

## **OSCCS Expectations for Decorum**

(Adapted from [IDHR Expectations for Decorum](#))

### **Institute Expectations for Decorum and Good Faith Participation in the COD Process**

The expectations for decorum and good faith participation apply equally to all participants in the conduct process, including the parties, witnesses, and advisors. These expectations reflect the Institute's commitment to proceedings that afford the highest level of respect for the rights and dignity of all participants.

#### **Expectations for Decorum and Good Faith Participation**

1. MIT generally expects participants to adjust their schedule to allow them to attend scheduled panel meetings. Rescheduling requests may not be used in bad faith to intentionally disrupt or delay an investigation or hearing.
2. Parties and witnesses who choose to participate in the COD process are expected to answer questions honestly and on their own.
3. Participants, including advisors, are expected to comply with applicable confidentiality and privacy policies.
4. Although an advisor generally may not speak on behalf of their advisee, they may consult with their advisee. The parties and their advisor should ask for breaks to allow for private consultation. Breaks for consultation may not be used in bad faith to intentionally disrupt or delay a meeting or panel.
5. When participating in a meeting with OSCCS staff or a panel meeting with members of the COD, no participant may act abusively or disrespectfully toward any other participant during the COD process, including towards parties, witnesses, advisors, institutional staff, or COD panelists. Prohibited conduct includes:
  - Interrupting other participants;
  - Intentionally misgendering or misnaming another participant;

- Using profanity directed toward another participant;
  - Irrelevant personal attacks;
  - Objectively offensive or aggressive gestures;
  - Harassing another participant;
  - Yelling, screaming, badgering;
  - Physically “leaning in” to the personal space of another participant or approaching another participant if meeting in person;
  - Taking any action that a reasonable person may see as intended to intimidate a participant or meaningfully modify someone’s participation in the process; or
  - Engaging in any other behavior to deliberately disrupt the meeting.
6. When an advisor is conducting cross-examination during a Title IX Sexual Harassment panel meeting:
- The hearing chair must approve all questions before the party or witness responds. Advisors are not permitted to “object” to the hearing chair’s ruling, but the hearing chair, at their discretion, may affirmatively seek input from the advisors when considering approval of a question.
  - As much as possible, advisors are expected to restrict the use of compound, redundant, irrelevant, or otherwise impermissible questions.
  - Questions must be relevant.
  - Questions are meant to test knowledge or understand a fact; they may not include accusations within the text of the question.
  - Questions must be conveyed in a neutral tone.
  - The advisor may not ask repetitive questions. This includes questions that have already been asked by the hearing panel. When the hearing chair determines a question has been “asked and answered” or is otherwise not relevant, the advisor must move on.

- The advisor may not ask questions that are harassing or otherwise in violation of the expectations set forth in #5 above.
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### Institute Response When Decorum is Broken

If OSCCS staff, during a meeting, or the COD Chair, during a panel meeting, determine that decorum is broken and the proceeding has become disorderly, they may recess or pause proceedings to address the behavior.

Misconduct during a panel meeting can take many forms, both minor and egregious. It is within the COD Chair's discretion to discourage or penalize participants who demonstrate a lack of decorum. The COD Chair may give a verbal warning, pause the panel proceedings, remove a participant, or take other steps that the Chair deems appropriate to address the conduct.

The Institute will not interfere with the parties' rights to have an advisor of their choice as permitted by [the COD rules](#), and fully expects advisors to adhere voluntarily to Institute expectations. In extreme cases, where either OSCCS staff or the COD Chair determines that an advisor's conduct undermines the integrity of COD policies and procedures, the advisor will be prohibited from continuing to serve as an advisor in that case. The affected party will be permitted to obtain a substitute advisor.

Members of the MIT community are reminded that all expectations of conduct set forth in MIT Policies and Procedures, [Section 9](#) (for all community members) and in the [Mind and Hand Book](#) (for students) apply during the COD process. Participants may be subject to discipline under the applicable procedures for policy violations relating to their conduct while participating in the COD process.