

OEO Rules of Decorum for Hearing Panel Participants

It is the responsibility of the OEO to ensure that the OEO adjudication process is fair, impartial, and unbiased and allows the hearing panel to gather the information necessary to come to a determination regarding responsibility for alleged violation(s) of OEO policy (Policies 1302 and 1324) in the case. During the adjudication process, all participants must adhere to the following rules of decorum as well as all other OEO adjudication procedures as published on the OEO website.

General Expectations

During the OEO hearing, the hearing participants (including parties, witnesses and support persons for any party) are expected to

- Mute microphones within the virtual meeting space. If a participant would like to address the panel, the participant may utilize available virtual tools (e.g., the raise hand feature) to signal to the panel that the participant would like to speak. The participant should wait until addressed by the hearing panel chair to unmute their microphone and address the hearing panel;
- Listen respectfully to the individual speaking without interruption and avoid speaking over other participants;
- Use respectful language that is not demeaning, derogatory, or disrespectful, avoiding raised voices and refraining from making distracting or offensive gestures (e.g., rolling eyes, throwing arms in the air) or audible reactions (e.g., scoffing, speaking under the breath); and
- If a participant has a question regarding these OEO Rules of Decorum for Hearing Panel Participants, OEO Hearing Panel Protocols or the OEO Formal Complaint Investigation Procedures, the participant should request a break to consult with the hearing panel chair.

During the OEO hearing, support persons for any party are restricted in their active participation within the OEO hearing process as follows:

- Support persons may not communicate for, or speak on behalf of, the party they are accompanying. Complainant(s) and respondent(s) must present information to the panel on their own behalf;
- Support persons and the party they are accompanying may communicate with one another during the hearing so long as the communication is not disruptive to the hearing proceedings. Communications between the party and support person should be limited to whispering, providing notes to one another, sending messages via electronic

communication, or taking notes in a manner that does not disrupt the adjudication of the case; and

- Support persons for any party may provide support by taking breaks with or requesting breaks on behalf of the party they are accompanying.

Violation of Expectations & Adjudication Procedures

Determination regarding a participant's violation of these rules of decorum lies with the hearing panel chair. If a participant violates these rules of decorum, OEO policy or any other OEO adjudication procedures as published on the OEO website, the hearing panel chair will issue a verbal warning, identifying both the violation and specifically how the procedure was violated.

Should a participant continue to violate these rules of decorum, OEO policy or any other OEO adjudication procedures, the hearing panel chair will immediately call for a break. During the break, the chair will address the problematic behavior directly with the participant. If the participant refuses to comply with the hearing panel chair's warning or causes additional disruption during the hearing, the hearing panel chair may decide to take one or more of the following actions:

- Conclude the OEO hearing with the potential to reconvene the hearing at a later date, at the discretion of the OEO or designee; or
- Remove the participant from the hearing. If a participant is removed, the case will proceed in the participant's absence and the hearing panel members will make a determination regarding responsibility for alleged violation(s) of OEO policy based on all of the available information, including any information shared after the participant's removal; or
- If the removed participant is the complainant or respondent in the case, the removed participant may receive an alleged policy violation(s) for their behavior if the behavior is considered a violation of JMU policy; or
- Implement other methods to address the problematic behavior, as determined by the hearing panel chair, that allows the case to continue in a fair manner for all participants.