

## What to Expect at a Cal Poly Pomona Student Conduct Hearing

This handout is a brief summary (and not a complete overview) of the CSU Executive Order (EO) 1098. You can access the complete EO 1098 by going to the Links and Resources section on the Student Conduct & Integrity website under the Documents section. You may also click on the following link: <https://www.cpp.edu/studentconduct/resources.shtml>.

### General information about the hearing

Hearings are intended to be educational rather than punitive. The hearing is a meeting in which the Hearing Officer (the individual who will oversee the hearing) maintains order throughout the meeting and gathers any information that is needed to make a recommendation regarding the outcome of the disciplinary case. The Hearing Officer asks questions of the student, the Student Conduct Administrator and any witnesses as needed. The standard of proof that is used to determine whether the University's charges are sustained is by a Preponderance of the Evidence. In other words, it is the University's burden to show that it is "more likely than not" that the student violated the Student Conduct Code.

### Who will serve as a Hearing Officer?

The Hearing Officer is an administrator that works at Cal Poly Pomona, but not in the Student Conduct & Integrity Office. They have been trained to perform the duties of a Hearing Officer as outlined in EO 1098. The Hearing Officers work in many areas across campus, such as in Athletics, the BRIC, and University Housing Services, just to name a few.

### Who may attend the hearing?

The hearing is closed to everyone, but the student charged and their advisor, the Student Conduct Administrator and their advisor, the Hearing Officer, and one person to record the hearing. Both the student and the Student Conduct Administrator may present witnesses to support their position. Witnesses will come in one by one. They are dismissed after being questioned.

The student charged and the Student Conduct Administrator may bring an advisor. Review EO 1098 to understand who may serve as an advisor. The advisor may provide support to the student charged but may not speak on their behalf. The student charged may confer with their advisor by asking for a break in order to speak outside the hearing room.

### Why is the hearing recorded?

According to EO 1098, the hearing is to be recorded and will be held for as long as the student's disciplinary file is to be held. The student may not record the hearing.

### What can I bring to a hearing?

Both the student charged and the Student Conduct Administrator may enter evidence (written statements, pictures, etc.) at the hearing. You may also bring paper and something to write with.

### What happens during a hearing?

The Hearing Officer will start the meeting and the recording will begin. After the Hearing Officer has further explained their role in the hearing and outlined what the process will entail, the Student Conduct Administrator will present a statement in support of the alleged violation(s), present any evidence, and recommend an appropriate sanction. The Hearing Officer and the student charged may ask any questions after the statement has concluded.

The student charged will then be given an opportunity to present a statement in support of their position, present any evidence and propose an alternative sanction. The Hearing Officer and the Student Conduct Administrator may ask any questions after the statement has concluded.

After both parties have concluded their statements, the Student Conduct Administrator will call their witnesses in, one by one, to share any information relevant to the case. The Hearing Officer and the student charged may ask questions to any witness present.

After the Student Conduct Administrator presents all of their witnesses, the student charged presents their witnesses, one by one, to share any information relevant to the case. The Hearing Officer and the Student Conduct Administrator may ask questions to any witness present.

After all the witnesses are called in, or if there are no witnesses called in, the Student Conduct Administrator will give a closing statement with recommended sanctions. The student charged then gives a closing statement with any recommendations of sanctions (if any).

The Hearing Officer will ask any outstanding questions if necessary. The Hearing Officer will then end the hearing.

## What happens after a hearing?

The Hearing Officer will review all the information that was presented at the hearing and within 10 working days, forward their recommendation of the outcome, and recommended sanctions, to the President or President's Designee. At Cal Poly Pomona, the President's Designee is the Vice President for Student Affairs.

Upon receiving the recommendation from the Hearing Officer, the Vice President for Student Affairs will have 10 working days to review the recommendation and make a final determination. All parties (the Hearing Officer, the Student Conduct Administrator, and the student) will be notified of the final determination.

## Will the outcome (sanction) stay the same or will it change?

The Hearing Officer may recommend a different outcome/sanction(s), than what was proposed during the hearing, to the Vice President for Student Affairs. The Vice President for Student Affairs will make the final determination and it may be different than what the Hearing Officer recommended.

## General Tips to Keep in Mind

Be prepared. Review EO 1098. Write notes to yourself about what you intend to say. It is okay to prepare your statements ahead of time and read your statements during the hearing.

The hearing can last up to two to four hours (or longer depending on the case). Clear your schedule so that you can be there the whole time.

Explain to your advisor what their role is and what they can/can't do during the hearing. Discuss how you will communicate during the hearing.

The Hearing Officer will use a script. They have total control over the proceedings. They can exclude unduly repetitive information. They can ask unruly participants to leave.

At any point during the proceedings, the student charged may waive their right to continue with the hearing and accept the Resolution Agreement offered to them before the hearing.

We hope that you will use this resource to help you further understand the hearing process and what to expect during a hearing. If you have any questions, we encourage you to contact Student Conduct & Integrity via email at [studentconduct@cpp.edu](mailto:studentconduct@cpp.edu) or by phone at (909) 869-6985.