



The Hearing Process

FOR TITLE IX DEPUTIES, INVESTIGATORS, ADVISORS, AND HEARING
OFFICERS

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Office of Title IX

New Title IX Rule Requirements

- ▶ Includes a hearing process with cross-examination;
- ▶ Hearing is live, real-time but may be through video connection (all parties not in the same room)
- ▶ Hearing Officer(s) determine credibility, relevance, responsibility, and sanctions

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Stetson's Hearing Process:

- ▶ A minimum of 2 Hearing Officers
- ▶ Title IX Staff will provide support (communicating with witnesses, managing technology, providing supporting documents, etc.)
- ▶ Will be conducted through video stream

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Stetson's Hearing Process, cont.:

- ▶ There will be 3 rooms with audio & video connectivity – 1 for Hearing Officer's and Title IX (where witnesses will be brought in); 1 for Complainant and Advisor; 1 for Respondent and Advisor
- ▶ The proceedings will be recorded
- ▶ Prior to the hearing, the parties will meet with the Title IX Coordinator to discuss the procedures

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Format for Hearing:

1. Identification of all participants
2. Explanation of format & processes
3. Order of Witnesses - Investigators, then witnesses, then Claimant, then Respondent
4. For each witness – State name, role in process, 800#, Hearing Officer questions, Claimant questions, Respondent questions
5. Closing of hearing – review timeline, notice of decision will come from Title IX office, appeals process

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Hearing Rules:

- ▶ These are addressed in a specific document shared with all parties.
- ▶ Most important – only relevant questions allowed, Hearing Officers determine relevance
- ▶ Only the Advisors and Hearing Officers may ask questions of witnesses
- ▶ Disruptions by any party will result in stopping the hearing – Hearing Officers have the right to remove any participant for good cause

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Title IX Role in Hearing:

- ▶ Title IX Coordinators or Investigators can provide support to the process
- ▶ Title IX Staff will not determine relevance, credibility, or responsibility – that is the role of the Hearing Officers
- ▶ Title IX Staff will help usher in witnesses, address technology issues, provide policy information, and other support to the Hearing Officers
- ▶ Title IX Staff will provide the parties with the Decision and information regarding appeals

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The Decision:

- ▶ Hearing Officers do not issue a decision at the Hearing, but should do so within a few days unless there are extenuating circumstances.
- ▶ Hearing Officers may meet following the hearing to craft the decision language and provide this to the Title IX Coordinator.
- ▶ The Title IX Coordinator will prepare the Decision Letter for the review of the Hearing Officers
- ▶ The Hearing Officers will sign the Decision Letter, then the Title IX Coordinator shares it with the Claimant and Respondent

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Appeals:

The parties have 3 days to submit a written appeal.

Appeals can only be based on :

- Procedural irregularity that affected outcome

- New evidence not reasonably available

- Evidence of conflict of interest or bias by the

- Title IX Coordinator, Investigator(s) or Hearing Officers

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Need more information?

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