Respondent Guide to Hearings

This guide is an added resource for student respondents participating in the UW student conduct hearing process. You will find explanations and examples that you can use to better understand the sequence of steps in the process and to prepare for the full hearing. This guide can be used alone or while working with the Respondent Resource. The Respondent Resource is a university staff member who can assist you in numerous ways, including help answer questions about the process, provide academic advocacy, and connect you to other University support resources as needed. We recommend that you attend an initial meeting with your Respondent Resource and work together to tailor a plan that best fits your individual needs.

It is important to know that the information in this guide is not legal advice. If you want to seek legal advice, you have the right to seek an advisor who is an attorney.

- **Disability Accommodations:** To request disability accommodations during this process, please contact the Hearing Coordinator or your Respondent Resource as soon as possible in advance of the full hearing and, ideally, before the prehearing meeting.

- **Interpreter:** To request a qualified interpreter for those who are deaf and hard of hearing, or if you cannot readily communicate in or understand the English language, please contact the Hearing Coordinator.
Table of Contents
This guide begins with background information about conduct hearings. Then, starting with Section 2, the guide is organized using the same sequence that the full hearing process follows. (This is explained in the “What happens next?” section.) Here is a list of the topics and where each section begins.

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1. Introduction to the hearing process

The University recommends you work with a Respondent Resource and/or an advisor of your choice to help you navigate the full hearing process. This guide has been developed to help you navigate and understand the full hearing process. In this section we will provide an overview of the hearing process and the individuals involved.

Who can help you?

You can have one or two individuals help you through the stages of the full hearing process: a Respondent Resource and/or an Advisor of your choice. If you have specific questions about the timeline or logistics, you may also reach out to the UW Hearing Coordinator for help.

Respondent Resource:
The University of Washington has trained staff members dedicated to help you and other students through the full hearing process. When a full hearing is initiated a staff member is automatically assigned to your case. This staff member is called your “Respondent Resource.” The Respondent Resource is provided at no cost.

Your Respondent Resource is available to assist you from start to finish. They can do many things in their work with you, including the following:

- Explain your rights in the process
- Clarify how to comply with no contact orders
- Advocate for you on academic matters
- Walk you through the steps in the full hearing process
- Explain how to submit evidence and information to the Hearing Officer
- Participate in the prehearing zoom meeting
- Help you feel prepared for the day of the full hearing itself.

Please note: Your Respondent Resource will respect your privacy but information and conversations are not confidential (like attorney-client communications or health care counselling sessions that are protected by laws as confidential communications). A Respondent Resource can ask questions about the process and can ask for a break on your behalf, but cannot advocate for you during the prehearing meeting or during the hearing.

Advisor:
You may ask that one additional person to be copied on all emails and/or participate in-person with you during the prehearing zoom meeting and on the day of the hearing. This individual is called your “advisor.” An advisor can be, but does not have to be, an attorney. If your advisor is not an attorney, that individual may assist you but cannot speak on your behalf. If your advisor is an attorney (either licensed or given permission to practice in Washington State) that individual may advocate on your behalf during the process. To protect your privacy, we will ask you to sign a consent form allowing the University to share your information with your advisor. An advisor is optional and any advisor that you choose will be at your cost.
If you would like to have an advisor help you, we recommend that you include them as early as possible so that they have time to fully prepare and give you advice about submitting information, participating in the prehearing zoom meeting, and best support you on the day of the full hearing.

**Hearing Coordinator:**
The Hearing Coordinator works with the Hearing Officer on case management and logistics. They cannot speak with you privately about the facts of your case, but they can help answer questions you may have about submitting witness and evidence forms, logistics for the prehearing zoom meeting, as well as logistics on the actual day of the hearing.

**Hearing Officer:**
The Hearing Officer is the decision-maker in this process. They will answer questions throughout the process. If you have a request or need help from the Hearings Office, you should contact the Hearing Coordinator instead of the Hearing Officer.

**Why is this going to a full hearing?**
The conduct matter is going to a full hearing (also known as “a full hearing has been initiated”) because the Conduct Officer determined through their investigation that the answer to the following two questions is “YES”:

- ✓ Considering the evidence gathered, is it possible that there may be a preponderance of the evidence indicating that a section of the Student Conduct Code was violated?
- ✓ If the Student Conduct Code was violated, is it possible that suspension or dismissal may be appropriate sanctions?

When the Conduct Officer determines the answers to both of these questions could be “yes,” they must initiate a full hearing so that your rights are protected. It is important to understand that a final decision has not been made at this point. The decision making process moves from the Conduct Officer to a Hearing Officer. The Hearing Officer will make these decisions after holding a full hearing. The Hearing Officer does not give any deference to the Conduct Officer’s decision to initiate a full hearing.

**What happens next?**
As a student party in this process, there are several things you should understand about full hearings. Below is a summary of several key issues of the process. This information is based on the University’s conduct policies (SGP 209 and SGP 210) and WAC Chapter 478-121. These policies are often referred to as the “Student Conduct Code” or simply just “the Code.”

**Key questions the hearing officer is trying to answer**
The Hearing Officer uses the full hearing process to answer two questions.

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1 In this document, the term Conduct Officer generically applies to both Conduct Officers in SGP 209 matters and to investigators in Title IX matters.
2 See this link for SGP 209, this link for SGP 210, and this link for WAC Chapter 478-121.
Question #1: Did the respondent violate the Student Conduct Code?
To answer this question, the Hearing Officer must look at all of the evidence in the record. The Hearing Officer must then decide whether it is more likely than not that the student is responsible for violating the Student Conduct Code. (More on this in the next section).

If the answer is no, then the case is over and the student is found to be not responsible for violating the code. The student would not receive any sanctions.

If the answer to Question #1 is yes, then the Hearing Officer will decide:

Question #2: What is the appropriate sanction for the violation(s)? Sometimes students are alleged to have violated more than one provision of the Student Conduct Code. If the student is found to have violated even one provision of the Student Conduct Code, then the student will receive one or more sanctions. Some sanctions, such as restitution or specific conditions, might be combined with another sanction like probation or suspension.

Here is a visual representation of these decisions:

The Hearing Officer does not decide these questions at the full hearing. The Hearing Officer decides them after the hearing and will let everyone know the answers in a written decision called an initial order.

How will the Hearing Officer make these decisions?

Preponderance of the evidence
To make a decision about whether a respondent violated the conduct code, the Hearing Officer must conclude, based on all of the evidence in the record, that it is more likely than not that the student is responsible for violating the Student Conduct Code. This “more likely than not” standard is what it means to make decisions based on the preponderance of the evidence standard. In others words, the
Hearing Officer, after considering all of the evidence in the record, would have to find that the evidence indicates there is at least a 50.1% likelihood that the respondent is responsible for violating the Student Conduct Code.

**Evidence**

The Hearing Officer will also make decisions about what evidence should be in the record for the conduct matter. The University’s conduct policies (SGP 209 and SGP 210) and WAC Chapter 478-121 explain the rules around evidence. If you have questions about these rules and how they apply to your case, you should ask your Respondent Resource or the Hearing Officer. You do not need to understand all of these rules for your hearing. Most of them will not come up. The concept of “relevance” is probably the most important one to understand.

**Relevant Evidence**

The most common evidence rule is about relevance. Evidence is relevant if it is helpful to determining whether a fact important to the case is more or less likely to be true. Only relevant evidence should be a part of the record. Additionally, evidence might be relevant but that does not necessarily mean it is strong or convincing. There could be other evidence that is more meaningful.

To help understand relevance, here is a list of evidence in a case where Jay, a fictional student, allegedly cheated on a science exam:

- Another student, Reagan, sat near Jay and saw Jay cheating during the test → Relevant, strong evidence
- Evidence that Reagan failed their AP science test in high school → Not Relevant
- Evidence that Jay failed their AP science test in high school → Not Relevant
- Evidence that Reagan does not like Jay → Relevant
- A text from Jay after the test saying “I just cheated on my science test” → Relevant, probably very strong evidence (although maybe Jay can explain it)
Overall Picture: Steps in the full hearing process

There is a sequence of steps that will take place for the full hearing process. This graphic shows the major steps. It includes some of the aspects of each step and when, on average, they will usually happen. These steps will be explained more in this guide and by the Hearing Officer during the process.

Process during full hearing: Phases of the full hearing

The hearing process follows the sequence below. Each sequence will be further described within this document and by the Hearing Officer.

Expectations during the Full Hearing

You should be direct, truthful, and non-evasive. You should also be respectful, by which we mean not interrupting others and not raising your voice during the process. Hearings may involve conflicting perspectives. It is possible to express disagreement and your position in a case while still being respectful. The Hearing Officer can remove people in the full hearing who are being disruptive to the process. This is extremely rare. The Hearing Officer wants to work with everyone involved to ensure that all students can fully participate.
You have the right to ask the Hearing Officer during the hearing to take a break. This may be to consult with your Respondent Resource, or if you are feeling upset or unsettled. Please ask the Hearing Officer for a break if you need one.
Scenarios
This guide will use two example case scenarios to help demonstrate the process. These scenarios are not taken from real cases. These examples are included to show things a respondent might do. Their choices are not perfect, required, or even necessarily good choices. You don’t need to memorize the scenarios. Knowing the general story of the examples should be enough for them to make sense through the guide.

Most topics in the guide will include a section that uses one or both scenarios and applies the topic to it. These sections will be marked with purple text, looking like this: Sample: Case Preparation Plan. What follows here is the background for the example case scenarios.

Scenario #1 – Jacob
At a party UW student Jacob got into a fight with another student, Eli. The two did not already know each other. Witnesses reported that Jacob threw a beverage onto Eli. Eli then yelled at Jacob to be more careful. Witnesses reported that Jacob responded by pushing Eli in the chest several times until Eli fell down. Jacob stood over Eli and yelled at him, daring him to get up. Eli had to go to Hall Health the next day because he had bruising on his chest and difficulty breathing. Eli was diagnosed with a broken rib.

