

# Tips for Participants in a Hearing

## General Information

This information is provided to help you prepare for a hearing with either a hearing officer or the Student Conduct Committee. The information is supplemental to the [Student Code of Conduct](#) which details the process. You should read the Student Code of Conduct thoroughly. Please contact Student Conduct Education and Administration (SCEA) with any questions you may have.

Remember that the hearing is an administrative hearing, not a court of law. Therefore, formal rules of evidence are not applicable to any part of the hearing. The process is designed to be non-adversarial and to elicit as much information as possible so that a good decision about your involvement in the allegation(s) can be made.

The hearing officer/panel's objectives are to determine the facts of the case, to make a determination using the standard of "more likely than not" that a violation of university policy did or did not occur, and, if a violation did occur, to determine appropriate sanctions.

## Preparing for a Hearing

As you prepare for your hearing, keep in mind the following:

1. Take the process seriously and prepare carefully. Remember that this is a professional meeting and you should present yourself in a professional manner. Do not curse or use slang or other verbiage to suggest you are downplaying the situation or interacting like you would with a friend.
2. Prepare to tell the hearing officer/panel a little bit about yourself. Getting some background knowledge about you will be helpful in understanding you and what occurred from your point of view. You might prepare to talk about what you want to major in, your academic progress, your future career plans, your current level of stress or motivation, and any recent significant events that may have impacted your behavior. Your presentation of relevant background information does not need to be lengthy, but should give some indication about who you are — the hearing officer/hearing panel tries not to define a person by any one incident, so giving some background about yourself is helpful to everyone involved in the process.
3. If you are responsible for a Student Code of Conduct violation, state this up front. Taking responsibility for your actions reflects positively on you and show maturity. Think about what you have learned from your experiences and talk about this. The university is looking to see that students are learning from their behavior and being proactive about avoiding violations in the future. Discuss what you are doing to rectify any misconduct you committed and what you are doing to be a responsible community member in the future. It is wise to reflect on who you want to be and what you want your actions to say about you before you come to the hearing, and be prepared to talk about this and whether or not your behavior in the current situation was congruent with your goals and values.
4. Discuss your perception of the incident thoroughly but avoid relating irrelevant information. Keep your statements to information that is likely to prove/disprove an important issue, or

explain points of significance. Discussions about irrelevant matters are not helpful to you and may give off the perception that you are attempting to derail the process or muddy the issues as a means of deception or avoiding responsibility. The hearing officer/panel chair may redirect you if you get off-topic or are discussing matters that will not be helpful to you or are not relevant to the discussion at hand. Preparing what you want to discuss in advance will help you avoid lengthy statements that will not have an impact on the findings or outcome.

5. Do not behave in an argumentative or disrespectful manner. Keep your emotions in check and express your questions in an appropriate manner. Persistent, severe, or pervasive verbal abuse, harassment, threats, intimidation or bullying will not be tolerated. This does not help your case and may result in a termination of the hearing with a decision made in your absence.

6. Tell the truth. You are expected to represent yourself truthfully and accurately at all times. Providing false representations to the university in any form, written or verbal, is listed as a violation of university regulations.

7. You may have an advisor accompany you during the hearing. The advisor cannot serve as a witness, but s/he can help you prepare for the case by reviewing the charges against you, help you think of questions to ask, take notes during the hearing, and help you keep calm and in control. If your advisor is an attorney, sometimes your attorney may advise you not to speak to the charges. You do have the right not to say anything. However, it is helpful to you to work with your attorney to prepare some kind of statement regarding your position with relation to the charges (e.g., "I adamantly deny the charges") and any other information that would be helpful for a panel to consider. It is also possible to work with your advisor to formulate questions to ask of others present that would help to present your side and provide information, without your having to directly state information. You should keep in mind that if you decide not to participate at all, the hearing will proceed in your absence and the hearing officer/panel will make a decision based on the information available at the time. Not appearing or not providing information is not held against you and does not automatically mean you will be found responsible. However, it is most helpful to you if you provide some information for consideration.

8. If you are admitting responsibility for the behavior, you should think about appropriate action plan to recommend as an outcome for your behavior. Action plan assignments are designed to show that you are reflecting on your behavior, taking steps to learn from it, being proactive about avoiding the behavior in the future, making amends to the victim or community for your behavior, and show that you will be a positive contribution to the community from now on. There are examples listed in Section IV of the Student Code of Conduct. In recommending appropriate action plan assignments, you should think about what others might expect to happen when certain behavior occurs, what you might expect if you heard about another student doing what you did, and what you can do to show that you are learning from the experience.

9. Since you are attending a hearing, if you are found responsible you could be suspension or expulsion from the university. Be prepared to talk about if found responsible and suspended why you will do during the suspension period to improve on your behavior and if found responsible and not suspended what you think an appropriate action plan should be for the violation.

10. Make eye contact with the hearing officer/panel members when you address them or they address you.

11. Remember that this process is about enforcing and upholding OSU's community standards and that the academic community expects students to follow the community standards. Do not proceed as if the hearing officer/panel members are the enemy. They have been charged with the task of sorting through the information presented and then arriving at a decision. Keep in mind that this process is not a personal attack on you. The hearing officer/panel is examining behavior to see if it aligns with OSU's community standards. If it does not, the university community expects that appropriate measures will be taken to correct behavior and help the student learn from the situation so that it is not repeated. Since you are an OSU community member, you should seek to be a positive contribution to the community by following the standards the community has set.

12. Prior to the hearing, you may examine any documentary evidence that will be presented at the hearing during regular business hours. Read these documents carefully and write down questions you may want to ask of witnesses at the hearing.