



OFFICE OF STUDENT CONDUCT & COMMUNITY EXPECTATIONS

UNIVERSITY COMMITTEE ON DISCIPLINE Hearing Script

NOTES:

- A quorum of four is necessary; five is preferred.
 - The Chairperson of the committee will be a faculty member and will be responsible for leading the process.
 - The Office of Student Conduct will have a Case Officer present to ensure that the process is followed properly.
 - All witnesses will wait outside the hearing room until called by the Case Officer.
 - Portions in **RED** are to be read by the chairperson.
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STAGE 1 - INTRODUCTORY STAGE**CASE OFFICER reads the following:**

(Tape recorder does not need to be on):

This hearing is to determine whether the accused student (organization) is responsible for the listed violations of the University Code of Conduct. The University community has developed this fundamentally fair process to provide a forum for matters like this to be resolved.

We begin by making sure that all the involved people are aware of their rights and responsibilities, and that the accused is aware of the charges in this case. The accused is asked to enter a plea on each charge and then is given the opportunity to make a statement.

We then move into the information seeking stage. First, any witnesses called forth by the University are questioned by the panel, then by the accused.

In Stage 3, the accused can then make a statement and the accused's witnesses, if any, are called and questioned by the accused and then by the panel.

In Stage 4, the accused is then questioned by the committee. The accused does not have to answer any questions.

In Stage 5, any witnesses that were notified previously are recalled and questioned. *In academic integrity cases, we always recall the professor involved and summarize the student's testimony.*

In Stage 6, the accused can make a final statement and the hearing room is cleared.

In private session, the board determines whether the accused is *responsible or not responsible* based on a preponderance of the evidence. The accused is then informed of the determination.

If responsible, the judicial Case Officer will review all past judicial matters in which the student was found responsible. Then the student makes a statement. The room is cleared and a decision on sanctions and rationale are developed by the committee. This determination is read to the accused. The accused is reminded of the appeals process.

TURN RECORDING DEVICE ON

CASE OFFICER: *Would everyone please introduce themselves and explain their function at this hearing?*

AT THIS POINT THE CASE OFFICER MAY DECIDE TO CALL ALL WITNESSES IN AT ONE TIME TO REVIEW THE HONESTY STATEMENT. PLEASE ASK THE CASE OFFICER FOR ASSISTANCE.

CASE OFFICER: *You have been accused of violating the Lehigh University Code of Conduct and, therefore, are not required to answer any questions that are asked of you at any disciplinary proceedings. However, any information you choose to provide must be true and correct. If you intentionally provide false or misleading information to the hearing panel, you will be in violation of the Lehigh University “Expectations of Conduct” and additional charges may be filed against you. Additionally, a pattern of lying or fabrication will be considered by the hearing panel/conduct officer when imposing sanctions in this case.*

** Do you understand this statement?*

** Did you receive notification of the charges against you?*

** Did you have a pre-hearing interview with a member of the Dean of Students Office?*

** Do you understand your rights and responsibilities as outlined in the Lehigh University Code of Conduct?*

If the accused student answers “NO” to any of these questions, the Case Officer will make a reasonable attempt to rectify this situation.

CASE OFFICER: *You have been accused of the following charges related to the incident described below. Please enter a plea of “responsible” or “not responsible” to each charge.*

The Chairperson will read the narrative and charges making sure to note the pleas that are entered by the accused.

You make now make a statement that we will not question until later in the hearing.

STAGE 2 - INFORMATION SEEKING PART 1

The first witness brought forward by the University will be brought into the room. They will be read one of the following statements depending on their status:

STUDENT WITNESSES: *Lehigh University expects that all information presented will be true, complete, and correct. If you intentionally provide false or misleading information to the hearing panel, you will be in violation of the Lehigh University “Expectations of Conduct”; specifically, Expectation IV: “Respect for the Lehigh University Community”. You are subject to disciplinary action for providing false information. A pattern of lying or fabricating information by the respondent may be considered when sanctions are being imposed.*

FACULTY/STAFF: *The Office of Student Conduct has called you to provide information related to a student conduct matter. The University expects that all the information you provide will be true and correct.*

The committee will begin by questioning the witness. When the committee has completed its questioning, the accused will be given a chance to question the witness. After ensuring that there are no more immediate questions, the chairperson will ask the following:

CASE OFFICER: *Is there any reason this witness needs to be recalled.*
(In cases of academic integrity violations the professor is always recalled)

If the witness needs to be recalled, they will be instructed to wait outside and not discuss the case with anyone.

