

OREGON TECH  
Student Code of Conduct: Preparing for a Hearing

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The purpose of providing this information is to help you prepare your statements for a hearing. It is important to think about what you want/need to say ahead of time so that your comments are focused, relevant and thorough. Use this outline to help you present your side of what happened.

Preparing for an Administrative Hearing

I. Introduction

- A. The hearing officer will explain the conduct process and the allegations that will be discussed at the hearing. Feel free to ask any questions about the hearing process.

II. Describe what occurred from your perspective

- A. Provide a thorough but concise explanation of what happened during the incident. Point out how you made decisions during the events, and talk about what you think you did right and if, and when, you used poor judgment. It is most helpful to provide the sequence of events in chronological order so that it makes sense. Try not to get off on side topics that are not relevant.
- B. Explain any mitigating factors (e.g., What prompted you to make a particular decision — was your judgment clouded for some reason? What/who influenced you? What were you feeling at the time? What stresses were you facing at the time? What past experiences impacted what you did?).

III. Describe your level of responsibility



- C. Honesty Statement\*
- D. Hearing Conditions
  - 1. Hearing will be audio recorded.
  - 2. All information will be restricted to matters directly relevant to the charges.
  - 3. Advisers, if present, are restricted to advising and may not make statements or ask questions during the proceeding.
  - 4. Any person who is disruptive or fails to abide by the hearing procedures or rules set by the chair may be removed.

\*Honesty Statement: The University expects that all information presented will be truthful and accurate. If false information is willfully provided, a student will be in violation of Section III of the Code of Conduct and may be subject to disciplinary action.

II. Opening Statements: usually 2-3 minutes each

- A. Complainant makes an opening statement.
- B. Respondent makes an opening statement.

III. Evidentiary Phase: Length of time will be agreed upon by the complainant and the accused

- A. Title IX Investigator presents investigation report (in cases of alleged sexual harassment and sexual misconduct).
  - 1. Panel members can question the investigator.
  - 2. Complainant can question the investigator.
  - 3. Respondent can question the investigator.
- B. Complainant presents
  - 1. Evidence and witnesses.
  - 2. Panel members can question the complainant.
  - 3. Respondent can question the complainant.
- C. Respondent presents
  - 1. Evidence and witnesses.
  - 2. Panel members can question the respondent.
  - 3. Complainant can question the respondent.
- D. Final questions can be asked by any party.

IV. Closing Statements: usually 2-3 minutes each

- A. Complainant makes a closing statement.
- B. Respondent makes a closing statement.

V. Panel Deliberation: All parties excused

## Preparing for a Hearing by the Student Hearing Commission

There are three stages to Student Hearing Commission hearings: Opening Statements, Evidentiary Phase and Closing Statements.

### I. Opening Statements (usually lasts around 2-3 minutes)

- A. Make some introductory comments about yourself. This will help give the hearing officer/hearing panel some idea about who you are and who you want to be. Keep this brief, but give some insight into yourself. You might mention your major, your future career plans, how you like Oregon Tech, current significant events in your life that may have affected you and your behavior, your current stress level as well as motivation, where you are from, when you plan to graduate and how you are doing academically. The only information we may have about you upfront could be what is contained in the complaint, so you want to provide some picture of how you see yourself and what is going on in your life in order to help us get to know you better and find out how we can help you.
- B. Make a brief statement about responsibility of the allegations. Complainant: It is helpful to

at the time? What stresses were you facing at the time? What past experiences impacted what you did?).

*Respondent:*

Explain what has occurred since the incident (i.e., reported to the police, received medical attention, attended counseling)

Describe how this incident affected you.

C. Question your witnesses.

Decide what order you would like to present your witness(es) in.

You may ask them to tell what happened or you may prompt them with specific questions.

For example, you may want a specific witness to attest to the fact of where you were at a specific time. Or you may want a specific witness to corroborate what you were doing (e.g., that you were not drinking or how much they saw you drink). Or you may want a witness to describe what someone else was doing (e.g., that the witness saw two people fighting and you get in the middle to try to break it up, thus shoving someone or getting struck).

Assist your witness(es) in staying focused and in directing their statements to the relevant issues at hand.

Remember that your witness(es) should have material knowledge of what occurred.

Character witnesses are not needed or utilized.

III. Closing Statements (usually lasts around 2-3 minutes)

Describe your level of responsibility in what occurred.

*Respondent:*

there at that time.”). You might reiterate any facts that establish you are not responsible for the alleged violations (i.e., “I was not intoxicated at the time, and no alcohol showed up on the breathalyzer,” or “I had only been there three minutes, as established by my witnesses, and was not aware that alcohol was present in the room,” or “The fight was between two of my classmates and I was the one trying to stop the fight. I got in the middle because I was trying to separate them, as my friend confirmed.”). However, remember that just because

V. Panel Deliberation: All parties excused

If you have any questions about the hearing process, please go to the Office of Student Affairs, College Union 217.