

Hearing Decision Makers

Committed to impartiality and fairness throughout the hearing process

Spring 2024

APPSTATE

Today's Agenda

1. EO overview
2. Defining prohibited conduct
3. Process review
4. Role and responsibilities
5. Impartiality in decision making
6. Preparing for & navigating a hearing
7. Civility and decorum
8. Making a determination
9. Conclusion and Q&A

EO @ Appstate

Equal Opportunity (EO) strives to make Appalachian State University a discrimination-free, harassment-free environment for faculty, students and staff to work, live, and learn.

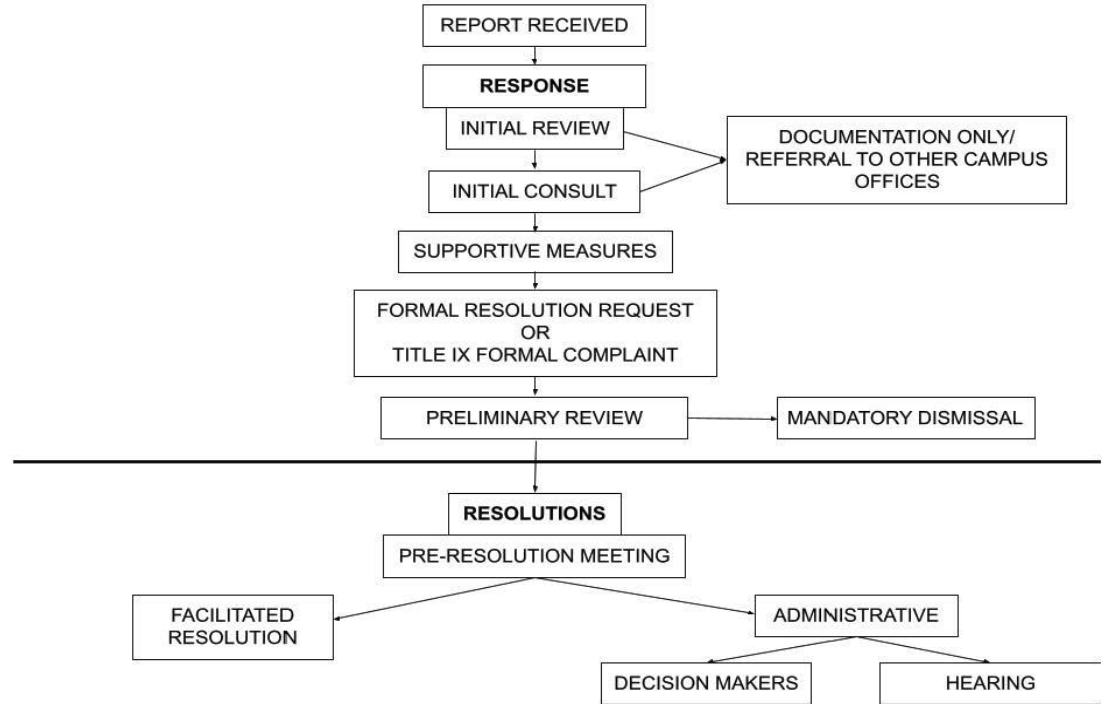


Applicable Policies & Regulations

Policy/Regulation	Prohibits	Based Upon	Applies To
Appstate Policy 110	Discrimination, harassment, retaliation, & sex-based misconduct	Protected status	Campus community
Title IX	Sexual harassment, assault, stalking, domestic/dating violence, & quid-pro-quo	Sex/Gender	Campus community

EO Resolution Process

EQUAL OPPORTUNITY PROCESS FLOW CHART



Last updated 9/25/2023

Role of a Decision Maker



**Participate in
Hearing**



**Determine
Outcomes**

Decision Maker Responsibilities

Pre-Hearing

- Review Investigative Report and Evidence File
- Prepare questions for parties attending
- Request Witnesses

Post-Hearing

- Reserve time to make a determination
- Prepare to deliberate
- Ask the Hearing Officer questions

Impartiality in Decision Making

- **Remaining Impartial**

- “Respondent considered not responsible until or unless found otherwise.”

- **Checking Bias**

- What implicit biases do you hold? How will you check yourself?

- **Conflicts of Interest**

- Contact Hearing Officer/EO if you discover a conflict of interest.

Avoiding Bias and Stereotyping

- Make objective assessments
- Be aware of implicit biases
- Actively listen during Hearing
- Avoid generalizations
- Challenge your assumptions

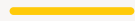


Preparing For Hearings

1

Investigative Report

Review to ensure understanding.



2

Evidence File

Review for understanding and accuracy.



3

Questions

Preparation and delivery.



4

Party Responses

Understanding reactions and managing secondary trauma.

Hearing Format & Procedures

Composition

- Complainant/ Respondent
- Advisors (If TIX)
- Investigator
- Hearing Officer
- Witnesses (if requested)

Logistics

- Opening/ Closing statements
- Questions for participants

Questioning

- Relevant Questions
- May need to rephrase

“

Civility is the art and act of caring for others.

”

— Deborah King

Civility & Decorum

- Respectful behavior
- Reviewing the civility agreement
- Consequences for breaking decorum



Determination

How do I make a determination of responsibility?

- Review policies and procedures
- Consider the evidence and report
- Consider the context and circumstances
- Identify and use relevant information
- Review notes from Hearing
- Assess credibility

Questions?



Thank you for your time & willingness to support others.

Office of Access & Equity: Equal Opportunity

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