

HEARING PROCEDURES
Office of Student Judicial Affairs
Michigan Technological University

This is a checklist of student judicial hearing procedures for information and training purposes; however, it is within the sole discretion of the administrative hearing officer or Committee Chair to deviate from these procedures if deemed appropriate.

1. Tape Recorder Turned On.
2. The hearing will be called to order by the administrative hearing officer (“AHO”) or Chair of the committee (Academic Integrity Committee or University Judiciary Committee).
3. The AHO or Chair of the committee (whichever is applicable) will explain that a transcription of the hearing can be made for the Respondent for the sole purpose of appealing the decision.
4. The AHO/Chair will introduce the participants in the room - the Respondent, the Complainant and anyone else. Witnesses will be called into the hearing room as determined by the Chair and within the procedures outlined below.

Witnesses will stay in the room through steps 5-10 below.

5. The AHO/Chair will determine if the Respondent received a copy of the charges.
6. The AHO/Chair will read the charges.
7. The Respondent will be asked by the AHO whether he/she is responsible or not responsible for the charges.
 - a. If the response is “responsible,” read the Honesty Statement (see below) and proceed. The AHO may determine that witness testimony is unnecessary since the Respondent has admitted responsibility.
 - b. If the response is “not responsible,” read the Honesty Statement and then ask the witnesses to remain outside the hearing room until called.
8. Honesty Statement:

MTU expects that all information presented will be true and correct. Be advised that if you willfully provide false information you will be in violation of the University Regulation entitled "False Reporting" and you may be subject to disciplinary action. Furthermore, the decision-maker(s) may consider a pattern of lying or fabrication by the Respondent when deciding upon sanctions in any case.

9. The Complainant if present (or AHO/Chair if not) will present the alleged events leading to the charges.
 - a. The AHO or Committee members may ask further questions and/or seek clarification by directing questions to the Complainant.
 - b. Respondent may seek clarification of any element of the Complainant's statements but may not make statements at this time.
10. The Complainant will present his/her witness(es), who may offer testimony relevant to the complaint.
 - a. The AHO/Committee members may ask further questions and/or seek clarification by directing questions to the Complainant's witnesses.
 - b. The Respondent may seek clarification of any element of the Complainant's witness (es)' testimony but may not make statements at this time.
 - c. Witnesses are not permitted to question the Respondent or Complainant unless approved to do so by the AHO/Chair.
11. The Complainant will present any other physical or written evidence that is supportive of the charges.
12. The Respondent will present the alleged events leading to the charges.
 - a. The AHO/Committee members may ask further questions and/or seek clarification by directing questions to the Respondent.
 - b. The Complainant may seek clarification of any element of the Respondent's statements but may not make statements at this time.

13. The Respondent will present his/her witness(es), who may offer testimony relevant to the complaint.
 - a. The AHO/Committee members may ask further questions and/or seek clarification by directing questions to the Respondent's witnesses.
 - b. The Complainant may seek clarification of any element of the Respondent's witness(es)' testimony but may not make statements at this time.
 - c. Witnesses are not permitted to question the Respondent or Complainant unless approved to do so by the AHO/Chair.
14. The Respondent will present any other physical or written evidence that is supportive of the charges.
15. The AHO/Committee members may continue with any other questions or comments that are deemed relevant by the AHO/Chair. The AHO/Chair will also entertain additional questions or comments by the Respondent and the Complainant.
16. The Complainant will be allowed to make a summary statement to the AHO/Committee Members.
17. The Respondent will be allowed to make a summary statement to the AHO/Committee members. There is no rebuttal.
18. The AHO/Chair will adjourn the hearing, and the participants will be excused.
19. The AHO or Committee will reach a decision. Findings and an explanation of the decision shall be rendered in writing within seven (7) business days (five (5) business days for Academic Integrity cases). The decision will be filed with the Office of Student Affairs and transmitted to the Respondent and, if appropriate under applicable laws, the Complainant, by the Director of Student Judicial Affairs.