The incident was reported to Student Conduct and an investigation began. A few weeks later Eli reported to Student Conduct that Jacob approached him while he was walking to class. A witness reported that Jacob told Eli: “You had better stop talking about me and trying to get me in trouble.” Then Jacob would not let Eli walk past him until a few of Eli’s friends stood up to Jacob. Jacob has been charged with allegedly violating the Student Conduct Code, specifically:

- WAC 478-121-103 – Abuse of others
- WAC 478-121-147 – Retaliation

Jacob believes that Eli was the aggressive party and was actually at fault.

Scenario #2 – Madison
A professor has reported that UW student Madison cheated on homework assignments and a midterm test in Advanced Geography. The professor provided an example of a take home test that has been evaluated as having very similar answers to another student’s in the class. The professor reported that she talked with Madison who that she often studied with Hunter (the other student). When the professor spoke with Hunter, Hunter said that he and Madison have twice done homework assignments together and that Madison also told him that she had found an answer key to a lab assignment online.

Madison believes Hunter was the one at fault. Madison also feels the rules about collaboration were not clear from the professor, so it is not fair for her to get in trouble.

Madison has been charged with allegedly violating the Student Conduct Code, specifically Academic misconduct:

- WAC 478-121-107(1)(a) – unauthorized assistance
- WAC 478-121-107(1)(c) – using online sources
• WAC 478-121-107(4) – unauthorized collaboration
• WAC 478-121-107(5) – prohibited behavior

Madison was already on probation for academic misconduct.
2. Preparing for the Hearing

You should look through the case record and the allegations to get a sense of what the case is about. Try to identify the strong and weak points for the case.

Here are a few things you can do to review the case:

Step 1: Get the Conduct Officer’s Record (also called the Case File)
You will receive an email from the Hearing Coordinator with a link to a folder called the “Case File”. The Conduct Officer’s Record is sometimes referred to as the “Case File” at this point because it contains documents and other evidence that the Conduct Officer has provided to the Hearing Officer to consider when deciding whether the Student Conduct Code has been violated. Once you receive this link, you can:

- Read the Conduct Officer’s Record.
- Pay attention to the “Summary of Evidence.” This is usually the first document in the record. This document is the Conduct Officer’s summary of what part(s) of the Student Conduct Code that they allege that you have violated, and it often provides the main pieces of evidence that support the allegation(s).

Step 2: Review the allegations and the Conduct Officer’s Record
Here are things you can do when you review the Conduct Officer’s Record:

- Make a list of the alleged Student Conduct Code violations (or, have a reference to the list handy).
- Read the definition of each allegation. The definitions might be provided in the Summary of Evidence. They can also be found in Washington Administrative Code (“WAC”) Chapter 478-121, which will be included in the Conduct Officer’s Record. Each part of the Student Conduct Code has its own WAC number. For example, the first code rule is “Abuse of others” and its number is WAC 478-121-103.
- Each definition describes the prohibited conduct and the behaviors that might be violations of it. The definition is important because it has the requirements for each allegation. Read the definition and be sure that you understand it. Your Respondent Resource can help explain what the definition means. If you have a question about what part of the definition means, then you should ask someone about it. You could ask your Respondent Resource.
- With these definitions in mind, read through the Conduct Officer’s Record. How does the evidence compare with what seems to be required to find a violation(s)? The Hearing Officer will think about the facts of the case and whether they meet the requirements of the rules. You should think about this, too.
- During the investigative interview process you had an opportunity to tell your side of the story in response to the allegations. As you read the Conduct Officer’s Record, think about whether there is evidence (like documents or testimony from other people) that is missing from the Conduct Officer’s Record and that you will want to use to tell your story. There are chances during the process to ask the Hearing Officer to allow more evidence in (like with the Submission of Evidence and Witnesses Forms or at the Prehearing Conference) to the record for consideration. You usually have a higher chance of getting more evidence in to the record if you submit it or ask about it on the timeframe provided by the Hearing Officer. You should be prepared to share why you didn’t provide this information to the Conduct Officer during the investigative interview.
Step 3: Consider what you want to do
Once you have a sense of the case, you may want to start thinking about how you want to respond. There are many ways to respond to allegations that you have violated the Student Conduct Code. Here are just a few examples:

- Disagree with the facts (at least some key facts) and disagree that you violated the Code
- Agree with the facts (mostly or completely) but disagree that you violated the Code
- Disagree with the facts, but agree that you violated the Code
- Agree that you violated the Student Conduct Code, but disagree that you should be suspended or dismissed from UW because of it.
- You feel this matter was handled in such an unfair way that it would not be fair for you to receive a sanction for it.
- You want to explore other options for accepting responsibility and resolving the case without having to go through the full hearing process, such as an Agreed Settlement. See Section on Accepting Responsibility.

These can be difficult decisions to make. You don’t have to make a final decision right away, or even before the full hearing. You can change your mind about your approach later. You also don’t have to pick just one approach. Talking with someone else (such as your Respondent Resource) about this may be helpful.

Step 4: Think about what you want to say about sanctioning factors
In a full hearing the Hearing Officer will likely ask you questions about responsibility and about the sanctioning factors. Sanctioning factors are only relevant if the Hearing Officer finds that you are responsible for violating the Student Conduct Code. The Hearing Officer does not make any decisions about responsibility until after the full hearing. Because the full hearing is the only time parties get to testify about the case, the full hearing is your only chance to tell the Hearing Officer what you think about the sanctioning factors.

For reference, the sanctioning factors that may be considered include, but are not limited to, the following:

- The seriousness, severity, persistence, or pervasiveness of the prohibited conduct;
- The nature or violence (if applicable) of the prohibited conduct;
- The impact on the complainant and/or University community;
- The respondent's past disciplinary record with the University;
- Whether the respondent has accepted responsibility for the prohibited conduct;
- The maintenance of a safe, nondiscriminatory and respectful environment conducive to learning; and/or
- Any other mitigating, aggravating, or compelling factors that the hearing officer determines to be relevant and admissible.

Do’s and Don’ts
- Do write a list of questions that you have when you read through the Conduct Officer’s Record
- Do make a list of the things missing from the story
• Do make a list of documents, other pieces of evidence, and/or other people who would help you tell that story and that are NOT in the Conduct Officer’s Record
• Do make a list of the strongest points on your side
• Do make a list of the points that are strongest against your side
• Do make a list of anything you think is unfair or wrong about how the case is being handled
• Do start thinking about how you want to respond
• Don’t wait until the last minute to read the Conduct Officer’s Record. Sometimes the records are large, so it may take you a few hours to read through it. You may also benefit from reading it and then letting some time pass so that you can think about what is and is not in the Conduct Officer’s Record.
• Don’t drop everything else going on in your life as a University student, like studying. You have some time to prepare for the case and respond to deadlines.
• Don’t ignore the evidence and the allegations. Even if you want to focus on your belief that the investigation was unfair or that someone is biased, the other people involved will also be focusing on the evidence in the record and the allegations. You will likely benefit from making your arguments about fairness and making arguments about the facts of the case.

Case Assessment Checklist

☐ Read and understand the definitions of each part of the Student Conduct Code that you are being accused of violating
☐ Read the Conduct Officer’s Record
☐ Make a list of what other evidence you may want to add to the case
☐ Start thinking about how you want to respond
☐ Block out time in your schedule to check in with your Respondent Resource (and/or other supports)

Sample: Case Preparation Plan

Scenario #2: Madison received emails from the Hearing Office on April 1st that a full hearing had been initiated for the conduct matter. She also received an email with a link to the Case File folder.

Reminder: This sample is here to show how one hypothetical Respondent prepared for a hearing. How or whether you review it is completely your choice. You may or may not find it meaningful for your own preparation for the hearing process.

Madison found the material shocking and overwhelming. She didn’t do anything with the emails that day. Here is what she did later:

• April 2nd – Madison still felt overwhelmed. She decided to schedule two hours to look through the file the next day. She had received an email from the Respondent Resource about the case.
• April 3rd – Madison emailed the Respondent Resource back and set a meeting for April 5th. She spent two hours reviewing the Conduct Officer’s Record and making notes about the case. She also started making a list of her questions and problems with the case.
• April 5th – Madison met with her Respondent Resource. She received information about the Respondent Resource’s role and the hearing process. Madison got many of her questions about the
process and her case answered. Her Respondent Resource assured her that as questions come up she would be supported. Part of the process still seemed confusing, but she understood that she would be able to ask questions at the prehearing conference.

- April 7th – Madison called a trusted family friend. Madison told this friend about the situation and the evidence in the Conduct Officer’s Record. Through the conversation, Madison was able to identify parts of the story that were missing. She started thinking of how she could tell that story.

Reflection
After reading Madison’s preparation plan, consider the following questions:
(1) What do you think Madison did well?
(2) What else should Madison do?
3. **Accepting Responsibility for violating the Student Conduct Code**

**What is this?**

Seeing the need for changes in your behavior and wanting to make changes can go a long way towards actually making that happen. Some students make the decision to accept responsibility for some or all of the alleged misconduct involved in their case. Sometimes this choice is made when they feel that the evidence against them is really strong. This choice might be made even when the student feels that they did not do anything wrong. Or, the student does accept responsibility for the actions (in part or completely).

Whether you accept responsibility is one of the factors the Hearing Officer considers when determining the appropriate sanction. It also may be possible to accept responsibility for some conduct and/or some of the impact of conduct, and to do so without agreeing that the conduct code was violated. The benefits to making this choice can include knowing what the sanction (or punishment) is going to be and/or not having to go through the full hearing process by agreeing to what is called an *Agreed Settlement*. The settlement process gives you a chance to offer terms such as the completion of an educational program, therapy, or other prior to the full hearing.

