

# DELIBERATIONS

Equity & Title IX Annual Volunteer Training  
August 2023

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## You are in DELIBERATIONS NOW WHAT?

**Mission.** To determine whether the Respondent is responsible or not responsible for the policy violation(s) in question.

The Hearing Panel will base its finding on a preponderance of the evidence (i.e., whether it is more likely than not that the Respondent committed each alleged violation).

Deliberations will occur with no others present, except any legal advisor to the Hearing Panel.

If a Respondent is found responsible by a majority of the Hearing Panel, the Hearing Panel will determine appropriate sanctions and remedial actions by a majority vote.

**Keep In Mind**

- The most difficult part of the process
- Panels rarely see the clear-cut cases
- Incomplete information is the norm
- Often comes down to an assessment of credibility
- Quality of questioning during hearing is critical

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## DELIBERATIONS

Charges Evidence Findings Decision

ASK:

As applied to each disputed fact, is it more likely than not that one version occurred as opposed to the other?

After the totality of the evidence from all Parties has been presented, is it more likely than not that a policy violation occurred?

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