Non-Title IX Sexual Misconduct Panel Hearing Script
Office for Student Civil Rights and Sexual Misconduct
TEXAS TECH UNIVERSITY

Parties Who May be Present at the Hearing:
- Complainant
- Complainant’s Advisor
- Complainant’s CARE Coordinator
- Respondent
- Respondent’s Advisor
- Respondent’s CARE Coordinator
- Witnesses
- Three Panel Members
- Resource Person
- Hearing Coordinator
- Investigator
- University Legal Counsel
- Title IX Coordinator

Introduction of the Participants and Hearing Policies:
After everyone is seated and the recorder is turned on, the Chairperson will facilitate introductions of the Complainant, Respondent, and others present for the Panel Hearing.

Educational Purpose of Student Conduct at Texas Tech University

Chairperson: This is a Sexual Misconduct Hearing at Texas Tech University. The Hearing will be conducted in accordance with the procedures outlined in the Texas Tech University Code of Student Conduct. This is an educational Hearing and not a court of law. The Hearing is being recorded to provide a record of the procedures and statements. The expectations throughout the Hearing are to be honest. If it is determined that a student participant in this Hearing has made false or misleading statements, the student may be subject to potential disciplinary actions under the Code of Student Conduct.

No student will be found in violation of University policy without sufficient information and evidence showing that it is more likely than not that a policy violation has occurred and any sanctions will be proportionate to the severity of the violation and the cumulative conduct history of the student.

This is a Formal Hearing and the expectation is that all individuals involved conduct themselves in a professional and respectful manner. The Resource Person will address any inappropriate behavior.

Introduction of Participants

Chairperson: I am (Chairperson’s full name) and I will serve as the Chairperson. This is a Sexual Misconduct Panel Hearing at Texas Tech University for (Respondent’s full name) on (date). The Complainant is (Complainant’s full name). At this time, will all those present introduce themselves?
Roles of the Participants

Chairperson: The Complainant is the party or individual reporting the complaint or concern. The Respondent is the party or individual responding to the complaint or concern regarding their behavior and is alleged to have violated the Code of Student Conduct.

The Investigator in this case was assigned to investigate the report made by the Complainant(s). The Investigator's role is to conduct a thorough, reliable, and impartial investigation and compile the information that they gathered into the Investigation Report.

The Resource Person will serve as a non-voting participant in the Hearing who assists in assuring the University procedures and decorum are followed throughout the Hearing.

The members of the Hearing Panel are trained University administrators, staff and faculty, who are appointed to determine whether provision(s) of the Code of Student Conduct were violated and issue sanction(s) in the event of a responsible finding.

My role as the Chairperson is to read the script, grant breaks, and adhere to procedural soundness in conjunction with the Resource Person.

CARE Coordinators are Texas Tech University Graduate Student Assistants whose primary role is to be supportive throughout the Grievance Process.

Advisor(s) present during this Hearing are reminded that their primary role is to be supportive and offer advice to their advisee throughout the Hearing. Advisor(s) may not speak on behalf of their advisee. Should an advisor wish to confer with their advisee, the advisee should request a break from the Chairperson or Resource Person.

Presentation of Formal Allegation(s):

Chairperson: In accordance with the information and evidence expounded in the Investigation Report, the following are the Formal Allegations issued to the Respondent: (Reference Formal Allegation Document)
**Final Investigation Report**

**Chairperson:** As an expectation prior to this hearing, all panel members have thoroughly reviewed the information provided in the Investigation Report. At this time, can each panel member verbally acknowledge that they have read the report in its entirety.

At this time can the Complainant and Respondent acknowledge that they have had the opportunity to review that the complete report, including any participants' statements, questions, and responses, during the pre-hearing phase.

As the Complainant, Respondent, and panel members present today acknowledge they have reviewed the information in the report, we will move directly into the information-gathering portion of the hearing.

**Information-Gathering Portion of the Hearing:**

**Chairperson:** This is the information-gathering portion of the Hearing. The Complainant and the Respondent will have the opportunity to give a statement, after which the members of the Panel, the Complainant, and the Respondent may ask questions of the involved parties in order to clarify and/or supplement the Investigation Report. If either the Complainant or the Respondent would like to address something that is said during this portion of the Hearing, they may do so by raising their hand and being acknowledged by me.

This portion of the Hearing will not include impact statements from the Complainant or Respondent. Impact statements will only be read or presented by the Respondent and the Complainant if a violation of the Code of Student Conduct is found to have occurred. Any impact statements during this portion of the Hearing will be halted by the Resource Person.

- Would the Complainant like to give an opening statement?
- Would the Respondent like to give an opening statement?
- Do members of the Hearing Panel have questions for the Complainant?
- Does the Respondent have questions for the Complainant?
- Do members of the Hearing Panel have questions for the Respondent?
- Does the Complainant have questions for the Respondent?
- Does the Hearing Panel have questions for any witnesses or the Investigator?
- Does the Complainant have questions for any witnesses or the Investigator?
- Does the Respondent have questions for any witnesses or the Investigator?
- Would the Complainant like to give a closing statement?
- Would the Respondent like to give a closing statement?
If witnesses are present, the party who requested the witness’s attendance will ask that witness questions first, followed by the other party, followed by the panel.

Response to the Allegation(s)

Chairperson: (Respondent), at this time I am going to ask you to respond to each of the alleged violations of the Code of Student Conduct. You will respond to each allegation with one of the following: “responsible,” “not responsible,” or “no response.” (Reference Formal Allegation Document)

Chairperson: Thank you to the participants for the information presented in today’s Hearing. At this time, the Panel will meet to deliberate whether (Respondent’s full name) is responsible for violation(s) of the Code of Student Conduct. The recorder will be turned off during these closed deliberations. If at any point during deliberations, the Panel identifies question(s) they need answered, I will step out of deliberations and alert the Resource Person, the Investigator, the Complainant and the Respondent. At this point, the Hearing will reconvene to address the question(s). In the event that the Panel determines a finding of responsible, then I will facilitate the delivery of impact statement(s).

Per the Code of Student Conduct, the panel will transcribe the findings of the Hearing and the Resource Person/Hearing Coordinator will notify the Complainant and the Respondent of the Panel’s decision with regard to a responsible or not responsible finding. If a responsible finding is made, we will reconvene for the Sanction portion of the Hearing. Please keep in mind that both parties may utilize the Disciplinary Appeals process outlined in the Code of Student Conduct. Thank you all for your participation today. At this time, everyone but the Panel members and Resource Person are dismissed.

CONTINUE TO THE NEXT SECTION ONLY IF THERE IS A RESPONSIBLE FINDING

Chairperson: A responsible finding has been rendered. At this time, the Complainant and the Respondent may give an impact statement or request that their statement be read for them by the Resource Person.

- Would the Complainant like to give an impact statement?
- Would the Respondent like to give an impact statement?

Chairperson: At this time, the Panel will determine the sanction(s) assigned to the Respondent for the violation(s) of the Code of Student Conduct. The sanction(s) imposed will be proportionate to the severity of the violation and to the cumulative conduct history of the Respondent. Everyone but the Panel members and Resource Person are dismissed. If either part has any additional questions, please contact the Resource Person/Hearing Coordinator.

Office for Student Civil Rights and Sexual Misconduct
TEXAS TECH UNIVERSITY