Agreeing to resolve the case before the full hearing is a very personal choice to make. It is up to you to decide if you want to do that. If you are thinking about this possibility, you might really benefit from talking about it with someone else, like your Respondent Resource, your advisor, or someone you trust.

**Talk to your Respondent Resource and/or your advisor**

If you are thinking about accepting some or all responsibility related to the case, the most important thing you can do is talk about this with your advisor and/or your Respondent Resource.

**What might this look like at hearing?**

If you are still going to have a full hearing and want to express that you are accepting some (or complete) responsibility, you may want to consider telling this to the Hearing Officer. There are multiple ways this could happen:

- **Prehearing Conference** – You can talk with your advisor and/or your Respondent Resource about raising your acceptance of responsibility at the Prehearing Conference.

- **Opening and/or Closing Remarks** – As part of your remarks, you could talk about what you are accepting responsibility for in this matter.

- **Your Testimony** – During your testimony in the full hearing you may suggest questions and talk about what you are accepting responsibility for and why. You could also suggest questions about what you have done to start making changes in your behavior.

**Do’s and Don’ts**

- **Do** talk with your Respondent Resource if you want to accept responsibility. You may also talk about how you could resolve the matter with an Agreed Settlement with your Respondent Resource.
Reminder

- There are no guarantees that admitting that you made a mistake will get you the result you want in your conduct matter.
- To be very clear – There is no guarantee that accepting responsibility will lead to a shorter or lesser sanction.
- Accepting responsibility is one of many factors and, in itself, is no guarantee of a shorter or lesser sanction.
4. Evidence and Witness Forms

What are these forms?
These forms are one way to tell the Hearing Officer what you think about the evidence that is in the Conduct Officer’s Record and about who should be asked to testify at the full hearing. You can also share your perspective on these matters during the Prehearing Conference.

How do they work?
The hearing office will send you the Submission of Evidence and the Submission of Witnesses Forms with the Scheduling Notice. This email is usually sent within a week of when a full hearing is initiated. The forms themselves are fillable, which means that you can type in what you want to say and then email them back to the Hearing Office and all of the other parties.

The deadline for completing and sharing the forms is usually a few days before the Prehearing Conference. If you don’t submit the forms, during the Prehearing Conference you can still tell the Hearing Officer what you think about these issues. By submitting the forms in advance, you might not have to do as much explaining during the Prehearing Conference.

After the Prehearing Conference, the Hearing Officer will decide what evidence should and should not be considered at the hearing, and what witnesses should and should not be asked to testify. The Hearing Officer will consider the perspectives and suggestions provided by all of the parties, as well as the rules of evidence (found in WAC Chapter 478-121).

Do’s and Don’ts
• Do think about the story you want to tell about the case. Then think about what is missing from your story in the Conduct Officer’s Record and how you could fill in those gaps with documents, witnesses, or other evidence. If there’s a document missing, you can describe the document in the “Additional Documentary Evidence” section of the Submission of Evidence Form.
• Do think about what you find to be unfair or wrong with the evidence in the Conduct Officer’s Record. Just because you don’t like part of the evidence does not mean that the Hearing Officer will decide to take that evidence out. But, if you tell the Hearing Officer what you don’t like and why, the Hearing Officer will consider whether the evidence should remain in the record.
• Do think about all of the questions in the Submission of Evidence Form and the Submission of Witnesses Form. These forms are a good preview of what the Hearing Officer will ask you during the Prehearing Conference.
• Do submit your forms on time if you want the hearing officer to review them.
• Do look at the forms provided by the other parties.
• Do explain why you did not provide a document or suggest a witness to the Conduct Officer during the investigation. You can still provide a document or suggest a witness even if you don’t have a good reason for why you did not do so earlier, but you should know that your chances of getting them accepted will be higher if you have a reason.

Preparation
☐ Write a draft response for each form. Review it later before submitting the forms by the deadline.
☐ If you are submitting new evidence, attach a copy of the new evidence to the email.
Sample: Evidence and Witness Forms

Scenario #1: Two sample forms from the scenario are provided in the next pages. They show examples of how the hypothetical Respondent Jacob used the forms to address some of his concerns.

Note: Hypothetical Respondent’s responses are in blue text only to make them stand out. You don’t need to use specially colored text to fill in the forms.

Reflection
After reviewing Jacob’s forms, consider the following questions:
(1) What do you think Jacob did well?
(2) What else should Jacob do?
In the matter of JACOB  
Case No. XXXX

**Case File**

The hearing officer and parties to the above matter have been provided a copy of the case file of the University of Washington’s investigation. If you believe that any portion of the case file should not be considered as part of the record for the hearing, please identify the document and page number(s) (located in the bottom right of each page) and then describe why you believe it should not be part of the record of the hearing. If there are witnesses to which you are objecting, please also note any portions of the case file that correspond to that witness, such as interview notes. This is your opportunity to object to any information in the case file. If you do not object now, you will not be able to object to it in the future.

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<tr>
<th>Document</th>
<th>Page number(s)</th>
<th>Description</th>
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<tr>
<td>8</td>
<td>054</td>
<td>Eli’s emails with Professor Thompson about how he couldn’t take a quiz because he was upset. It really seems like he over-reacted. Also, he was the one who started the problems so it is not fair that he can now claim that he was hurt by what he started.</td>
</tr>
<tr>
<td>10</td>
<td>059</td>
<td>Screenshots of texts between Eli and his friend Chip. We don’t get to see what they texted before and after. It’s not fair to include these when we don’t get to see the whole context.</td>
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Please note that the other party may be provided an opportunity to respond to the above requests.

**Additional Documentary Evidence**

The Prehearing Conference is the time to discuss anything you want to be included for consideration at the full hearing. If you would like to propose that additional documentary or other evidence or any other materials or information not included in the case file become part of the record for the hearing (such as texts, instant messages, photos, videos, etc. – which together will be referred to as “documents”), please identify the documents below and

- describe the relevance of the document; and,
- if the document was not provided during the investigation, please describe why.

Please also provide a copy of the document when submitting this form. This is your opportunity to propose additional evidence. If you do not propose it now, you may not be able to propose it in the future.
**Document 1 – Texts from Marcus to Marcus’s friends**

**Describe relevance:**
Marcus saw what happened at the party. He texted some of his friends about it right after. His texts back up what Marcus has to say about what he saw. (*These documents were attached.*)

**If not provided during the investigation, please describe why:**
I did not know Marcus before the incident with Eli, so I did not know his name or how to reach him. After I met with the conduct officer I was able to track Marcus down. When he and I talked, Marcus showed me the texts.

---

**Document 2 – Alexis’s statement**

**Describe relevance:**
Alexis wrote about what she saw when I had the encounter with Eli on the way to class. (*This statement was attached.*)

**If not provided during the investigation, please describe why:**
I did not know that the encounter outside of class would be a part of this case.

---

**Document 3**

**Describe relevance:**

**If not provided during the investigation, please describe why:**

Use a separate sheet to identify additional documents, including providing the requested information related to each.

Please note that if any new documentary evidence is identified, the other parties will be provided with an opportunity to request further review of the evidence prior to the hearing.
In the matter of JACOB  
Case No. XXXX

### Current Witnesses

At the Prehearing Conference, the hearing officer will decide which witnesses will be requested to testify at the hearing. Below is a list of names including the conduct officer and the individuals that were identified and/or interviewed during the fact-finding process. Please check the box next to the individuals you recommend calling as witnesses for the hearing in this matter, including yourself if you plan to testify. This is your opportunity to recommend witnesses. If you do not recommend them now, you may not be able to recommend them in the future.

<table>
<thead>
<tr>
<th>Name</th>
<th>Appear at Hearing</th>
</tr>
</thead>
<tbody>
<tr>
<td>1  Conduct Officer</td>
<td>X</td>
</tr>
<tr>
<td>2  Jacob (Respondent)</td>
<td>X</td>
</tr>
<tr>
<td>3  Eli</td>
<td>X</td>
</tr>
<tr>
<td>4  Robert (Eli’s friend at party)</td>
<td></td>
</tr>
<tr>
<td>5  Chip (Eli’s friend at party)</td>
<td></td>
</tr>
<tr>
<td>6  Kim (Eli’s friend/walking to class)</td>
<td></td>
</tr>
<tr>
<td>7  Brooks (Eli’s friend/walking to class)</td>
<td></td>
</tr>
<tr>
<td>8  Angela Thompson (Eli’s professor)</td>
<td></td>
</tr>
</tbody>
</table>

If you have any objections to any of these witnesses appearing at the hearing, please describe your objections. This is your opportunity to object to witnesses. If you do not object to them now, you may not be able to object to them in the future:

I object to #4, #5, #6, and #7. All of these people are Eli’s friends. I think they are biased for him. Some of them were also directly involved with what happened, so they might be protecting themselves, too.

I object to proposed witness #8, Angela Thompson. Professor Thompson was not at the party and did not see what happened while we were walking to class.
If you would like to call any witnesses who are not identified above, please provide their name and contact information (phone and/or email address) and their relationship to the University (employee, student, not affiliated with the University). Also, please describe:

1. The type of information that you expect them to provide and its relevance to this matter; and,
2. If the witness was not identified to the conduct officer during the investigation, please describe why.

Please note that, if these witnesses are permitted at the hearing, you are responsible for notifying them of the time, date, and location of the hearing.

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone and Email</th>
<th>Relationship to the University</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marcus S.</td>
<td>email address</td>
<td>□ Employee (staff, faculty, etc.)</td>
</tr>
<tr>
<td></td>
<td>phone number</td>
<td>X Student</td>
</tr>
<tr>
<td></td>
<td></td>
<td>□ Not affiliated with the University</td>
</tr>
</tbody>
</table>

Describe information and relevance:
Marcus was at the party. He saw what Eli did and the interaction between us. I did not know Marcus before that night, but he came up after the incident and said that he saw what happened.

