Radford University

Administrative Hearing Outline and Script for Hearing Officer

I. Introductions, description of the process, charges and pleas:

Good Morning/Afternoon. Today, __________ we are gathered to consider case number __________.

Please understand that an audio recording of this hearing is being made, as such, please speak loudly and clearly.

My name is __________ and I will be the conduct officer for today’s proceedings.

For the purpose of the recording, can everyone please state your name and role in today’s hearing.

This is an administrative hearing and as such all items discussed today are considered confidential under the Family Education Rights and Privacy Act of 1974. Failure to maintain by this confidentiality is not consistent with the spirit of this hearing body and is a violation of both Federal Law and the Standards of Student Conduct. As this is an administrative hearing, the burden of proof is a preponderance of evidence.

All in attendance today are reminded of the RU Honor Pledge, especially all students that are involved in this case. Would each of you give your commitment to uphold and adhere to the Honor Pledge and maintain confidentiality during this proceeding by saying “I will!”? (Have each individual say “I Will.”)

Please remember that behavior, from anyone in attendance today, which threatens to disrupt the orderly progression of the hearing procedure or intimidates or harasses the hearing participants, is a violation of the University’s Standards of Student Conduct and will not be tolerated. Anyone who cannot conduct themselves appropriately will be asked to leave and the hearing will proceed without you.

The hearing will proceed as follows:
First the conduct officer will present his/her statement about the incident and evidence in support.

He/She will then answer questions from myself and then the respondent.

The respondent will then present his/her statement about the incident and evidence in support, followed by questions from myself and then the conduct officer.

Next the supporting witnesses for the conduct officer will give statements and be questioned by myself, then the conduct officer, and then the respondent.

Finally the supporting witnesses for the respondent will give statements and be questioned by myself, then the conduct officer, and finally by the respondent.

Remaining questions can then be asked.

The conduct officer will then present his/her closing statement and the hearing will close with the respondent presenting his/her closing statement. I will then deliberate and make decisions regarding responsibility and sanctioning.

All witnesses are reminded that you are to remain nearby and you are to refrain from discussing this incident or your statement until called. When the hearing process begins, you will be called into the hearing one at a time to provide your statement. At this time all witnesses are excused.

Are there any questions on procedural issues to address before we begin?
Respondent:
You are being alleged of/charged with violating the following sections of the Standards of Student Conduct:

Do you understand these charges? (Yes or No)

What is your plea to these charges? (Responsible, not responsible, no plea.) (Read each charge and have them make their plea.)

Are there any questions before we begin?

II. Hearing: Statements and Questions

Conduct Officer:

Will you please give your account about what occurred?

(Hearing Officer can ask questions)

Does ____________ have any questions at this time?

Respondent:

Will you please give your account about what occurred?

(Hearing Officer can ask questions)

Does ____________ have any questions at this time?

For Each Witness:

At this time ______________________ will be asked to give his/her account of the incident.

Would you please share any information you have regarding the incident that occurred? You may be asked questions following your statement.

(Hearing Officer can ask questions after statement)

Does the conduct officer/respondent have any questions for this witness? Ask questions regarding the student’s background (i.e. Major, reason for attending RU, future career goals, etc.)

Are there any further questions at this time? (Includes those from the hearing officer)

Closing Statement:

At this point in time I am prepared to hear closing statements. Please include any relevant information you would like me to consider, as well as anything that you believe should impact my decision regarding potential sanctions.

Will ________________ present his/her closing statement?
Will ____________________________ present his/her closing statement?

(Name of Respondent)

At this time, I will deliberate to decide if the Respondent is responsible or not responsible for the charges brought forth today. We will then reconvene to deliver that finding.

Everyone is now excused.

III. Deliberation

IV. Findings and sanctions (if any.)

If charged student is found “Not Responsible”:

Reconvene the hearing and say:

____________________ I have taken all of the information I have heard today quite seriously and have come to the conclusion that the information and evidence provided does not reach the burden of proof required to find you responsible for the charges. Your file will reflect that you have been found not-responsible of these charges. I would like to thank you for your time and cooperation today.

This concludes today’s hearing at __________.

(Date and Time)

If charged student is found “Responsible”:

Reconvene the hearing and say:

____________________ I have taken all of the information I have heard today quite seriously and have come to the decision that the information provided does meet the burden of proof required, and as such you have been found responsible for the charge(s) of ____________________________. Accordingly I am assigning the following sanctions:

____________________________________________________________________________

(List Sanctions)

Please remain after the hearing has concluded to review this information. I wish you success in the future and hope that you will be able to continue your education and personal development in a way that is more consistent with the Standards of the Radford community.

(Review the appeal process with the student.)

Are there any other questions at this time?

This concludes today’s hearing at __________.

(Date and Time)

If the Charged Student is found both “responsible” for some charges and “not responsible” for other charges:
I have taken all of the information I have heard today quite seriously and have come to the conclusion that the information provided does not reach the burden of proof required to find you responsible for ____________________________________________________________________.

(List Not in Violation of Charges)

Your file will reflect that you have been found not responsible for these charges.

The information provided does meet the burden of proof required for the remaining charges, and as such I have found you responsible for the charge(s) of ____________________________________________________________________.

(Insert Charge)

Accordingly I am assigning the following sanctions: ____________________________________________________________________.

(List Sanctions)

I wish you success in the future and hope that you will be able to continue your education and personal development in a way that is more consistent with the standards of the Radford community.

(Review the appeal process with the student.)

Are there any other questions at this time?

This concludes today’s hearing at ________________.

(Date and Time)