

Participating in a Title IX Hearing as a Complainant or Respondent

The office provides this information to address common questions and concerns regarding the hearing process.

Once the investigation process is complete, a hearing may be held unless both parties accept, in writing, the investigator's preliminary determinations as to whether or not the policy was violated. The hearing will be held to determine whether the SVSH Policy or other student conduct policies have been violated, after which Student Conduct will determine any sanctions. The University's role in the hearing is neutral.

The Role of the Hearing Coordinator

The Hearing Coordinator is a University employee charged with sending Notices for the Hearing, informing the parties of the Hearing Officer's identity, and managing the administrative and procedural aspects of the hearing. The Hearing Coordinator will provide each party with written notice of their prehearing meeting and facilitate any necessary accommodations. You should carefully review all email correspondence from the Hearing Coordinator and email the Hearing Coordinator if you require an accommodation or have a question about the Hearing.

The Role of the Hearing Officer

The Hearing Officer may be a University employee or an outside contractor. The Hearing Officer is the final fact finder and is a neutral party.

Pre-Hearing Meeting

The pre-hearing meeting is an opportunity to meet the hearing coordinator and the hearing officer. The other party will not be present. At this meeting, the hearing coordinator and hearing officer will explain the hearing process, answer questions, and begin to define the scope of the hearing.

The Hearing

The Hearing will be held virtually via Zoom. The University will audio record the hearing. No one else is allowed to record the hearing. Each party should ensure they have a comfortable and safe physical location for the hearing that will enable them appropriate privacy and uninterrupted internet access. If a party believes that they need a University-provided physical space or technological equipment or assistance to participate remotely – for example, because of safety or privacy concerns, or a disability – they may request such resources from the hearing coordinator during the pre-hearing meeting. Hearings can take one to two days to complete, depending upon the scope of the hearing and the number of witnesses who will be testifying at the hearing. The parties should be prepared with the following items:

- plenty of water
- healthy snacks and food

The Hearing- Opening and Closing Statements

Each party will have the opportunity to provide opening and closing statements. They are *optional*. The opening and closing statements should be kept to 5 minutes or less. The statement should address the Hearing Officer and not the other party, support person, or witnesses. It is most helpful when the opening statements include:

- a summary of the information you intend to present
- issues or conclusions in the investigation report that you agree with or disagree with and why
- Whether you agree/disagree with the investigator's preliminary findings

It is most helpful when a closing statement includes:

- Issues of fact or conclusions that you think can be properly drawn from the evidence presented
- Do NOT introduce new information/evidence in a closing statement

An opening or closing statement should NOT be used to:

- address the other party, support person or witnesses
- talk about information that is not relevant to the scope of the hearing
- harass or intimidate, or use disrespectful language towards the other party (no name-calling)

If a party's opening statement violates the Rules of Conduct, then the person will be stopped and asked to revise the statement. The time will not be paused.

The Hearing-Questioning

The Hearing Officer, the other party's advisor or a Reader may ask you questions that pertain to the scope of the hearing. Each party will have the opportunity, through their advisor or a Reader, to ask the other party and witnesses questions that pertain to the scope of the hearing.

Accommodations and Resources

We want parties to have every opportunity to participate fully in this process. If you need resources to ensure your full participation and access, please let us know as soon as possible at hearcoor@ucsc.edu.

Some of the resources available to participants in this process are:

Center for Advocacy, Resources, and Empowerment ([CARE](#))

Respondent Support Services ([RSS](#))

Counseling and Psychological Services ([CAPS](#))

Disability Resource Center ([DRC](#))

Questions and Clarification

If you have any questions regarding the hearing process, contact the Hearing Coordinator by emailing hearcoor@ucsc.edu. For a full list of expectations, roles, and responsibilities please read the policy that applies to your process; [SVSH policy](#) and [Appendix E](#), [Appendix F](#), or [Staff Adjudication Framework](#).