If not identified during the investigation, please describe why:
I mentioned Tyler’s name but I didn’t know his email address until after I met with the conduct officer.

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone and Email</th>
<th>Relationship to the University</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alexis N.</td>
<td>email address</td>
<td>□ Employee (staff, faculty, etc.)</td>
</tr>
<tr>
<td></td>
<td>phone number</td>
<td>X Student</td>
</tr>
<tr>
<td></td>
<td></td>
<td>□ Not affiliated with the University</td>
</tr>
</tbody>
</table>

Describe information and relevance:
Alexis was walking with me to class the day I encountered Eli. She can testify about what she saw.

If not identified during the investigation, please describe why:
I did not realize that the encounter outside of class was going to be a part of this case. I think I should be able to suggest people who can talk about what they saw and who are not only Eli’s friends.

Use a separate sheet to identify additional witnesses, including the requested information related to each.

Please note that if any new witnesses are identified, the other parties will be provided with an opportunity to request further review of the witnesses, including whether to seek an opportunity to interview the witnesses prior to the hearing.
5. **Prehearing Conference (also referred to as Prehearing Meeting)**

**What is this?**
The Prehearing Conference (also called the Prehearing Meeting) is a meeting with the Hearing Officer and all of the parties in a case, along with their University-provided Resource and/or advisors. This meeting has two main components: (1) Explanation of what happens during the full hearing; and, (2) Discussion about the evidence that will be considered by the Hearing Officer and the people who will be asked to testify at the hearing.

This meeting takes place over Zoom so that all can participate by audio and the Hearing Officer can share a PowerPoint presentation. All parties and advisors will be asked to turn off their video cameras and only the Hearing Officer will be visible by video. Many meetings only take an hour but it is good to plan for two hours in case there are a lot of issues to discuss. If you need to miss a class to take part in this meeting, please work with your Respondent Resource for academic advocacy. After the meeting, the Hearing Officer will write the prehearing order. This order is sent within 5 to 7 days after the meeting. The order includes the decisions the Hearing Officer makes about the matters talked about during this meeting.

**How can I prepare for the meeting?**
Part of the meeting involves the Hearing Officer explaining the full hearing process. You will receive a few documents related to full hearings in your email, including documents like *What to Expect in a Full Hearing*, *Objections to Questions Asked of Witnesses*, and *Day of Full Hearing Process Charts*. You could review those documents before the meeting so that you can come prepared with questions for the Hearing Officer.

A large part of the meeting is about the evidence and witnesses for the full hearing. The best way to prepare for this part of the discussion is to do the things suggested in the “**Evidence and Witnesses Forms**” section. Even if you end up not submitting those forms, the questions the forms ask are very similar to the ones that will be asked about during the meeting. All of the suggestions in that section apply to the meeting.

You should also read all forms and information submitted by the other party/parties. If you think that the Hearing Officer should not allow any of the proposed evidence or witnesses from the other party/parties, think about why you feel that way and decide what you want to say about it to the Hearing Officer. You will get a chance to talk about this during the Prehearing Conference. The Hearing Officer wants to hear what you and the other parties think about the record and the offered evidence and witnesses.

The Hearing Officer will ask the parties if they have requests that they plan to make about other aspects of the case. These types of requests are also called “motions”. The Hearing Officer will explain some of the guidelines about making such requests. Before the meeting you should think about whether there are things you want to ask the Hearing Officer to do. See Section on Motions.

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3 These documents are in the appendix at the end of this document.
Do’s and Don’ts

- Do think about why you want evidence or a witness to be included, and about why you don’t want specific evidence or witnesses to be included.
- Do submit evidence before the Prehearing Conference if you want the Hearing Officer to consider it (if you haven’t already), even if you missed the deadline for submitting the evidence and/or witness forms.
- Do have a copy of the forms you submitted, as well as those submitted by other parties, easily accessible. Same with the Conduct Officer’s Record (also called a Case File).
- Do listen to the presentation about the hearing process. Ask questions about it.
- Do ask questions about the Student Conduct Code.
- Don’t start testifying or arguing about the case during the meeting. Save those topics and perspectives for the full hearing.
- Don’t miss the meeting. If you need to miss it, first contact your advisor and/or Respondent Resource. You should also email the hearing office (and all the parties) to explain why. It may be possible to reschedule it. If you do miss it, you should email the UW Hearing Office (and all the parties) to explain what happened.
- Do read the prehearing order when you receive it. If something in the order is not clear or you have questions about it, email the Hearing Officer and ask about it.

Preparation

- Review the Student Conduct Code definitions of the rules you have been alleged to have violated. Write down any questions you have.
- Review what the other parties have submitted in their Submission of Evidence Form and Submission of Witnesses Form. Be ready to talk about any problems you have with what the other parties want to add.

Sample: Prehearing Meeting Preparation

Scenario #2: Madison has prepared for the Prehearing Meeting by doing the following:

- Madison has reviewed the documents that the UW Hearing Coordinator sent to the parties about the hearing process and she has some questions. She does not understand what she can do to point out to the Hearing Officer if a witness is not telling the truth. She plans to ask the Hearing Officer about this.
- From reading the Conduct Officer’s Record, Madison knows that the Conduct Officer met with the main witness, Hunter, twice. Madison noticed that there are only notes from the Conduct Officer’s second interview with Hunter. She wants to know why there are no notes from the first interview.
- Madison recently talked to two other students who were in the Advanced Geography class. They both told her that they thought the professor said it was fine to work on homework assignments together. Madison plans to ask the Hearing Officer to ask these two students to testify.

Reflection

After reviewing Madison’s preparation for the Prehearing Meeting, consider the following questions:
(1) What do you think Madison did well?
(2) What else should Madison do?
6. **Motions (or, Making Requests about the Case)**

**What is this?**
Sometimes a party in a student conduct case will want to ask the Hearing Officer for something. When this happens, the party can make a request to the Hearing Officer. In legal terms, this is called “making a motion.”

**What are some examples?**
There are many types of motions or requests that might be made. Here are just a few examples:

- A request to change the date of the prehearing conference or hearing.
- A request to have more time to do something, like send information to the Hearing Officer.

The hearing process already has times when the Hearing Office will ask you about most or all of these issues. Still, if you have a request, you can make it by emailing the Hearing Officer and copying all other parties and advisors.

**How does this work?**
A request should be sent to the Hearing Officer and to all of the other parties, usually through email. It is a good idea to explain why the request should be granted. The Hearing Officer might ask the other parties if they want to share their perspectives about the request. The Hearing Officer will consider the request (and any perspectives from other parties) and then make a decision about the request. The Hearing Officer will then email their decision to the parties. There is no penalty for making a request that the Hearing Officer denies.

**Does it matter when the request is made?**
You can make requests of the Hearing Officer at any time in the process. It is true, however, that the timing of the request might be important. If you have a request, make it as early as you are able because it is possible that the Hearing Officer will have to deny the request if it comes in late. Usually this is because granting the request at a point late in the process would be unfair to the other parties, or because granting it would just not be possible.

**What if another party makes a request?**
If this happens, read the request and their reasons for making it, and then consider what you think or how you feel about it. Then consider talking to your advisor and/or Respondent Resource about it. The Hearing Officer will likely send out an email with a deadline on when you can respond. If you think it is unfair, hurts your case, or if you agree with the request too, then the Hearing Officer will be interested in hearing your perspective. You can reply by writing an email and hitting “reply all” to the Hearing Officer, the Hearing Coordinator, and all other parties. You do not need to use or know legal terminology to respond to the request; just say why you think it should not (or should) be granted.

Keep in mind that it is also completely fine to not respond or say anything about another party’s motion.

**Do’s and Don’ts**
- Do send the request to the Hearing Officer, the Hearing Coordinator, and all the parties.
- Do say why you think the request should or should not be granted.
Sample: Motion

Scenario #2: After the prehearing meeting (and two weeks before the date of the full hearing), Madison learns that a close relative is very sick. Her family wants her to come home to spend time with that relative.

Madison writes the following email to the Hearing Officer, the Hearing Coordinator, and the other parties:

Dear Hearing Officer,

I am writing to ask if the hearing can be rescheduled. I just learned that my close relative has become very sick. I need to go home to spend time with that relative. I’m not sure how long I will be away. I don’t think I can prepare for the full hearing while I am home and focusing on my relative. Can the hearing be rescheduled for next month or later?

Madison

After reviewing Madison’s motion, consider the following questions:
(1) What do you think Madison did well?
(2) What else should Madison do?
7. Opening Remarks

What are Opening Remarks?
On the day of the full hearing the Hearing Officer will ask if you have any opening remarks. These remarks are your chance to tell the Hearing Officer what you think the case is about and what you think the evidence will show. Basically, it is your chance to introduce the Hearing Officer to the case as you see it.

How does it work?
Each party will get a turn to make opening remarks after the Hearing Officer talks about the hearing process. Usually parties spend more time on the closing remarks. Many parties do not make opening remarks at all. If you decide to make opening remarks, you will do this while sitting at your table (if the hearing is in person). Each party has about 10 minutes total to use for their opening and closing remarks. It is completely fine to read pre-written opening remarks at the hearing.

