to the incident). Accommodations for individual schedules may be made by the University Hearing Panel, in consultation with its advisor.

As each witness enters the hearing room, the **witness will be asked by the chairperson of the University Hearing Panel to state his or her name for the record.** The following introductory statement will then be read by the UHP Advisor.

Witness Introduction:

UHP Advisor: **“Welcome to the University Hearing Panel. As a witness, you are asked to provide any information that you may have that would assist the hearing panel to determine whether or not violations of the Code of Student Conduct have taken place. The Panel appreciates your attendance today, and reminds you to provide information that is both truthful and complete.”**

9. Once a witness has offered a statement, the right of first questioning is provided to the University Hearing Panel and the UHP Advisor. Once completed the complaining and responding parties (in turn) are provided with opportunities to ask each witness questions by directing those questions to the University Hearing Panel. The panel will then determine if that information is relevant before asking the witness. When asking the responding registered student organization and complaint party if they have questions, the following statement will be addressed to each party:

Chairperson: **“Is there any information that you feel the panel did not get from this witness? If so, what is that information?”**

The UHP and the Chairperson of the UHP will have final discretion regarding relevancy of any questions being asked by responding and complaint parties.

10. Once all information has been provided in support of the charges, the responding registered student organization will be provided with an opportunity to present information and witnesses. **The chairperson of the University Hearing Panel will offer the following statement** to the responding student.

Move to Respondent:

Chairperson: **“We have heard the information in support of the charges filed against you and will now consider any statements, information, or witnesses that you would like to present.”**

11. Steps 9 & 10 are repeated for the responding registered student organization to present their version of the events.
12. If the responding registered student organization is not present at the hearing, move immediately to Step #16.
13. The UHP may opt for a brief break in order to determine if there are any additional questions that need to be addressed by the panel. The UHP Chairperson will let respondents and complainants know that a brief break will be taking place and the parties will be called back into the room by the UHP Advisor. The parties are instructed to wait in the waiting area they were in before the hearing began. This break should be no longer than 10 minutes.
14. If needed, the UHP may ask final questions of either the complainant or respondent at this time. If there are no questions, move to Step #15.
15. Once all of the information has been presented, the **chairperson of the University Hearing Panel will offer** the opportunity to each responding registered student organization, complainant, and aggrieved party, (in order) to provide any closing statements. Each closing statement is limited to five minutes in length.

Chairperson:	“At this time, we will allow closing statements. Closing statements will be limited to five minutes in length. “
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16. Once closing statements have been offered, the Panel moves to deliberations. The **chairperson of the University Hearing Panel reads** the following statement.

Move to Deliberations:

Chairperson:	“The University Hearing Panel will now move to closed session for the purpose of reaching a decision. You are welcome to await the decision in the main office. Whether or not you choose to wait, a decision letter will be mailed to you within five school days. This letter will provide the outcome of the hearing, any sanctions imposed, and information regarding any appropriate appeals process.
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The members of the University Hearing Panel thank you for your attendance at this hearing. We hope that this hearing process has provided you with an opportunity to present your point of view, as well as to demonstrate the importance of

upholding the values of Illinois State University. This hearing is now concluded.”

17. The parties are asked to leave the hearing room. The recorder is turned off, and the Panel is instructed to take a three minute recess. The deliberations of the Panel then follow.
18. If a responding student awaits the outcome, **the chairperson of the University Hearing Panel will read** the following statement.

Findings:

Chairperson: **“In Case Number (note #), the University Hearing Panel has reached the following decision.**

(Student Name), the hearing panel has concluded that you are (In Violation/Not in Violation) of regulation (note regulation).”
Repeat second sentence as necessary to respond to all charges.

“Specifically, the hearing panel has concluded...” (read finding of fact)

If there is a finding of violation, read the following:

“As a result of this finding, the hearing panel has determined that the following sanctions are an appropriate community response for your actions. (Read all sanctions).”

Always conclude with:

“Do you have any questions for the hearing panel at this time?”

19. The UHP Advisor collects all notes, reports, and records, as well as the tape of the hearing. The UHP Advisor ensures that the UHP Chairperson has signed the decision, and then also signs the decision. The UHP Advisor then completes an evaluation of the process, an evaluation of each UHP member, and immediately delivers this information to the CR&R Secretary. The hearing room lights are turned off, and the tape recorder/tape is put away.