



# University Conduct Board

Preparing Effective Questions & Active Listening in a Hearing

Lunch & Learn

Spring 2023



## Training Note

*This training was created for University Conduct Board members at East Stroudsburg University in Pennsylvania.*

*Training materials are provided on the Student Conduct and Community Standards website to adhere to the Title IX Federal Regulations of 2020.*

*Questions about training materials can be directed to SCCS.*

# Learning Outcomes

1. Participants will review the types of questions and their uses as outlined in the Training Manual.
2. Participants will describe active listening and understand the importance of active listening in the conduct process.
3. Participants will construct effective questions based on sample statements and/or hypothetical student conduct scenarios.

# Remember Our Approach to Conduct

- **Office Mission Statement**

- To engage students in the recognition of responsibility and commitment to being a productive citizen of the communities in which they belong.

- **Office Values**

- Holistic Approach
- Education-Based --- Learning Opportunities
- Respectful of Students
- Rights in the Process

# Your Role on the University Conduct Board

- **In a Formal Hearing, University Conduct Board members and/or the Administrative Hearing Officer are responsible for:**
  - Reviewing all hearing materials/documents;
  - Preparing effective questions;
  - Listening (really listening!);
  - Making determinations based on the information presented in the hearing; and,
  - If a student is responsible, determining appropriate educational sanctions.

*In order to obtain enough information to make a determination we must ask enough effective questions. As a reminder, the level of evidence required to make determinations is the Preponderance of the Evidence.*

# The First “W” – Why?

- **Why do we ask questions in the conduct process?**
  - To gather information about the alleged incident
  - To make credibility determinations
  - To understand an individual’s role in the alleged incident
  - To gather enough information to make determination(s) for the alleged violation(s) of community standards



# The Second “W” – What?

- **What is a Relevant Question?**

- A relevant question is a question that seeks information that would be considered in determining an Outcome for an alleged violation
- Could help decision-makers decide if an allegation is more or less likely to be factual

*Reminder for Faculty/Staff Members: In the Sexual Misconduct process, each question is reviewed for relevancy before the participant responds to the question. Please refer to your additional training materials for more information on this process.*

# Types of Questions

## Open-Ended Questions

- Seek to gather information to better understand the incident being described.
- Cannot be answered simply with a few words. They produce the richest answers.
- Open-ended questions often begin with a "how", "why", "what", or "could".

## Closed Questions

- Produce short answers and are useful to learn specific details about dates, times, places, etc.
- Are often most appropriate when an open-ended question is being avoided.
- These questions often begin with "is", "were" or "do".

## Probes

- Requests to further elaborate on information already discussed.
- Probes serve as a way to "dive deep" into understanding.
- A Probe can be a statement that elicits a response, and/or a direct question.



# How Do We Prepare Effective Questions?

- Review all case information – documents, videos/photos, etc.
  - And again...review all case information! Look for inconsistencies, confusing information, gaps in time, etc. These are areas to explore with your questions.
- Draft questions for each participant in the hearing (referred student(s), witness(es), reporting party, etc.)
- Review the full definitions of each alleged violation of community standards to identify any elements that need to be reviewed in the hearing
- If serving on a board, work with other board members to review drafts of questions and refine the questions into a final draft that you can bring into the hearing

# Active Listening Skills

- **What is active listening?**
  - A skill/technique where we listen fully to other individuals and seek to understand the meaning of the information they share.
- **To practice active listening...**
  - Remain present and focused in a hearing
  - Seek to Understand when Listening
  - Pay Attention to Verbal and Non-Verbal Cues
  - Be Mindful of Language

*Let's Discuss: Why is active listening important in the student conduct process?*

# Using Active Listening Skills in a Hearing

- **Remain Flexible**
  - Be ready to craft new questions to explore new, relevant information or to address conflicting information.
- **Presence**
  - Remain present and focused throughout the hearing.
- **Active Listening**
  - Show your listening skills by removing or adding questions as needed.
- **Silence**
  - It is okay to leave space for silence; participants may need time to think, collect their thoughts and hearing officers may need a moment to prepare new questions.



