

ADMINISTRATIVE HEARING SCRIPT

The following process shall be utilized in the conduct of all disciplinary hearings conducted by administrative hearing officers.

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

Call To Order:

Hearing Officer: **“I will now call this hearing to order. I am 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. I will now acknowledge the importance of this process to the University community with a pause for quiet reflection.”**

Administrative Hearing Officer allow 15 seconds of silence before proceeding.

Hearing Officer: **“Let us now proceed with the hearing.”**

3. The Hearing Officer **will ask all parties to introduce themselves** for the record.
4. Once all parties have been introduced, the Hearing Officer will read the following statement:

Introductory Statement:

Hearing Officer: **“Welcome to administrative hearing. We are here today to determine whether or not University values, encompassed in rules and**

regulations, have been violated by a member (or members) of the Illinois State University community.

This process is provided to students 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 Hearing Officer is at all times in charge of these proceedings. All directives of the Hearing Officer 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 Hearing Officer 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.

(if applicable) All advisors for students that are present are reminded that their role is non-participatory in nature. They may not direct comments to the hearing officer.

I will take into account any information I consider to be relevant and I am not bound by formal rules of evidence. I will determine whether or not violations have occurred based on whether or not there is a preponderance of information that supports the allegations.

A taped record of this hearing is being made. This tape 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 taped record is provided when a party needs such access in order to file an appeal of a decision reached by the administrator. Tapes are maintained in accordance with policies outlined in the Code of Student Conduct.”

5. The Hearing Officer will then ask each responding student a series of procedural questions.

Procedural Questions:

Hearing Officer: “Is there any reason you think I should not conduct this hearing?”

[If yes, ask who and why. Objections must be specific to an individual and for reasonable cause. The Hearing Officer will consult with the Coordinator or Associate Dean to determine how to respond to challenges]

“Do you understand the rights you are entitled to as a student 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 Administrator will consult with the Coordinator or Associate Dean to determine how to respond to protests.]

6. The Hearing Officer will then ask each responding student to respond to all allegations for the record.

Responses to Charges:

Hearing Officer: **“(Name), at this time I 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 you 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 Administrator to consider.”

The Hearing Officer then asks for a claim to each cited regulation.

7. The Hearing Officer will first review information and witnesses in support of the charges. The Hearing Officer 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.

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

8. The Hearing Officer 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 Hearing Officer.

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

Witness Introduction:

Hearing Officer: **“Welcome to this administrative hearing. As a witness, you are asked to provide any information that you may have that would be in determining whether or not violations of the Code of Student Conduct have taken place. I appreciate your attendance today, and remind 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 Hearing Officer. Once completed the complaining and responding parties (in turn) are provided with opportunities to ask each witness questions by directing those questions to the Hearing Officer. The Hearing Officer will then determine if that information is relevant before asking the witness. When asking the responding student and complaint party if they have questions, the following statement will be addressed to each party:

Hearing Officer: **“Is there any information that you feel I did not get from this witness? If so, what is that information?”**

The Hearing Officer 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 student will be provided with an opportunity to present information and witnesses. **The Hearing Officer will offer the following statement** to the responding student.

Move to Respondent:

Hearing Officer: **“I 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 student to present his or her version of the events.
12. If the responding student is not present at the hearing, move immediately to Step #16.
13. The Hearing Officer may opt for a brief break in order to determine if there are any additional questions that need to be addressed. The Hearing Officer 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 Hearing Officer. 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 Hearing Officer 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 **Hearing Officer will offer** the opportunity to each complainant, aggrieved party, and responding student (in order) to provide any closing statements. Each closing statement is limited to five minutes in length.

Hearing Officer: **“At this time, I will allow closing statements. Closing statements will be limited to five minutes in length. “**

16. Once closing statements have been offered, the Hearing Officer I moves to deliberations. The **Hearing Officer reads** the following statement.

Move to Deliberations:

Hearing Officer: **“I 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.**

I’d like to thank you for your attendance at this hearing. I 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 Hearing Officer is instructed to take a three minute recess. The deliberations of the Hearing Officer then follow.
18. If a responding student awaits the outcome, **the Hearing Officer will read** the following statement.

Findings:

Hearing Officer: **“In Case Number (note #), the I have reached the following decision.**

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

“Specifically, I have concluded...” (read finding of fact)

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

“As a result of this finding, I have 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 me at this time?”

19. The Hearing Officer collects all notes, reports, and records, as well as the tape of the hearing. The Hearing Officer signs the decision. The Hearing Officer then delivers this information to the CR&R Coordinator. The hearing room lights are turned off, and the tape recorder/tape is put away.