Do’s and Don’ts (if choosing to make Opening Remarks)
- Do tell the Hearing Officer what you think the case is about
- Do point out evidence or testimony that you think is very important
- Do tell the Hearing Officer what you think is the correct outcome
- Do not argue that the other side is wrong, unfair, untrustworthy, etc. (that’s for closing remarks)
- Do not recite your entire story about what happened (you can cover this in your testimony)

Preparation
☐ Make an outline of what you want to say. Or, write out your entire opening.
☐ Contact your advisor or Respondent Resource if you need help preparing opening remarks
☐ Practice before the hearing by saying your remarks out loud

Sample: Openings

Scenario #1: Jacob: “This case is about two interactions between myself and another student, Eli. The evidence will show that this was not a one-sided thing where I was the first or only aggressor. Instead, the evidence shows that both of us were involved in having this turn out wrong. This thing started by accident. Eli was the one who made it physical and intimidating. I just took action to defend myself. I’ll admit that I could have made better choices, and that I have learned from this experience. But, the evidence will show, too, that both of us made bad choices. And that taking me out of school, like through a suspension, would not be a fair response. Thank you. I will save the rest of my time for my closing.”

Scenario #2: Madison: “I am going to reserve all of my time for my closing remarks.”

Reflection
After reviewing Madison’s and Jacob’s opening statements, consider the following questions:
(1) What do you think about Madison’s decision?
(2) What do you think Jacob did well?
(3) What else should Jacob do?
8. Asking Questions of Witnesses

What is this?
A large part of the hearing is spent asking witnesses questions about what they know about the alleged misconduct. The Hearing Officer will first ask the witness questions. Then you and the other parties will get a chance to ask questions.

How does it work?
The Hearing Office will provide the list of witnesses and the expected order that the witnesses will testify at the hearing. Sometimes that order changes because of scheduling issues. The Hearing Officer begins by asking the witness questions. Next, the parties will each get a turn to ask questions. You don’t have to ask questions of a witness. When it is your turn you ask questions by typing your questions in a Zoom chat window. The Hearing Officer will approve the question if it meets the evidence rules that come from the Student Conduct Code and other sources. If the Hearing Officer approves the question, the Hearing Officer then asks the witness your question. This continues until you have no further questions to ask. (If the question is not approved, the Hearing Officer will explain why it is not approved. You will have a chance to modify your question in response.)

Once all the parties have asked questions there is something called “follow up.” Each party gets a chance to ask follow up questions about things that the witness has said in response to another party’s question. It cannot be about a new topic of questioning. Basically, it can be used to clarify or expand on a witness’s answer to another person’s question.

Parties must be respectful to the witness. By respectful we mean to not interrupt the witness, not yell at the witness, and to not insult or belittle the witness. This can be hard to do because you might not like the witness, or you may think the witness is not telling the truth. Even so, all parties must be respectful to the witnesses.
Can I ask about anything I want?

No. During the prehearing meeting the Hearing Officer will talk about what are and are not appropriate questions. The handout “Objections to Questions asked of Witnesses” provides more explanation. You can ask the Hearing Officer questions about this, too.

When a party submits a question for a witness, the Hearing Officer will decide if it is appropriate. Other parties will also see the proposed question. They can tell the Hearing Officer that the question should not be asked. The Hearing Officer and the parties might talk about the question. Finally, the Hearing Officer will make one of three decisions: (a) decide that the question is fine and ask it; (b) decide that the question has some problems with it and ask a modified version to fix those problems; or, (c) decide that the question is not appropriate and not ask it at all.

If the (b) scenario happens [Hearing Officer modifies your question] and you believe that the Hearing Officer did not really ask what you want to hear about, you should try to ask the question again. It is best to try to adjust your question to account for the reason the Hearing Officer modified the original version. If you have questions about how to do this, you should ask the Hearing Officer. You could also pause and talk with your Respondent Resource and/or your advisor.

Do’s and Don’ts

- Do think in advance about what each witness might say and how it might be important to the case. Review any statements they have made and the evidence connected to them. If there are things you want to be sure to question a witness about, be sure to write those down so you don’t forget.
- Do be sure to listen to each witness. They may say things you are not expecting to hear. These things could be helpful or harmful to your case.
- Do check off the questions you are satisfied the witness has answered (if you made a list of things you wanted to ask them). Be sure to still ask questions about issues you aren’t satisfied that the witness has spoken about enough.
- Do not object to a witness’s answer just because you don’t like the answer or you think it is not true or wrong. If you think a witness is not telling the truth, you could share your perspective on this topic during your closing remarks.

Preparation

- Review the rules about asking questions by reading the handout “Objections to Questions asked of Witnesses” as well as the prehearing order.
- Review the witness’s statements in the Conduct Officer’s Record and any pieces of evidence that are connected to the witness.
- Make a checklist of anything you want to be sure to ask the witness about.

Sample: Preparation to Ask Questions of a Witness

Scenario #2: Madison’s preparation for Professor Garcia’s testimony

- Madison reviewed the witness statement that the Conduct Officer prepared for Professor Garcia. She also reviewed the class syllabus, the take home tests Professor Garcia provided, and Professor Garcia’s emails with the other student involved, Hunter.
Madison thinks Hunter changed his story and she thinks Hunter did this because he was scared. So, Madison is going to ask Professor Garcia about the emails she (Professor Garcia) sent to Hunter.

Madison has made a checklist of all of these items. She plans to bring two copies of the checklist to the hearing. One for herself and one for her Respondent Resource, who can help Madison double-check that all of the items are covered.

Reflection
After reviewing Madison’s preparation for Professor Garcia’s testimony, consider the following questions:
(1) What do you think Madison did well?
(2) What else should Madison do?
9. Respondent’s Testimony

What is this?
You will have the chance to testify during the full hearing. Testimony is answering questions from the Hearing Officer and the parties about the case. In most situations you will be the last witness to testify.

Do you have to testify?
No. Testifying is a choice that only you can make. If you choose not to testify, the Hearing Officer will not think that you are refusing to testify because you are responsible for the alleged violations.

It is important to remember that if you decide not to testify the Hearing Officer will still make decisions about the case based on the testimony from other witnesses and other evidence in the record. Your choice does not have to be made until after all of the other witnesses have testified. At that time it may be a good idea to ask for a short break to speak with your advisor or Respondent Resource and decide if you want or do not want to testify.

How does it work?
There are three parts to testifying. Part One involves the Hearing Officer asking you questions. The Hearing Officer typically starts by asking you to look at your statement (if any) and/or the summary of your investigative interview(s) in the Conduct Officer’s Record. The Hearing Officer will likely ask if those things are accurate. If anything is not accurate, this is your opportunity to tell the Hearing Officer what is not accurate and to correct it. Then the Hearing Officer will ask other questions about the alleged conduct. Often this includes looking at documents in the record. The Hearing Officer will also likely ask you about sanctioning and evidence related to the sanctioning factors in case there is a determination of responsibility for violating the Code. This can seem like an awkward question to answer, because it may feel like you are admitting to violating the Code. You can ask your Respondent Resource and/or your advisor about preparing for this type of question.

During Part Two you have the opportunity to suggest additional questions for the Hearing Officer to ask you. Part Two can be a really good way for you to make sure that you get to testify about everything that you want to testify about. To suggest questions, you will type your questions in the Zoom chat thread for the Hearing Officer and other parties to see. If you brought a list of things you want to be sure to talk about, then it may help to take a moment to check this list when you are suggesting questions that you want the Hearing Officer to ask you.

Part Three is when the other parties can suggest questions to ask you. You will see these questions appear in the Zoom chat box. The Hearing Officer will review each question. You can also review the question and if something does not seem right, you can say that you object to the question. The Hearing Officer will make a determination about the question and then, if appropriate, ask the question. Part Three continues until each party has been able to propose all the questions they have. Then, after each party has asked all of their questions, there will be an opportunity for you and the other parties to ask follow-up questions about the answers that you gave to the previous questions. This follow up round is not an opportunity to ask a new topic of questioning. Basically, it can be used to clarify or expand on your answer to another person’s question.
During your testimony you can ask for breaks. The Hearing Officer will likely ask if you want a break in between Part One (the Hearing Officer asking questions) and Part Two (you suggesting questions).

**Question Examples**

There are questions that the Hearing Officer usually, but not always, asks student parties near the end of their testimony. The following are examples of these questions from the Hearing Officer:

- This is your chance to testify about this matter. What else do you want me to know so that I can fully understand what happened?
- What can you tell me about how you feel about this matter now?
- Is there anything you want to take responsibility for?
- If I determine that there has been a violation of the Student Conduct Code, then I will have to decide what the appropriate sanction is. What should I consider when thinking about the sanction?

The examples above are also good questions that you could suggest in Part Two.

There are situations that often come up in hearings. One of those occurs where you feel that a particular witness is not telling the truth. If this happens in your case, you might want to suggest the following questions for the Hearing Officer to ask: What is your perspective on what witness X said about [issue Y, or document or evidence Z, etc.]? Remember that you are asking the Hearing Officer to ask you this question so you can talk about why you think the evidence suggests that the witness may not have been telling the truth.

**Dos and Don’ts**

- Do review the summary of your interview with the Conduct Officer (or your statement). You will be asked to look at this.
- Do make a list before the hearing about things you want to testify about. You can check this list during your testimony to make sure you cover everything. Check over this list before and while you suggest questions for the Hearing Officer to ask you.
- Do ask for a short break if you need one. This is appropriate if you want to think about areas that you still need to testify about. You may also need a break if you are getting upset or just tired.
- Do prepare for questions that might be hard to answer.
- Do not answer a question you don’t fully understand. The Hearing Officer will be happy to try to explain the question or ask it in a different way.

**Preparation**

- Review the summary of your statement.
- Make a list of the things you want to testify about.
- Make a list of things about the case that might be hard to answer. Think about what you want to say about these things. Practicing how you would answer these questions could be really helpful.
- Review the sanctioning factors in the Code. Your testimony is an opportunity to tell the Hearing Officer about any/all reasons you should receive a lower sanction (if you receive a sanction at all). It may seem strange to think about questions that assume you have been found responsible for violating the code, but you only get one chance to testify and to talk about sanctioning.
Sample: Preparation for Testimony

Scenario #1: In preparing for testimony Jacob created a list of things he wanted to do to prepare for the hearing. The following is Jacob’s to-do list:

One week before hearing
- Think about the case and the things he wants to talk about. Made a list about these things and what he wants to say about them. This includes (a) Conduct Officer’s assumption right away that he was the aggressor each time, and (b) why a suspension wouldn’t be fair.
- Thought about two aspects of what happened that he doesn’t feel good about – punching Eli at party; getting up in Eli’s face on way to class. Wrote a paragraph about what he wants to say about each – why it happened the way it did, things he regrets, how he wished he’d handled it differently.

