



Hearing Board and Faculty Advocate Training

Part VI : Rationalizing the
Decision

Recorded June 2025

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Learning Objectives

- Understand and articulate the different components of a decision rationale
- Gain a basic understanding of how to form a decision rationale



Rationalizing a decision

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Rationale Components

1. Information considered
 - a. Itemized list
2. Corroboration and conflict (of the information)
 - a. Review and list information that is corroborated and conflicts from both the complainant's and respondent's point of view and any witnesses
3. Credibility (of the parties)
 - a. How credible do you find the parties (and why/why not)
4. Impact on the community
5. Finding(s)
6. Sanction(s)
7. Consistency (outcomes not people)

These items are put together in the decision letter (completion of a template letter)

Rationale Components

1. Information considered

- a. Itemized list

- Information shared at the hearing
 - Complainant information
 - Respondent information
 - Witness information
- Information in the case file
 - Photographs
 - Social media posts
 - Text messages
 - Academic assignments
 - Medical documentation
 - Police or public safety reports
 - Financial information
 - Video(s)
- Other

Rationale Components

2. Corroboration and conflict (of the information)

- a. Review and list information that is corroborated and conflicts from both the complainant's and respondent's point of view and any witnesses

- What information is corroborated? (between the parties)
- What information conflicts? (between the parties)

Rationale Components

3. Credibility (of the parties)

a. How credible do you find the parties (and why/why not)

- Is the information provided by the party corroborated or conflicting?
- Does the information provided by the party make sense?
- What is the relationship between the parties?
- Do not rely on a gut feeling that someone is being dishonest

Rationale Components

4. Impact on the community

1. Has the been found responsible for previous violations of the Code of Conduct?
2. Does this incident represent an escalation of behavior on the part of the ?
3. Does this incident involve violence or significant damage to property?
4. Explain how the behavior of the impacted the complainant:
5. Explain how the behavior of the impacted the university community:
6. Explain how the behavior of the impacts the residential community:

Rationale Components

5. Finding(s)
- Responsible or Not responsible (for each charge)

Rationale Components

6. Sanction(s)

- Sanction(s) imposed and why

Example Finding Rationale

What information was provided that demonstrates a violation of policy?

During the hearing, you shared that you and your roommates decided to smoke cannabis in your residence hall. You shared that you had gotten the cannabis from another one of your roommates. You said that about two (2) hours after you had smoked, a Resident Assistant and AU Public Safety arrived and searched the room. You shared that during the search they found a baggie of cannabis, a pipe, and a bottle of alcohol. All (3) three of you took ownership of the drugs and paraphernalia, and one (1) of your roommates also took responsibility for the alcohol. Based on the fact that you admitted to possessing and using cannabis in your residence hall, you found responsible for violating the Code of Conduct provision regarding drugs. Because someone else took ownership of the alcohol found, you are found not-responsible for violating the Code of Conduct provision regarding alcohol.

Example Sanctioning Rationale

- How is what you assigned the student/organization going to hold them accountable?
- How is what you assigned the student/organization going to benefit them?

When determining appropriate sanctions, the board considered that you were honest about your involvement in this incident. You shared that this was the first time you had ever smoked cannabis, and did it to just try it out. You shared that this was an isolated incident and "this isn't what college is supposed to be like." The board requires you to complete a substance use assessment to help better understand your relationship with cannabis. You shared a lot about the stress you had surrounding telling your mom about this incident. Lastly, the board placed you on university disciplinary probation.

Why is a proper rationale necessary?

- 1. A proper rationale is an essential component of the decision
- 1. A proper rationale provides support for the original decision maker during an appeal
- 1. A proper rationale serves as a basis for liability mitigation during litigation



**Putting it all
together**

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Findings, Sanctions, and Rationale

Each decision requires

- a finding (Responsible/Not Responsible)
- a complete rationale (all components)
- sanction(s) (if found responsible)