This process will be repeated for each witness that the University has called.

STAGE 3 - ACCUSED'S PRESENTATION

CASE OFFICER: *You may now make a statement that will not be questioned until later in the hearing.*

The first witness brought forward by the accused will be brought into the room. They will be read one of the following statements depending on their status:

STUDENT WITNESSES: Lehigh University expects that all information presented will be true, complete, and correct. If you intentionally provide false or misleading information to the hearing panel, you will be in violation of the Lehigh University "Expectations of Conduct"; specifically, Expectation IV: "Respect for the Lehigh University Community". You are subject to disciplinary action for providing false information. A pattern of lying or fabricating information by the respondent may be considered when sanctions are being imposed.

FACULTY/STAFF: The Office of Student Conduct has called you to provide information related to a student conduct matter. The University expects that all the information you provide will be true and correct.

The accused will begin by questioning the witness. When the accused has completed his or her questioning, the committee will be given a chance to question the witness. After ensuring that there are no more immediate questions, the chairperson will ask the following:

CASE OFFICER: *Is there any reason this witness needs to be recalled.*

If the witness needs to be recalled, they will be instructed to wait outside and not discuss the case with anyone.

This process will be repeated for each witness that the University has called.

STAGE 4 - QUESTIONING OF THE ACCUSED

CASE OFFICER: *We will now begin questioning you. You are reminded that you do not have to answer any questions, but you are still bound by the honesty statement that you were read at the beginning of this hearing.*

The committee questions the accused.

STAGE 5 - RECALLED WITNESSES

If there are witnesses to be recalled, they will be recalled at this time. The witness will be questioned first by whoever chose to recall them (the Committee or the accused)

In cases involving academic integrity violations, the professor who brought the case forward will be recalled first and given a brief summary of the testimony that was given. After that summary, the committee and the accused will be able to question the professor. In cases such as this, the committee will begin the questioning.

STAGE 6 - FINAL STATEMENT

CASE OFFICER: *You may now make a final statement that will not be questioned.*

The student will be permitted to make a statement.

CASE OFFICER: *The accused student is now dismissed while we deliberate each of the charges separately.*

The accused and the Case Officer and any other persons present who are not members of the University Committee on Discipline will be asked to wait outside until the Committee calls them back in.

TURN RECORDING DEVICE OFF**STAGE 7 - DELIBERATION**

The committee will now review each charge individually and determine, using the standard of “preponderance of evidence”, if the accused is responsible for any of the charges.

The Committee will recall the Case Officer and the accused student (and their “university friend”) to the room.

TURN RECORDING DEVICE ON

CHAIRPERSON: *You were charged with violations of the Code of Conduct related to the following incident
(READS NARRATIVE)*

I will now read the charges, your plea and our finding.

(CHARGE) You pled (PLEA) We found you (FINDING)

This will be repeated for each charge.

The rationale for our finding is : (RATIONALE)

If the student is found not responsible for all charges, then the hearing is over. If the student has been found responsible, the hearing will continue.

STAGE 8 - SANCTIONS

The Case Officer will review any previous incidents in which the student was found responsible for violations of the Code of Conduct.

CASE OFFICER: *You may now make a statement prior to the committee determining sanctions.*

THE COMMITTEE MAY ASK QUESTIONS CONCERNING THE PAST CONDUCT OR THE STUDENT’S FINAL STATEMENTS BUT THE STUDENT IS NOT REQUIRED TO ANSWER.

TURN RECORDING DEVICE OFF

The Case Officer will give the Committee a list of similar cases and how they were resolved in the past.

The hearing room will now be cleared except the hearing panel and the Case Officer, who will provide guidance to the hearing panel regarding sanctions based on prior precedents.

The Committee will determine sanctions and an appropriate rationale for the sanctions imposed.

The Committee will recall the accused student (and their “university friend”) to the room.

TURN RECORDING DEVICE ON

CHAIRPERSON: *We have assigned the following sanctions in this case with the below rationale. You have the right to appeal this decision. Please contact the Office of Student Conduct immediately following this hearing for information regarding the appeals process.*

This hearing is concluded.

TURN RECORDING DEVICE OFF

HEARING ENDS