One day before hearing
- Review record again for his statement, texts involving him, and Eli’s statement
- Print out the list of things that are the most unfair and that he wanted to be sure to say something about
- Read over the paragraphs he wrote about two aspects of case he didn’t feel good about

Reflection
After reviewing Jacob’s preparation for testimony, consider the following questions:
(1) What do you think Jacob did well?
(2) What else should Jacob do?
10. Closing Remarks

What are Closing Remarks?
Parties can tell the hearing officer what their view of the evidence and testimony is, what it means, and what the right result is. Your closing remarks are your last chance to share your perspective about the case with the Hearing Officer.

How does it work?
After all the witnesses have testified each party has a chance to make their closing remarks. Similar to opening remarks, you will do this while seated at your table (if the hearing is in person). It is completely fine to read a pre-written closing at the hearing. You will have whatever time you have left after your opening remarks (parties have 10 minutes total for both opening and closing remarks).

Should I talk about the evidence?
Yes. If you have a perspective about what the evidence shows regarding whether you are responsible for violating the Code (or not violating the Code), you can talk about that in your closing remarks. If you think that another witness was not truthful in their testimony you can also talk about that in your closing remarks.

Should I talk about the sanction?
Yes. This is an opportunity for you to tell the Hearing Officer what you think the appropriate sanction should be (if there is a sanction) or that there should not be a sanction at all. This can seem awkward, because it sounds like you are admitting to violating the Code. But it does not have to mean that or be said that way. You can start off saying something like: “I don’t believe that I violated the Student Conduct Code. But if you decide that I did, then I think the appropriate sanction should be [type of sanction].” Then you should tell the Hearing Officer the reason(s) why that should be the sanction. Some examples of reasons could include: never having gotten in trouble before, the rules were not clear, no one was hurt, you apologized right away, etc.

Do’s and Don’ts
- Do ask for a short break if you need to prepare for your closing remarks. You might want to update it based on testimony during the hearing.
- Do say what you think about the case. For closing remarks, this can (but does not have to) include telling the Hearing Officer what you think about the testimony of a witness (or witnesses).
- Do point out evidence or testimony that you think is important.
- Do point out any problems with the evidence that you want the Hearing Officer to be thinking about.
- Do tell the Hearing Officer what you think is the correct outcome.
- Do tell the Hearing Officer what you think the appropriate sanction should be if there is a sanction.

Preparation
- Before the hearing make a list of what you think is the important evidence. Usually this is evidence that you think helps you. You can talk about this evidence in your closing remarks.
- Pay attention to what witnesses say during their testimony. If a witness says something that you think is not true, or if a witness says something that you think really helps you and/or is important,
make a note of those things and add it to your list so that you can remember to talk about it during your closing remarks.

Sample: Closing

Scenario #2: Madison prepared the following:

“I’m going to share my list of what is unfair about this case.

First, the rules of this class were not clear. How can I be punished for not following rules that weren’t clear? Two students testified today who were also a part of Advanced Geography. We heard them each say that they thought the professor told the class it was completely ok for students to work on homework assignments together. As I testified, that was my understanding, too. We also looked at the syllabus for Advanced Geography. On page... 15 of the syllabus, we can see that the language is not clear about what is and is not allowed on homework assignments. A student should not be found responsible for doing a thing that their professor said was ok to do. That’s just not fair.

We heard Hunter say today that he was really scared about getting in trouble. We also heard him agree that what he told the Conduct Officer the first time was different from what he told the Conduct Officer the second time. I think that Hunter figured out how to change his story to get me in trouble so that he wouldn’t get in any trouble.

I know Hunter claims that I brought him that answer key. There’s no proof that paper came from me. I testified that it did not come from me. There’s no email coming from me with that paper, or internet history or anything like that. Just Hunter’s testimony that the Conduct Officer chose to believe for some reason. I don’t think the Hearing Officer should believe that. Because Hunter did change his story, and because there’s no other proof. So that means the University has not met its burden of showing a preponderance of the evidence that I violated the code.

That is all I have to say in my closing. Thank you for hearing what I have to say.”

Reflection

After reviewing Madison’s closing remarks, consider the following questions:

1. What do you think Madison did well?
2. What else should Madison do?
11. Initial Orders

What is this?
The initial order is a written document that has the Hearing Officer’s decisions about the case. This document will be sent to all of the parties within 90 days of the day of the full hearing.

The initial order includes the Hearing Officer’s decisions as to whether you are responsible for violating the Student Conduct Code. The Hearing Officer will also indicate their decision about the appropriate sanction if you are found responsible. If the initial order says that you are not responsible for violating the Student Conduct Code, the case is over (unless a different party takes action to appeal).

The initial order will explain these decisions. It must have “findings of fact.” These are the factual determinations about the case that the Hearing Officer made based on the evidence in the record. The Hearing Officer must also include how they considered the facts to apply to the Code and whether you are responsible for violating the Code (this might be referred to as “conclusions of law” in the initial order).

This document is called an initial order because if you disagree with the decision you have options for challenging it before it becomes a final order. The initial order will explain what you can do if you do not like the decision. These options are described in more detail below in the section “Options if you disagree with the initial order.”

What should you do?
Begin by reading the initial order. Sometimes the initial order is a long document, so it may take some time. It may be a good idea to look over part of it, then return to reading the rest later. When you receive the initial order it might also be a good idea to talk about it with your personal resources, like your Respondent Resource, your advisor, and/or someone else you trust and respect. It is important that you understand the initial Order. These resources may be able to help you understand the initial order, process how you are feeling about it, and help you develop next steps.

Evaluate the initial order
If the initial order says that you are responsible for violating the Student Conduct Code and you disagree with that decision, then you should spend some time considering why you disagree. Think about whether there are things in the initial order that you think are wrong, inaccurate, or unfair. It is good idea to write these things down.

Options if you disagree with the initial order?
If you disagree with the initial order, you have some options for trying to change it. There are two options that will be described here: Administrative Review and Reconsideration.

Option 1 – Administrative Review
You can request “administrative review” of the initial order. This means that you find problems with the initial order. If you request review, then a decision-making panel at UW will consider your request and review the Hearing Officer’s decision. For administrative reviews, a panel of UW faculty (and possibly UW student) members will look at the initial order and consider the reasons given in your request for administrative review.
There will be information about administrative review at the end of the initial order. There is also more information at SGP 209 (or SGP 210) Section 15 and at https://www.washington.edu/studentconduct/administrative-reviews/. Your Respondent Resource can also provide information about this process.

What if the complainant asks for administrative review?
If a Complainant makes a request for administrative review, you will receive a copy of their request and their reasons for the request. You will have a chance to write a response to share your perspective with the administrative review panel.

Option 2 - Reconsideration
The initial order becomes a final order if a request for administrative review is not made within 21 days. If the initial order becomes a final order, you may file a request for reconsideration. A request for reconsideration asks the Hearing Officer to think again about some aspect of the initial order. There will be information about how to make a request for reconsideration at the end of the initial order. There is also more information in the Student Conduct Code at SGP 209 (or SGP 210) Section 16. Your Respondent Resource can also provide information about this process.

Other considerations
First, it is important to know that on a request for administrative review it is possible that the review panel may decide that a more severe sanction is the appropriate outcome. This means that, as an example, a Respondent could request an administrative review of a one quarter suspension and the review panel could decide that a two quarter suspension (or something even longer) is the right sanction.

Second, if the initial order includes a sanction of suspension or dismissal, there may be financial considerations to think about and timelines to consider. For example, if a student is suspended for a quarter they have already paid for, the student might not be able to get back one hundred percent of money already paid. There could also be consequences if the student already received financial aid for that quarter. A respondent who may be facing this situation may want to consult with their advisor and/or Respondent Resource about the best course of action.

Do’s and Don’ts
- Do read the initial order.
- Do reach out to your Respondent Resource, advisor, or trusted friends or family for support when you get the initial order. You may need help processing what the initial order says and how it impacts you.
- Do reach out to the Hearing Office to ask any questions you have about the initial order.
- Do take some time to think about how/if you want to request administrative review.
- Do pay attention to the deadline for requesting administrative review.
Sample: Response to Receiving the Initial Order

Scenario #2: Madison received the initial order from the Hearing Officer and started to read it right away. The first two pages of the initial order stated that Madison had been found responsible for violating the Student Conduct Code. She received suspension for one quarter, beginning the next quarter. Madison had to stop reading because she was upset. She called her Respondent Resource before reading any more of the initial order. They were able to schedule an appointment the next morning. Madison and her Respondent Resource made a plan for Madison to check in with a friend that night if she got upset, and to reach out to her parents as well.

The next day Madison and her Respondent Resource went through the initial order together. By reading through the findings of fact and by asking her Respondent Resource questions, Madison was able to mostly understand how the Hearing Officer made their decisions. Madison began taking notes about what she disagreed with in the initial order. Her Respondent Resource also answered Madison’s questions about her options for requesting administrative review and the deadline for making that request.