*Take a moment to develop two relevant questions based on the following sample scenarios and the alleged violation of community standards being reviewed in a hearing.*

*Note: Definitions for Alleged Violations of Community Standards are taken directly from the ESU Student Code of Conduct (Academic Year 2022 – 2023)*

**Let's Apply Our New Knowledge**

# Putting it Into Practice – Scenario #1

- **Sample Incident Referral from Residence Life Staff:**
  - *“Resident Advisors Wendy Warrior and Sam Stroud went to Sycamore Suites room #721 for the Health and Safety inspection. RA Warrior noticed the smoke detector was covered. RA Stroud called the Residence Life Coordinator to report the issue. RA Warrior completed an Incident Referral to report this issue. RA Warrior and RA Stroud left the scene.”*
- **Alleged Violation of Community Standards**
  - **Campus Safety:** Tampering with any fire safety equipment and/or emergency call equipment, not abiding by fire alarms, the actual dismantling of any equipment alerting others that danger is in the way. Issuing a bomb threat or other warning of impending disaster without cause. The actual possession and/or detonation of any device that acts like an explosive and may harm persons or property is prohibited.

## Putting it Into Practice – Scenario #2

- **Sample Information from a Referred Student in a Hearing:**
  - *“I was in my room reading a book for class or whatever. The RA knocked on my door because there was some sort of form I needed to sign. Then the RA started talking about this and that saying something about how people under 21 can’t have alcohol. I didn’t understand what they were talking about so I asked them why they were talking about drinking. They pointed out a bottle on my roommate’s side of the room and then told me that I had to be the one to dump out the alcohol. I don’t even drink and I only ‘possessed’ the alcohol because they made me pick up the bottle.”*
- **Alleged Violation of Community Standards**
  - **Misuse of Alcohol – c:** Possession or consumption of alcoholic beverages by persons not of legal age.

## Putting it Into Practice – Scenario #3

- **Sample Incident Referral from University Police:**
  - *“University Police Officer East responded to a report of a loud argument occurring in Dansbury Dining Hall. Officer East responded on scene and observed one male student arguing and yelling. This Officer addressed the student and obtained their contact information. It took multiple minutes for this Officer to de-escalate the situation. The student stated that the argument was about a previous incident that occurred and “settling up a payment”. This Officer cleared the scene at 11:30am.”*
- **Alleged Violation of Community Standards**
  - **Disruptive Conduct – a:** Behaving in a manner that is disorderly, unruly and/or disturbs the peace.

# Things to Remember

- **When we ask effective questions we will be able to...**
  - Make determinations with the best information available.
  - Appropriately assign educational sanctions for students found responsible for violation(s) of community standards
- **Want to practice more?**
  - To practice asking effective questions, talk with people!
  - Asking friends, family, community members, co-workers, etc. questions about their experiences and activities is a great way to practice developing effective questions and to use your active listening skills.



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# Thank You!



Thank  
You

*Thank you for participating in today's training!  
Please complete the training survey before you leave.*

*We appreciate your commitment to East Stroudsburg University, the Office of Student Conduct and Community Standards, and, to our students.*

*Please remember to contact SCCS with any questions about your role on the University Conduct Board.*

# Resources and References

## Resources:

ESU Student Code of Conduct: Available on the [SCCS Webpage](#)

## Related Trainings to Review on SUNY SCI:

- Effective Interviewing of Parties and Witnesses
- Evidence in the Student Conduct Process
- Pre-Hearing Preparations
- Student Conduct and Disciplinary Process (for PASSHE)
- Determining Relevancy in a Title IX Formal Hearing

## References:

University Conduct Board Training Manual: Available on the [UCB Training Materials Webpage](#)

SUNY Student Conduct Institute. *“Advisor Resource Guide for Title IX Investigations and Hearings” (September 2021 edition)*. [Direct Link to Download the Advisor Resource Guide](#)