

Student Conduct Hearing Administrator Training



*Department of Student Conduct and Community Standards
Title IX Office
Human Resources
Ethics and Compliance
Office of the General Counsel
Victim Advocate Program*

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Office of the General Counsel
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Evidentiary Standards



More likely than not...

- Upon a preponderance of the information, it is more likely than not that a violation occurred.
- 50+ percent rule.
- Burden rests on with the University to demonstrate that the burden has been met.
- All respondents are considered to not be responsible for the violation unless and until they are found to be responsible through a resolution or hearing.



Evaluating Information

- Consider circumstances such as ages, disability status, positions of authority, etc.
- Statements not subject to questioning may not be considered in determinations of R
- Information protected by privilege, medical records without authorization, or C's prior sexual history may not be considered.



Evaluating Credibility

- Not solely on observing demeanor.
- Weigh specific details, inherent plausibility, internal consistency, corroborative information
- Consider stress, trauma, effects of drugs or alcohol, or fallibility of human memory
- Corroborating information a helpful tool, but not required.