Madison decided that she wanted to make a request for administrative review. She felt that there were two errors in the Hearing Officer’s findings of fact: (1) the Hearing Officer found Hunter to be credible despite the evidence that Hunter changed his story; and (2) the Hearing Officer did not find that the professor’s statements about it being ok to do homework together to be relevant. Madison wrote down her thoughts further explaining why these two decisions were errors and how they were so important to the outcome. These became part of her request for administrative review based on there being material errors. Madison also believed the sanction imposed was excessively severe. She wrote out her perspective on why a one quarter suspension was excessive. She put all three issues in her request for administrative review. Madison sent her Respondent Resource a draft of her request. They talked about it together, and then Madison made some changes.

Madison sent her request for administrative review to the Hearing Officer, the Hearing Coordinator, and all parties and advisors as instructed. Madison was still very upset about the decision and she wasn’t sure how much of a chance she had of getting it changed. It did help her to know that she was doing what she could do to advocate for herself and that the review panel was a completely new group of people who might see things her way.

Reflection
After reviewing Madison’s request for administrative review, consider the following questions:
(1) What do you think Madison did well?
(2) What else should Madison do?
Appendix

- What to Expect in a Full Hearing
- Objections to Questions Asked of Witnesses
- Day of Full Hearing Process Charts
WHAT TO EXPECT IN A FULL HEARING

BEFORE THE FULL HEARING

Initiation of a Full Hearing

- A full hearing is initiated by a Conduct Officer or Review Panel when they determine that a full hearing is necessary, such as if suspension or dismissal may be warranted as a disciplinary sanction.
- You have not been found responsible for misconduct. That will be decided at the full hearing.
- The Conduct Officer sends the Notice to Initiate a Full Hearing to explain to the Hearing Coordinator why a full hearing is needed.
- Next, a Hearing Officer will be assigned. It is the Hearing Officer's job to preside over the full hearing, act as a neutral fact finder, and decide if you are responsible for misconduct under the Student Conduct Code.
- The Hearing Coordinator will then send a Receipt of Request to Initiate a Full Hearing to you, the other party, and the Conduct Officer.
- This receipt includes contact information and other initial information about the hearing.

Choosing an Advisor

You may have an advisor support and advise you throughout a conduct proceeding. Your advisor may be an attorney, but you do not need an attorney.

For Questions about the Full Hearing Process

The Hearing Coordinator can be contacted via email at hadmin@uw.edu.
SCHEDULING THE FULL HEARING

Scheduling the Full Hearing

Once a hearing date is scheduled, the Hearing Officer will send a Scheduling Notice to you, the other party, and the Conduct Officer which includes the following information:

- Hearing date and location;
- Deadlines for requesting that witnesses participate by phone or video conference; and
- Date for Prehearing Conference, if applicable.

You, the other party, and the Conduct Officer will also be sent a copy of the Conduct Officer’s record and two forms to complete: (1) Submission of Witnesses; and (2) Submission of Evidence. The deadlines for submitting these forms are included in the Scheduling Notice.

Submission of Evidence

The Submission of Evidence form allows you, the other party, and the Conduct Officer to submit evidence for the hearing, such as documents, photos, text messages, and other relevant pieces of information.

On the form, you have the opportunity to identify other items that you would like the Hearing Officer to consider and explain why such items were not presented to the Conduct Officer during the investigation. The form also allows you to object to evidence being included in the hearing.

The Hearing Officer will make the final decision on items that will be allowed as evidence.

If you do not submit the form by the deadline, you may not be allowed to add evidence to the record for the full hearing. Any objections you raise to evidence in the record may be considered.

Submission of Witnesses

The Submission of Witnesses form provides you with the opportunity to identify witnesses you want to have testify at the hearing, including yourself. It also allows you to object to specific witnesses testifying or being present at the hearing.

If the form is not submitted by the deadline, witnesses may not testify at the hearing and certain objections raised about witnesses may not be considered. The Hearing Officer ultimately decides which witnesses will testify at the hearing based on the material in the record, information on the Submission of Witnesses form, and other matters gathered by the Conduct Officer during the investigation.

Pay Close Attention to Deadlines

You may lose your rights to have witnesses testify, to present evidence, and to object to other witnesses or evidence if you miss the deadlines in the Prehearing Order or fail to submit the prehearing forms on time.
THE PREHEARING CONFERENCE

Participating in the Prehearing Conference

- The Prehearing Conference is an opportunity to address matters before the hearing, including requesting the hearing to be closed to the public.
- It is intended to provide transparency in the process and allow for the hearing to be as efficient and effective as possible.
- The Prehearing Conference is typically conducted in a phone conference with you, the other party, the Conduct Officer, and the Hearing Officer. You may have your advisor present, but only you or the advisor (if your advisor is an attorney) may speak on your behalf during the Prehearing Conference.
- The Hearing Officer will make decisions about witnesses and evidence for the hearing during the Prehearing Conference. Parties are also able to address logistical and other issues during this time.
- You are encouraged to participate in the Prehearing Conference. You may not have another opportunity to bring up concerns or submit new evidence or witnesses unless there is a compelling reason for not participating or introducing these concerns during the Prehearing Conference.

Prehearing Order

- After the Prehearing Conference, the Hearing Officer will send a Prehearing Order to you, the other party, and the Conduct Officer documenting any decisions made.
- This order specifies who can testify at the hearing and any documentation to be admitted into evidence.
- The Prehearing Order will also address any other issues discussed at the Prehearing Conference.
- You should expect to receive the Prehearing Order within approximately 5 business days after the Prehearing Conference.
- If the Prehearing Order indicates any changes to portions of the record being admitted into evidence, you are responsible for modifying the record you originally received to reflect those changes.
- Sometimes the Hearing Officer will issue more than one Prehearing Order if additional issues arise that could be handled prior to the hearing but were not addressed in the first Prehearing Order.
Witness Preparation

- The Hearing Coordinator will contact witnesses and let them know the date, time, and place of the hearing.
- The Hearing Coordinator will ask witnesses if they will be testifying in person, by phone, or video conference. Be sure you have provided the Hearing Coordinator with correct contact information for witnesses.
- If you become aware that a witness will be unavailable during the hearing, please tell the Hearing Coordinator as soon as possible.
- If witnesses are not available when it is their turn to testify, the hearing will proceed without them unless there is a compelling reason why they are not present.

Preparing Your Questions for Witnesses

- During the full hearing, you will have the opportunity to question witnesses.
- All questions will be submitted electronically to the Hearing Officer.
- You are encouraged to prepare a list of questions to ask witnesses when you are preparing for the hearing.
- Having a list of questions prepared will help the efficiency of the hearing.
- More information about questioning is on page 6 of this document.
AT THE FULL HEARING

People Who May Be Present

- Those in attendance typically include the Hearing Officer, the Conduct Officer, the other party, and you.
- You may bring an advisor; this could be an attorney, although that is not required.
- The hearing will be recorded either by a digital audio recorder or by a certified court reporter.
- Witnesses other than the parties are typically not permitted to be present other than when they are testifying.
- The Prehearing Order will usually document whether the witnesses or the parties be present in person, by phone, or video conference and whether anyone else can be present during the hearing.
- If the Respondent attends the hearing but chooses not to testify, a negative inference will not be drawn; in other words, the Hearing Officer will not use the fact that the Respondent did not testify as a reason for finding the Respondent responsible for the prohibited conduct.
- If you or the other party choose not to testify, the Hearing Officer may, however, proceed with the hearing and reach a finding based on the available and admissible evidence.
- If you or the other party choose not attend the full hearing, the Hearing Officer may proceed with the hearing and reach a finding based on the available and admissible evidence.

The Hearing Process

The rules in Chapter 210 of Student Governance and Policies and all Orders entered by the Hearing Officer set the framework for the hearing.

When opening the hearing, the Hearing Officer will conduct introductions, provide an overview of the hearing process, and set the tone for the hearing.

In general, the full hearing proceeds as follows:
- The Hearing Officer opens the hearing;
- Each party may have the option to present an initial summary statement;
- The parties and/or identified witnesses testify; and
- Each party may have the option to present a final summary statement.

The Prehearing Order will typically document whether initial and/or final statements are permitted. These statements are usually only 5-10 minutes and are not considered as evidence. If permitted, it is your choice whether you present an initial and/or final statement.
Testimony and Questioning

Testimony and questioning in full hearings typically proceeds as follows:

- The Conduct Officer will testify first.
- The Hearing Officer will ask the Conduct Officer questions, and then you and the other party will be able to ask the Conduct Officer questions, directing them through the Hearing Officer.
- Parties will send their questions to the Hearing Officer electronically. All parties will be able to see the questions submitted to the Hearing Officer in real time.
- The Hearing Officer will determine whether or not questions are appropriate based on the guidelines set forth in the Prehearing Order and the provisions in Section 11 of Chapter 210 of the Student Governance and Policies.
- The Hearing Officer may ask, rephrase, or skip submitted questions.
- If the Hearing Officer skips or rephrases a question, the reasons are documented in the record.
- If you don’t agree with the Hearing Officer’s decision to ask, skip, or rephrase a question, you may object.

This process is typically repeated when each witness – including you, if you so choose - testifies, until all the witnesses have testified. Ultimately, the Hearing Officer has the discretion to decide how testimony is provided and how questioning is completed.

Objections

During the testimony, you, the other party, and the Conduct Officer may make objections. The purpose of objections is to alert the Hearing Officer when you believe that the testimony or other evidence being offered is not admissible. Following are some guidelines on making objections:

- You should make an objection at the time the evidence is presented, or you will not be able to raise that issue later in the hearing.
- When you make an objection, direct it to the Hearing Officer and not the person testifying.
- When an objection is made, the person testifying should stop and wait until the Hearing Officer responds to the objection.
- If the reason for the objection is clear, the Hearing Officer will rule on it without asking for explanations.
- If the reason for the objection is unclear, the Hearing Officer will ask the party making the objection to explain further, and the Hearing Officer may also ask the other party to respond to the objection.
- The Hearing Officer will then make a ruling on the objection.
- The Hearing Officer may also decide that a question or line of questions will not be allowed, even if none of the parties object.
AFTER THE FULL HEARING

Initial Order from a Full Hearing

After the hearing, the Hearing Officer will issue an *Initial Order*, which includes the following information:

- Whether the Respondent has been found responsible for engaging in prohibited conduct (if there were multiple charges, the Hearing Officer will make a decision on each charge);
- The Hearing Officer’s factual findings and reasons for making the decision;
- If found responsible, the sanction(s) imposed and the reason the sanction was selected; and
- Information about how to request administrative review of the decision.

