

Overview of Title IX Hearing Process

The following information will help assist you in understanding the Title IX Hearing Process.

Redlands would like to remind the complainant and respondent that you each have the following rights during the Hearing Process. You have the Right to:

- Receive advance notice of the alleged violation(s) and the date of the hearing.
- Present your version of the events in questions to the Panel.
- Have a Support Person present.
- If requested, audio or video accommodations will be made so that the complainant and respondent do not have to be in the presence of the other.
- Not participate in or answer any questions during a hearing.
- Question any statements or witnesses presented.
- Challenge the objectivity of the hearing.
- Appeal the outcome of the hearing.

In order to provide you with an understanding of how the hearing is conducted the following are the major components of the hearing process and procedures:

- The Chair shall present the allegations outlined in the Investigation Report.
- The Chair shall ensure that all written responses submitted by the complainant and respondent have been provided to the Hearing Panel.
- The complainant(s) shall be given the opportunity to make an opening statement.
- The respondent(s) shall be given the opportunity to make an opening statement.
- The investigators will provide the Hearing Panel an overview of their Investigation Report including their investigation findings and recommended sanctions. Investigators will answer questions posed by the Panel, Complainant, and Respondent.
- Hearing Panel poses questions submitted by the complainant and respondent.

The parties are allowed to personally question or cross-examine the investigator(s) during the Hearing. With respect to the other party, the parties are not allowed to personally question or cross-examine each other during the hearing. The parties may submit written questions to be asked by the Hearing Panel on their behalf. The Hearing Panel will screen the questions submitted by the parties and only ask those it deems appropriate and relevant to the case. Questioning about a party's sexual history with anyone other party is not permitted. The University also recognizes that the mere fact of a current or previous consensual dating or sexual relationship between the two parties does not itself imply consent or preclude a finding of sexual violence.

- Hearing Panel poses questions for witnesses, if hearing panel determines it is necessary.

If the Hearing Panel determines that witnesses should be interviewed directly by the Panel the witness will be notified in advance. Both the complainant and respondent will be informed of any witness being called to the Hearing Panel. Each

party can ask questions of any witness after the Hearing Panel's questions are concluded.

- The complainant shall be given the opportunity to make a closing statement.
- The respondent shall be given the opportunity to make a closing statement.
- The Chair shall conclude the hearing.
- The Hearing Panel shall enter closed deliberations. All findings of fact and any determination(s) of violation(s) shall be decided by a majority vote.
- The Hearing Panel will submit a written decision (the "Decision") no later than seven (7) calendar days after the hearing. The decision will be based on whether it is "more likely than not" that the University's policy was violated. The written decision will include a summary of findings and will describe any consequences or corrective action (sanctions) to be taken, as well as any other recommendations.
- Both the complainant or respondent will have the right to appeal any decision made by a Hearing Panel on the following grounds: (1) evidence not previously available to, and not withheld by the appealing party from, the investigators (or Hearing Panel) that could influence the outcome; (2) material defects in the process leading to the decision; or (3) consideration of whether the sanction is disproportionate to the findings. Appeal request must be submitted via email to the Title IX Coordinator, Erica Moorer, to erica_moorer@redlands.edu.