

Asking Better Questions, Staying Neutral, and Supporting Fair Outcomes

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Before You Say Yes

- Do I have the time and availability to fully participate?
- Can I give this my undivided attention?
- Am I prepared to review material and engage thoughtfully?
- Do I have any personal or professional conflicts, prior knowledge, or relationships that may affect impartiality?



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Your Role: Fair, Impartial, Unbiased

- You are a neutral decision-maker, not an advocate for either party.
- Go in with an open mind and do not form conclusions until all evidence is presented.
- Ask clear, unbiased questions and treat both parties with respect and consistency.
- Confidentiality remains essential throughout and after the process.



Professionalism During the Hearing

- Be in a private, quiet space
- Use a neutral background on Zoom
- Dress appropriately
- Avoid multitasking or visible distractions
- Watch your tone, facial expressions, and body language
- Professionalism supports the perception and reality of fairness



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Preparation Drives Better Questions

- Join preparation meetings with the other panelists and hearing officer.
- Read all materials thoroughly and review all evidence, including photos, videos, messages, and exhibits
- Begin drafting questions ahead of time.
- Build balanced questions for both parties where appropriate.
- Identify the issues that matter to the alleged policy violations



Where Decision-Makers May Ask Questions

- Equity Hearings
- Title IX Hearings
- During a hearing, panelists can ask questions at any point when appropriate under the process.



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Ask to Understand, Not to Prove

Three-question planning check: What do I need to know? Why do I need to know it? What is the best way to ask it?



A question should clarify the record, not signal where you are leaning.



Clarify

What happened? What was said? What did the person observe, hear, or do?



Focus

What fact or policy element does this help the panel understand?



Balance

Would a similar question be appropriate for the other party or another witness?



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Practical Questioning Tips

- Ask for definitions of unclear terms, such as “hooking up,” “making out,” “cuddling,” or “belligerent.”
- Ask about tools, apps, or context you do not understand.
- Avoid compound questions.
- Know the elements of the alleged violations and focus questioning on those issues.
- Ask hard questions in a non-accusatory way.



Choose the Question Type that Fits the Purpose

Open-ended

- Calls for narrative or recall. “What happened after you left the bar?”

Focused

- Directs the witness to a particular issue. “Please tell us more about that.”

Multiple Choice

- Provides a range of options when useful. “Were your clothes on, off, or some other way?”

Yes/No

- Clarifies a specific point. “Did she drive you there?”

Leading

- Assumes the answer. Use carefully. “She drove you there, correct?”



From Problem Questions to Better Questions

Use neutral phrasing that clarifies facts without signaling judgment.

Instead of asking...	Try asking...
"Why didn't you report this right away?"	➤ "What brought you to report at this time?"
"Why didn't you just leave?"	➤ "Can you walk us through what options you thought you had at that moment?"
"Are you sure that happened?"	➤ "What helps you remember that detail?"
"Why did you keep texting?"	➤ "What was your understanding of the communication after that point?"
"You don't have any proof, do you?"	➤ "What information or evidence supports your recollection?"



Deliberation and Follow-Through

- The deliberation process begins after the hearing
- Be available for several days post-hearing in case follow-up is needed.
- If a finding of responsibility is made, the panel must also consider and determine appropriate sanctions.
- Continue to maintain confidentiality and avoid discussing the case outside official channels



Final Reminders

- Prepare before the hearing and draft questions in advance.
- Ask questions that clarify, not questions that accuse.
- Stay neutral until the record is complete.
- Tie facts back to the policy issues.
- Maintain confidentiality and reach out to the Equity Officer if you have questions.



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Questions



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