



Orientation to the Hearing Officer Role

Stetson University
Office of Title IX

Who can be a Hearing Officer?

- ▶ Any employee (faculty or staff) of Stetson University or the Stetson College of Law who has been trained may serve as a Hearing Officer
- ▶ The Title IX Coordinator(s) cannot serve as a Hearing Officer
- ▶ In some situations, Stetson may contract with an outside individual/organization to serve in this capacity

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Important:

- ▶ A Hearing Officer should not have any bias towards any party in the case, and should examine the case for any conflict of interest
- ▶ Hearing Officers determine whether a respondent is responsible for a violation and what (if any) sanctions will be applied

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What does a Hearing Officer do?

- ▶ Review all evidence and the investigator report, along with any written responses by the parties;
- ▶ Determine the relevance of cross-examination questions posed by the advisors BEFORE the question is answered;
- ▶ Manages the flow of the hearing;
- ▶ Reaches a decision (with fellow hearing officers) of responsibility
- ▶ Identifies sanctions if responsible
- ▶ Helps prepare the outcome report

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What resources are available to the Hearing Officer?

- ▶ The Title IX Coordinator is available to answer questions, identify pertinent policy, and provide support;
- ▶ The Title IX Coordinator manages the technology for the hearing, including recording and note-taking
- ▶ The findings/outcome report is prepared using a template from the Title IX Office;
- ▶ Training on the role, process, definitions, policy, relevance, and credibility are provided

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The Hearing Officer Big 4:

1. Determine relevance – of evidence, testimony, questions
2. Determine credibility – of witnesses, complainant, respondent
3. Determine Responsibility – responsible or not responsible for each allegation in a case
4. Determine Sanctions appropriate to the finding

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Before the Hearing:

1. Review the Investigative report and any written responses
2. Review the definitions in the policy for the allegations
3. Identify any questions you have for the investigator(s), witnesses, complainant, and respondent
4. Review the definitions in the policy for both credibility and relevance
5. Meet with the other Hearing Officer(s) and Title IX Coordinator to discuss the mechanics of the hearing
6. Review the Hearing Checklist and Agenda

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After the Hearing:

1. Identify how to proceed in reaching a decision (it could be at that time or at a later date identified)
2. Provide the information for the Decision Report (credibility, relevance of evidence, finding, sanction)
3. The Title IX Coordinator or Director of Community Standards can provide context for appropriate sanctions
4. Provide the information to the Title IX Coordinator, who creates the final report for your edits
5. Sign the final report for the Title IX Coordinator to share with the parties

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You are not in this alone!

You have the support of the Title IX Coordinator

Following the conclusion of the process (including any appeals) there will be a “debriefing” to discuss how the hearing went, identify improvements and supports (this is NOT to evaluate the decision of the Hearing Officers)

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Need more information?

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