

Sexual Harassment Hearing Board

Hearing and Decision

Prehearing

- EO&D Executive Director selects three (3) Person Hearing Panel which includes a presiding officer.
- Panelists review the investigative report and the names of witnesses are provided to the panelists prior to the hearing.
- Accommodations available for parties and witnesses to participate electronically or to limit interaction between Complainant and Respondent.

Hearing Procedure

- Panel questions parties and witnesses. A party may present questions to the panel for approval and for the opposing party to answer (panelists ask these questions).
- Each party may be accompanied by two support persons (union representative/advocate / attorney) to the hearing. The support persons may not answer questions posed to the party or otherwise participate in the hearing.
- EO&D will monitor and record (audio) the hearing. Recordings may be reviewed at the EO&D office under EO&D supervision.

Deliberations and Decision

- Each party may submit a final written argument within ten days of the hearing.
- Panel reviews the record and any post hearing argument(s) before making its determination and issuing its report. The Panel may recommend discipline or other measures to the EO&D Executive Director if a policy violation is found.

Review by EO&D Exec. Director

- EO&D Executive Director reviews the report and adds commentary if Respondent has prior disciplinary history.
- Panel's report with Executive Director's commentary is sent to the Vice Chancellor or Provost of the Respondent's area.

Decision and Appeal Rights

- The Vice Chancellor or Provost will review the report and may accept, modify or reject the panel's determination and recommendation.
- The Vice Chancellor or Provost then notifies the parties of its determination.
- The Complainant, Respondent or the Chair may request a review of the Vice Chancellor's or Provost's decision to the Chancellor within thirty days of the hearing. The Chancellor may affirm or revise the decision, request specific findings for the panel or remand the case for a new hearing.