

Judicial Panel Hearing Outline

[Once all panelists, alternates, participants, and Office of Community Standards staff members have arrived, the Judicial Advisor will turn on the audio recorder. The student Chair of the Panel will read aloud the text in bold. Following every break, please confirm the audio recorder is recording.]

INTRODUCTIONS

The time is [REDACTED], and we will now begin the Judicial Panel hearing for [Responding Student]. My name is [REDACTED], and I will be serving as the Chair of this Judicial Panel hearing. Please note that today's hearing is being audio recorded. This recording represents the sole verbatim record of this hearing.

Will the Judicial Advisor please confirm that the audio recorder is recording?

I would like to remind everyone that this is a confidential proceeding, and we ask that the Reporting Party, witnesses, and all panelists, destroy all documentation and delete any electronic files related to this case immediately following the hearing. Any paper records should be left in the hearing room for the Office of Community Standards to destroy. Electronic files will be maintained by the Office of Community Standards.

I would like to ask the staff from the Office of Community Standards to introduce themselves.

Would the Responding Student please introduce yourself?

[If a personal adviser is present, read:] **Would the Responding Student's personal adviser please introduce yourself?**

Would the Reporting Party please introduce yourself?

[If a personal adviser is present, read:] **Would the Reporting Party's personal adviser please introduce yourself?**

[If either the Responding Student or Reporting Party has a personal adviser, read:]
During a Judicial Panel Hearing, the Responding Student and the Reporting Party are expected to speak for themselves. The personal adviser(s) must limit their participation to private advice to the person they accompany and therefore may not question any party or make statements to the panel.



I now ask the members of the panel to introduce themselves with name, department, and, for students, your class status.

BIAS CHECK

Both the Responding Student and the Reporting Party may request the removal of panelists who they believe are biased or have a conflict of interest. You were provided the names of the panelists prior to this hearing, and at this time I ask that you confirm that there are no disqualifying concerns following your visual identification of the panelists.

[Pause for verbal confirmation from Responding Student and Reporting Party. Alternates may be excused at this time. They may stay to witness the hearing as observers if they choose to do so].

[Responding Student], do you have any concern with the seated panelists?

[Reporting Party], do you have any concern with the seated panelists?

Alternates, you may be excused at this time.

I will announce break(s) at reasonable times. If anyone needs a break before I schedule one, please let me know.

Has everyone had the opportunity to review all of the materials provided for this case?

PROCESS FOR RAISING EVIDENTIARY CONCERNS

At this time, I will state the process for parties to raise an evidentiary concern during this hearing. The Concerned Party (whether the Responding Student or the Reporting Party) may raise such a concern by stating, “Excuse me, Panel Chair, I have a concern.” As the Panel Chair, I will then call for a break and discuss the concern with the Concerned Party and the Judicial Advisor. I may also consult with the other panelists. As the Panel Chair, I will make a determination regarding the concern, and I will provide instructions to panelists or other participants, as the case requires, to resolve the concern. If the Responding Student is dissatisfied with the outcome of the concern, the student may raise the issue on appeal.

CONFIRMATION OF RESPONDING STUDENT’S POSITION

[Responding Student], it is our understanding from the documentation that you are contesting that your actions constitute a violation of the **[Honor Code/Fundament Standard]**. Is this correct?

PARTIES' PRESENTATION OF INFORMATION

We will now begin the portion of the hearing during which information is presented for the panel's consideration in determining whether a violation of the **[Honor Code/Fundament Standard]** has occurred. Each party will have the opportunity to provide a brief presentation.

Will the Judicial Advisor please confirm that the audio recorder is recording?

Is there anything the Judicial Advisor would like to add before we proceed?

Are there any questions before we proceed?

Will the Reporting Party, Responding Student, and the Judicial Officer confirm that all information that they will provide during this hearing will be true and accurate? *[wait for auditory yes]*

Will the Reporting Party and Responding Student confirm that the documents that they have submitted regarding this case are their own original work? *[wait for auditory yes]*

[Reporting Party], would you like to explain briefly the nature of the concern, specifics regarding the incident(s) in question, and how this came to your attention?

Are there questions from the Panel for **[Reporting Party]**?

[Responding Student], do you have questions for **[Reporting Party]**?

[Responding Student], would you like to make a brief presentation regarding your position?

Are there questions from the Panel for **[Responding Student]**?

[Reporting Party], is there anything else that you would like to add before we move on to witnesses?

[Responding Student], is there anything else you would like to add before we move

on to witnesses?

Judicial Officer, is there anything else from your investigation that the panel should be aware of before continuing?



If there are no witnesses, proceed to CONCLUDING REMARKS on page 7.

WITNESSES

At this time, we may invite witnesses to offer information for consideration in determining whether the Responding Student is responsible for the charge against her.

[Responding Student], would you like to call any of the witnesses that you regard as relevant to your case? If so, can you let us know what clarification or further information this witness can provide to their written statement that you regard as relevant to this case?

Would the Panel like to take a short break to discuss questions for the witness(es) or determine if the witnesses requested by the Responding Student are relevant to the case?

If yes:

The Panel will take a brief break now. Therefore, we ask that everyone except the Judicial Advisor please excuse us. We will reconvene in [X] minutes.

Judicial Advisor turns off recorder. The Panel will discuss questions and potential witnesses.

