

Administrative Hearing Script
Office of Student Conduct
TEXAS TECH UNIVERSITY

Parties Involved in Hearing:

- Respondent
- Complainant(s) *if applicable*
- Advisor(s) *if applicable*
- Investigator
- Administrative Hearing Officer

Introduction of the Participants and Hearing Policies:

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

Introduction of Participants

Administrative Hearing Officer: *I am (Hearing Officer's full name) and I will serve as the Administrative Hearing Officer. This is an Administrative Hearing for (Respondent's full name) on (date). The Complainant is (Complainant's full name). At this time, will the Investigator introduce themselves?*

Roles of the Participants

Administrative 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) by the Dean of Students, The Managing Director of the Office of Student Conduct, or designee. Investigators may be staff members in the Office of Student Conduct, or trained University staff members in other departments such as the Office of Student Rights and Resolution, Dean of Students Office, Center for Campus Life, and University Student Housing. The Investigator's role is to conduct a thorough, reliable, and impartial investigation and compile the information that they gathered into the Investigation Report that will be presented today.

I, the Administrative Hearing Officer, am a trained University staff member whose role is to make a decision of responsibility and assign sanctions, as appropriate in Administrative Hearing. I also may record the Hearing proceedings, escort participants into the Hearing room, grant breaks for participants, ensure proper decorum throughout the Hearing, transcribe the findings of the Hearing, compile the post-Hearing documentation, and deliver the notification of outcomes.

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 and do not have an active, participatory role in the Hearing. Should an advisor wish to confer with their advisee, the advisee should request a break from me.

NOTE: Reported allegations of misconduct under the *Code of Student Conduct* have varying degrees of complexity and severity. This Administrative Hearing Script MAY be used by an Administrative Hearing Officer to facilitate an Administrative Hearing.

Educational Purpose of Student Conduct at Texas Tech University

Administrative Hearing Officer: *This is an Administrative Hearing at Texas Tech University. The Hearing will be conducted in accordance with the procedures outlined in the Texas Tech University Student Handbook and 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.*

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

The Office of Student Conduct is committed to an educational and developmental process that balances the interests of individual students with the interests of the University community. 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 occurred and any sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student.

Presentation of Formal Allegation(s) and Final Investigation Report:

Formal Allegation(s)

Investigator: *As the Investigator for this case, I will present the information and evidence I gathered from the Complainant, the Respondent, and all witnesses. All pertinent information and evidence was compiled into the Investigation Report.*

In accordance with the information and evidence expounded in the Investigation Report, the following are the Formal Allegations issued to the Respondent: (reference Formal Allegations listed on the Pre-Hearing Document).

Final Investigation Report

Investigator: *Participants may request breaks to confer with advisors, the Administrative Hearing Officer, or with myself at any time during the Hearing by raising their hand and being acknowledged. At this time, I will present the Investigation Report: (reference the Investigation Report).*

Information-Gathering Portion of the Hearing:

Administrative Hearing Officer: *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 Administrative Hearing Officer, the Complainant, and the Respondent may ask questions of the involved parties in order to clarify and/or supplement the Investigation Report.*

All questions will be directed to the Investigator, who will address each question per the information gathered in the Investigation Report. The Investigator will then give the Complainant, the Respondent, and witnesses (as necessary), the opportunity to respond to each question. It is our goal to make sure that all parties have a fair opportunity to have their information presented. 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. These statements will be read/presented by the Respondent and Complainant or by the Investigator prior to the sanctioning portion of the Hearing, and only if a violation of the Code of Student Conduct is found to have occurred. I will halt any impact statements during this portion of the Hearing.

- *Would the Complainant like to give a statement?*
- *Would the Respondent like to give a statement?*
- *Does the Complainant have questions for the Respondent?*
Please direct all inquiries to the Investigator and do not directly address the Respondent.
- *Does the Respondent have questions for the Complainant?*
Please direct all inquiries to the Investigator and do not directly address the Complainant.
- *Does the Administrative Hearing Officer have questions?*
Please direct all inquiries to the Investigator.
- *Does the Complainant have questions for the Administrative Hearing Officer, witnesses or the Investigator?*
Please direct all inquiries to the Investigator.
- *Does the Respondent have questions for the Administrative Hearing Officer, witnesses or the Investigator?*
Please direct all inquiries to 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)

Administrative 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 Allegations listed on the Pre-Hearing Document)

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

Per the Code of Student Conduct, I will notify the Complainant and the Respondent in writing of my decision with regard to a responsible or not responsible finding and applicable sanction(s). Please keep in mind that both parties may utilize the Disciplinary Appeals process outlined in the Handbook and Code of Student Conduct. Thank you all for your participation today. At this time, everyone is dismissed.

DO NOT READ PAST THIS LINE UNTIL DISMISSED PARTIES HAVE DEPARTED

Deliberation of the Administrative Hearing Officer:

When the decision has been reached, and a finding of responsible or not responsible is reached, the Administrative Hearing Officer will inform the Investigator, the Respondent, and the Complainant.

If the Administrative Hearing Officer finds the Respondent “not responsible” for *all* of the alleged violation(s), they will inform the Investigator, the Complainant, and the Respondent and the Hearing is adjourned.

CONTINUE PAST THIS LINE ONLY IF THERE IS A RESPONSIBLE FINDING

Presentation of Impact Statement:

If the Respondent is found “responsible” for *any* of the alleged violation(s), the Administrative Hearing Officer will reconvene the Hearing for the presentation of impact statements, the tape recorder is turned on, and the Investigator will facilitate the delivery of impact statements per the Complainant and Respondent’s preferences. The Complainant and Respondent will each have the opportunity to have an impact statement presented to the Administrative Hearing Officer. In order to better inform the Administrative Hearing Officer’s decision, the Complainant has the opportunity to offer an impact statement that addresses how the violation of the *Code of Student Conduct* impacted them. Similarly, the Respondent has the opportunity to offer a statement about the violation and how any sanction(s) potentially issued by the Administrative Hearing Officer may impact them. These impact statements can be presented in person by the Complainant and/or Respondent, via phone conference, or read by the Resource Person. Delivery of impact statement(s) is coordinated by the Investigator.

Investigator: *A responsible finding has been rendered. At this time, the Complainant and the Respondent may give an impact statement. I will facilitate the delivery of these statements in accordance with the Complainant’s and the Respondent’s preferences.*

[Impact Statements are delivered]

Administrative Hearing Officer: *At this time, I 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 me is dismissed.*

Determination of Sanction(s)

If applicable, the Administrative Hearing Officer will review the documented conduct history of the Respondent.

The student conduct process at the University exists to protect the interests of the community and to challenge those whose behavior is not in accordance with our policies. Sanctions are intended to challenge students' moral and ethical decision-making and to help them bring their behavior into accord with our community expectations and values. When a student is unable to conform their behavior to community expectations, the student conduct process may determine that the student should no longer share in the privilege of participating in this community. During the sanctioning phase, the Administrative Hearing Officer is equipped with a sanctioning grid, and a list of common educational resources.

When the deliberation has concluded and the sanction(s) have been assigned, the Resource Person will transcribe the findings and the rationale of the Panel and inform the Investigator, the Respondent, and the Complainant.