

**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
- Title IX Hearing Officer
- Three Panel Members
- Resource Person
- Investigator
- Title IX Coordinator
- University Legal Counsel

**Introduction of the Participants and Hearing Policies:**

*After everyone is seated and the recorder is turned on, the Title IX Hearing Officer will facilitate introductions of the Hearing Panel, Complainant, Respondent, and others present for the Panel Hearing.*

***Educational Purpose of Student Conduct at Texas Tech University***

**Title IX Hearing Officer:** This is a Title IX Sexual Misconduct Hearing at Texas Tech University. The Hearing will be conducted in accordance with the procedures outlined in the Title IX Sexual Misconduct Policy, Texas Tech University System Regulation 07.06.A and the Code of Student Conduct. This is an educational Hearing and not a court of law. The Hearing is being recorded in accordance with Title Sexual Misconduct Policy 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 Title IX Hearing Officer will address any inappropriate behavior.

***Introduction of Participants***

**Title IX Hearing Officer:** I am (Title IX Hearing Officer's full name) and I will serve as the Title IX Hearing Officer and Chair of the Hearing Panel. This is a Title IX 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***

**Title IX Hearing Officer:** 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.

My role as the Title IX Hearing Officer is to oversee and conduct the hearing and chair the Hearing Panel, read the script, grant breaks, make relevancy determinations, and adhere to procedural requirements set forth in the Title IX Sexual Misconduct Policy and Procedures.

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

Each Complainant and Respondent must have an Advisor present at the hearing. The advisors' roles at the hearing are to advise the Complainant/Respondent and to conduct cross-examination on behalf of that party. Should an advisor wish to confer with their advisee, the advisee should request a break from the Title IX Hearing Officer.

### **Presentation of Formal Allegation(s):**

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

### ***Final Investigation Report***

**Title IX Hearing Officer:** 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?

Pursuant to the Title IX Sexual Misconduct Policy, the University shall send to each party and the party's advisor, if any, the Investigative Report in an electronic format or hard copy, for their review and written response, at least ten (10) days prior to the hearing. 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:**

**Title IX Hearing Officer:** This is the information-gathering portion of the Hearing. The Complainant and the Respondent will have the opportunity to give an opening statement of no more than 10 minutes, after which the members of the Panel and the parties' advisors may ask relevant questions of the parties, witnesses, and the Investigator. 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. Each party will be provided an opportunity to make a closing statement of no more than 10 minutes.

This portion of the Hearing will not include impact statements from the Complainant or Respondent. After a determination regarding responsibility, and before a decision regarding sanctions, the parties may provide impact statements for consideration.

- 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 Complainant's Advisor have questions for the Complainant?
- Does the Respondent's Advisor have questions for the Complainant?
- Do members of the Hearing Panel have questions for the Respondent?
- Does the Complainant's Advisor have questions for the Respondent?

- Does the Respondent's Advisor have questions for the Respondent?
- Do members of the Hearing Panel have remaining questions for any witnesses or the Investigator?
- Does the Complainant's Advisor have questions for any witnesses or the Investigator?
- Does the Respondent's Advisor 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?

### **Response to the Allegation(s)**

**Title IX Hearing Officer:** (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*)

**Title IX Hearing Officer:** Thank you to the participants 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. After a determination regarding responsibility, and before a decision regarding sanctions, the parties may provide impact statements for consideration.

Per the Title IX Sexual Misconduct Policy/Code of Student Conduct, the Hearing Panel will issue a written determination regarding responsibility that will include, among other things, findings of fact supporting the determination regarding responsibility; conclusions regarding the application of the University's applicable conduct policy to the facts of the alleged conduct; and a statement of and rationale for the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and whether remedies designed to restore or preserve equal access to the University's Education Program or Activity will be provided by the University to the Complainant.

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 are dismissed.

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

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**Title IX Hearing Officer:** 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?

**Title IX Hearing Coordinator:** 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.