When returning from the break, the Judicial Adviser will turn on the recorder.

The time is [REDACTED], and this hearing is now back in session. The Panel has decided [PROVIDE WITNESS INFO/ RATIONALE].

Will the Judicial Advisor please confirm that the audio recorder is recording?

[To the witness:] **[NAME of WITNESS]**, thank you for your participation in this Panel Hearing. Can you please provide your full name and title/class year?

A few reminders regarding witnesses:

- **We expect that all questions will be appropriate, relevant, and civil and that any witness' information will be within the scope of the charge considered by the panel.**
- **Per the Judicial Charter, witnesses have the right**
 - **To refuse to engage in self-incrimination;**
 - **To be offered reasonable protection from retaliation, intimidation and/or harassment; and**
 - **To be informed, in writing, of these rights.**
- **The Charter also states that, “all parties with knowledge of facts pertaining to a case of alleged student misconduct are expected to cooperate fully with the investigation of the facts of the case and must appear, if requested, at Judicial Panel hearings. In addition, all parties are expected to be respectful of the confidential nature of any knowledge or information they may have about a judicial case or the other parties involved.”**

[Responding Student], what questions do you have for this witness?

Do members of the Panel have any questions for this witness?

Are there any final questions from either [Responding Student] or the Panel before this witness is excused?

[NAME of WITNESS], we remind you that this is a confidential matter. Thank you again for participating in this process.

This process is repeated until the Panel has called each witness.



CONCLUDING REMARKS

At this time, the Reporting Party and the Responding Student will be provided the opportunity to make concluding remarks, but you are not required to do so.

Will the Judicial Advisor please confirm that the audio recorder is recording?

[Reporting Party], would you like to add anything regarding the facts of the case?

[Responding Student], would you like to add anything regarding the facts of the case?

Is there anything else the Panel needs to know from the Judicial Officer?

At this time, we ask that everyone except the Judicial Advisor leave the room so that the members of the Panel can determine if the Responding Student is responsible for the violation with which the student has been charged. The hearing will resume when we have completed these deliberations.

Judicial Advisor will turn the recorder off.

ANNOUNCING THE FINDING OF FACT

Once the Panel has concluded its deliberations concerning responsibility, the Panel will record the finding of fact and rationale into Maxient. If the student was found responsible, then the Panel will review the Sanction Statement that the Responding Student has prepared. The Reporting Party and Responding Student are called back into the hearing room.

Judicial Advisor will turn the recorder on.

The time is [REDACTED], and this hearing is now back in session. Will the Judicial Advisor please confirm that the audio recorder is recording?

After considering all the information, in regard to the charge against [Responding Student]:

- **read findings of fact**
- **read vote**
- **read rationale**

IF FOUND NOT RESPONSIBLE –

This now concludes this hearing and the case is closed. [Responding Student], you will receive a final letter from the Office of Community Standards and can consult with your Judicial Advisor if you have any questions. We thank all the participants in today's hearing, if the Judicial Advisor could please stop the recording.

IF FOUND RESPONSIBLE –



SANCTIONS

We will now move to a discussion of the sanctions. The Panel would like to hear from the involved parties.

(If present, read:) **[Reporting Party]**, would you like to offer any comments for consideration in the imposition of sanctions?

(If present, read:) Thank you, **[Reporting Party]**. We will now excuse you from the hearing and talk with the Responding Student about the imposition of sanctions. You will receive written notification of the outcome of the Judicial Panel hearing and the sanctions after they are finalized.

Wait for Reporting Party to depart.

We will now ask the Judicial Advisor to provide the [Standard Sanction for Honor Code cases]/[sanction precedent for Fundamental Standard cases], and/or any additional information regarding prior incidents.

Judicial Advisor reports on the [Standard Sanctions for Honor Code cases]/[sanction precedent for Fundamental Standard cases].

[Responding Student], would you like to offer any comments for consideration in the imposition of sanctions?

Is there anything the Judicial Officer needs to share about aggravating or mitigating circumstances?

Are there any final comments?

At this time, we ask that everyone except the Judicial Advisor leave the room so that the members of the Panel can determine the appropriate sanctions.

Following our deliberations, you will have the opportunity to return to this room to hear the sanction decision and you will receive written notification of the outcome of the Judicial Panel hearing and the sanctions after they are finalized.

Judicial Advisor will turn the recorder off.

Once the Panel has concluded its sanction deliberations, the Responding Student is called back into the hearing room.

Judicial Advisor will turn the recorder on.

ANNOUNCING THE SANCTION

The time is [REDACTED], and this hearing is now back in session.

Will the Judicial Advisor please confirm that the audio recorder is recording?

After considering all of the information, the Panel has decided to issue the following sanction(s):

- **read sanctions**
- **read vote**
- **read sanction rationale**

This case will now proceed to the Associate Vice Provost of Student Affairs for a review of our sanctions. The AVP will check for consistency with the Penalty Code and with past judicial cases. You will receive a final letter from the Office of Community Standards after this review has been conducted.

Any questions regarding the hearing or the Panel's decisions should be directed to the Office of Community Standards. Questions regarding this case should not be directed to any member of the Panel. Panelists are instructed not to discuss this matter in order to respect the confidentiality of all persons involved.

This hearing is now concluded. Thank you for your participation.

Judicial Advisor will turn recorder off.