Faculty members shall be allowed to be represented at a grievance hearing by an advisor-advocate of his or her choice as long as that person is not serving as the faculty member’s attorney. If the faculty member chooses to be represented by an advisor-advocate, the respondent may likewise be represented by an advisor-advocate. The faculty member also shall be allowed to have an attorney present as an observer, and if the faculty so elects, the respondent may likewise have an attorney present as an observer. Attorney-observers are not, however, permitted to speak, although a party may consult with her or his attorney-observer during breaks in the hearing as well as at any other stage in the process aside from the hearing. Presence at the hearing is limited to the members of the FGHC, the grievant, the respondent(s), the parties' advisor-advocate(s) and/or attorney-observers, if any, and a designated recorder. The hearing shall begin with presentation by the faculty member or faculty member's advisor-advocate of evidence designed to support the faculty member's contentions.

The presentation shall be limited to those matters specified in the request for a hearing on which the FGHC based its agreement to conduct the hearing or to such other matters specified in section 4.11.3.5.2. FGHC members may question all witnesses presented by any party, the grievant, and the respondent(s). At the conclusion of the hearing, the FGHC shall meet in closed session to consider the matter. The FGHC may consider only such evidence as was presented at the hearing and need consider only the evidence offered that it considers fair and reliable. The burden is on the aggrieved faculty member to satisfy the FGHC, by a preponderance of the evidence, that her or his contention is true. After the conclusion of the hearing, the FGHC shall complete its deliberations and produce its decision within twenty (20) working days.