Administrative Review

You or one of the other parties may request an administrative review of the Hearing Officer’s finding of responsibility and/or the sanction(s). Section 15 of Chapter 210 of Student Governance and Policies outlines the criteria for requesting an administrative review. You must identify the specific ground(s) when requesting an administrative review.

The review will then be completed by a panel of faculty who are called Reviewing Officers. If a review is requested, you and the other party will be provided with more information about how administrative reviews are completed.

Final Order

If an administrative review is not requested and the order becomes final, the Conduct Officer will implement the sanction.

You or the other party may, however, seek reconsideration by the Hearing Officer of the *Final Order* by submitting a *Request for Reconsideration* to the Hearing Coordinator within 10 days of the date the *Initial Order* becomes a *Final Order*. You need to give specific reasons for requesting reconsideration; saying that you disagree with the order is not enough. Information about requesting a reconsideration will also be in the *Initial Order*.
GLOSSARY OF TERMS

ADMINISTRATIVE REVIEW: a request made by a party seeking review of an Initial Order under certain grounds

ADVISOR: a person selected to provide support and guidance during the student conduct process

ATTORNEY: a person permitted to practice law in Washington State

COMPLAINANT: a person who is the subject of the prohibited conduct, whether or not that person made a report that a violation of the Code had been committed against them

CONDUCT OFFICER: an individual who has the authority to initiate conduct proceedings under the Code

FULL HEARING: the hearing that occurs when a matter is designated as being appropriate for a full adjudicative proceeding

HEARING COORDINATOR: an individual who works with the Hearing Officer to schedule hearings, send out forms and orders, answer questions about the logistics of the hearing, and serves as the contact person for responding to accommodation requests

HEARING OFFICER: a Presiding Officer in a full hearing for the purpose of conducting a full adjudicative proceeding

INITIAL ORDER: refers to an initial written decision issued in a disciplinary matter by a Presiding Officer

PRESIDING OFFICER: refers to Conduct Officers and Hearing Officers collectively

RESPONDENT: any student or student organization reported to have engaged in or charged with prohibited conduct under the Code

STANDARD OF PROOF: the level of certainty to establish responsibility is a “preponderance of evidence,” which means that based on all the evidence in the record, the facts demonstrate that it is “more likely than not” that the Respondent violated the Student Conduct Code

The University of Washington reserves the right to modify, delete, or edit the content without notice.

This informational booklet should not be construed as legal advice or a guarantee of outcomes.

If you have questions about the information in this booklet, contact the Hearing Coordinator at hadmin@uw.edu.
Objections to Questions Asked of Witnesses

What is an objection to a question?
A complaint to the Hearing Officer about the question that usually includes a request that the question not be asked or at least be changed.

What are some examples?
This is not a full list of objections. These are common objections to give you an idea of the types of issues that can come up. A sample case using common objections is on the back of this handout.

<table>
<thead>
<tr>
<th>Issue</th>
<th>Reason</th>
<th>Legal Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. This isn’t about the case.</td>
<td>Evidence should help determine whether an important fact is more or less likely to be true.</td>
<td>Relevance</td>
</tr>
<tr>
<td>2. This was already asked about.</td>
<td>Witnesses should not be asked the same thing over and over again.</td>
<td>Asked and Answered</td>
</tr>
<tr>
<td>3. This asks the witness to guess.</td>
<td>Witnesses should answer based on their own experiences or knowledge.</td>
<td>Speculative</td>
</tr>
<tr>
<td>4. This is confusing.</td>
<td>Questions should make sense and be easily understandable.</td>
<td>Confusing</td>
</tr>
<tr>
<td>5. Not sure how we got here.</td>
<td>We should know why the witness is being asked the question and whether they may have information to answer it.</td>
<td>Lack of Foundation</td>
</tr>
</tbody>
</table>

How can a party make an objection? What will happen?
Speak out loud to get the Hearing Officer’s attention. There is no special wording a party has to use to make an objection. Here’s a common scenario:
1. A party can say something like: “I have a problem with that question,” or, “I object.”
2. The hearing officer will ask that party about their objection.
3. The hearing officer may ask the other parties about their thoughts, too.
4. The hearing officer will either (a) agree and correct the issue, or (b) not agree and explain why (this would usually mean that the question or answer moves forward).

When can a party object?
Most objections happen during witness testimony when an electronic question is submitted. If there is a concern about a question, speak out loud to let the Hearing Officer know.

Note: This handout is not legal advice. It is up to the parties to decide whether they want to make an objection or not. If you do want to make an objection, please speak out loud to let the Hearing Officer know.
Objections to Questions Asked of Witnesses

Sample Case with Common Objections
Scenario: The University has alleged that Student A stole a laptop from a classroom in Building X. Student A provided an interview with the Conduct Officer and is now testifying at the full hearing. These questions are being asked of Student A.

Question #1: Are you in a romantic relationship with Student C?
Objection: “This question isn’t about the case.” (This is also known as a Relevance objection.)

Explanation: Whether Student A was in a relationship with Student C is not helpful for determining whether Student A stole the laptop. This question would likely not be allowed. Other factors could change that decision. For example, if Student C’s laptop recently broke and C needed a laptop for class, then information about A’s and C’s relationship might show a reason for Student A to steal a laptop.

Question #2: Were you in Building X on Monday night? (Background: Student A’s statement says Student A was not in Building X on Monday night. Student A also already answered a question about where they were on Monday night and said they did not go to Building X on Monday or Tuesday.)
Objection: “This was already asked about.” (Asked and Answered.)

Explanation: Student A has already testified that they were not in Building X on Monday. Continuing to ask the same question of Student A can be harassing and wastes time.

Question #3: Who do you think would have taken the laptop?
Objection: “This question asks the student to guess.” (Speculative.)

Explanation: Unless Student A has knowledge about someone else, this is asking Student A to just guess. A guess does not provide information that helps determine the truth of an important fact. A question like “Did you hear anyone talk about wanting to steal the laptop?” would likely be an appropriate question because it asks the witness whether they heard or saw something specific.

Question #4: You are testifying that you didn’t know the laptop was in Building X, or am I wrong?
Objection: “This is confusing.” (Confusing.)

Explanation: Because there are two parts to the question, a yes or no answer would be unclear. If the answer was yes, is the witness saying that they did not know the laptop was in the building, or that the person asking the question is misunderstanding the witness’s testimony? The same problem exists with a no answer. This is also known as a “compound question” because it is really two questions.

Question #5: How many rooms are there in Building X?
(Background: The Conduct Officer’s record does not have any information about Student A ever being in Building X. Student A hasn’t been asked about whether they have been to Building X.)
Objection: “Not sure how we got here.” (Lack of Foundation.)

Explanation: Generally, witnesses should be asked questions only about their personal knowledge. If there is not already an indication that a witness has personal knowledge about something, then first questions should be asked about whether the witness personally knows about the topic. Only after establishing that the witness has that personal knowledge should questions about that topic be asked.

Note: This handout is not legal advice. It is up to the parties to decide whether they want to make an objection or not. If you do want to make an objection, please speak out loud to let the Hearing Officer know.
**Day of Full Hearing Process**

**Hearing Starts**
- Introductions
- Orientation about the full hearing process
- Questions?

**Opening Remarks**
- Conduct Officer
- Opening Remarks
- Respondent
- Opening Remarks

**Witness Testimony**
1. Hearing Officer asks witness questions
   - Hearing Officer
   - Witness

2. Parties each have a turn to propose questions
   - Hearing Officer
   - Witness

3. Any follow-up questions
   - Conduct Officer
   - Respondent

- Proposed questions are submitted electronically to the Hearing Officer through the *Zoom* chat feature.
- The order of who proposes questions first may change depending on the witness. For example, if Respondent is testifying, after the Hearing Officer has finished asking Respondent questions, the Respondent will first get to testify about anything else they want to cover before the Conduct Officer may ask them questions.
- Follow-up questions are allowed if the questions are about the witness's answers to earlier questions from other parties.
- Process is repeated for each witness. Parties may testify as witnesses.
- Parties can ask for breaks as needed. Breaks are often taken between testimony.

**Closing Remarks**
- Conduct Officer
- Closing Remarks
- Respondent
- Closing Remarks
- Rebuttal
Day of Full Hearing Process

Hearing Starts

- Introductions
- Orientation about the full hearing process
- Questions?

Opening Remarks

- Conduct Officer
- Complainant
- Respondent

Witness Testimony

1. Hearing Officer asks witness questions
   - Hearing Officer
   - Witness

2. Parties each have a turn to propose questions
   - Hearing Officer
   - Witness

3. Any follow-up questions
   - Complainant
   - Conduct Officer
   - Respondent

- Proposed questions are submitted electronically to the Hearing Officer through the Zoom chat feature.
- The order of who proposes questions first may change depending on the witness. For example, if Complainant is testifying, after the Hearing Officer has finished asking Complainant questions, the Complainant will first get to testify about anything else they want to cover before the Conduct Officer or Respondent may ask them questions.
- Follow-up questions are allowed if the questions are about the witness's answers to earlier questions from other parties.
- Process is repeated for each witness. Parties may testify as witnesses.
- Parties can ask for breaks as needed. Breaks are often taken between testimony.

Closing Remarks

- Conduct Officer
- Rebuttal
- Complainant
- Respondent

Closing Remarks

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