

EXHIBIT 5

Texas Tech University Health Science Center
Hearing regarding SOM Student Kevin Bass, PhD
December 11, 2023,

Hearing Process and Rules of Decorum

Hearing Process

The hearing will be conducted pursuant to the procedures for a student conduct board hearing set forth in the TTUHSC Student Handbook, Code of Professional Conduct, Section II.F.4. As stated by the Chair of the Student Conduct Board, Dr. Felix Morales, he has delegated his duties regarding the procedural aspects to Darren Gibson, who will serve as the hearing officer.

The following outline provides the structure of the hearing:

I. Opening of hearing

- A. Confirmation of recording pursuant to Section II.4.F.g.
- B. Introduction of all parties, advisors,¹ members of the Student Conduct Board, and the hearing officer.
- C. Opening statement of purpose by Chair
- D. Description of the process by Hearing Officer

II. Opening statements by parties

The parties' opening statements will be limited to 10 minutes, with SOM Administration going first, followed by Dr. Bass.

III. Witnesses.

SOM Administration has identified 15 potential witnesses it may call, while Dr. Bass has not identified any additional witnesses, although he will be allowed to present any information on his own behalf in accordance with Section II.F.4.i, and such presentation will occur after the SOM Administration witnesses are questioned. In addition, the Board has identified two additional witnesses pursuant to with Part II, Section F.4.j.ii of the Student Handbook.

The Board requests that SOM Administration call witnesses in chronological order of the matters to be addressed so that the Student Conduct Board may hear evidence in a logical and concise manner.

Questioning of witnesses will first be conducted by members of the Student Conduct Board, followed by SOM Administration and then Dr. Bass. Questioning by the parties may be limited by the Hearing Officer for such issues as preserving the civility of the hearing, avoiding redundant and irrelevant questioning, and providing for the efficient administration of the Hearing.

¹ Participation of advisors is governed by Section II.F.4.i.

Questioning by either party of a particular witness will be limited to 30 minutes per witness.

IV. Closing Statements

The parties' closing statements will be limited to 10 minutes, with SOM Administration going first, followed by Dr. Bass.

The recording of the hearing shall cease following closing statements and prior to deliberations, in accordance with Section F.4.g.

V. Deliberation

All parties, advisors, and witnesses are excluded from deliberations.

VI. Findings and Recommendations

The Student Conduct Board will issue its findings and recommendations within ten (10) business days of the hearing to the Dean, the Student Conduct Administrator, Dr. Islam as representative of SOM Administration, and to Dr. Bass, in accordance with Section II.F.4.n.

Rules of Decorum

1. Purpose:

- a. These Rules of Order and Decorum ("Rules") provide information for the conduct and order, as well as the responsibilities and decorum expected of all participants, at live hearings.
- b. These Rules apply to all hearing participants, and the Rules shall apply equally to both parties and their advisors.

2. General Rules of Decorum

- a. All questioning should be conducted in a respectful and non-abusive manner. Badgering, abusive, intimidating, or repetitious questioning may be deemed irrelevant by the Hearing Officer.
- b. All participants shall refrain from disparaging remarks, displays of hostility, profanity, gestures, facial expressions, audible comments, or the like, as manifestations of approval or disapproval during the testimony of a party or Witness, or at any other time during the hearing.
- c. All participants should refrain from interrupting or talking over one another.
- d. Mobile phones and other electronic devices should be silenced during the hearing, and participants shall not engage in phone conversations during the hearing.
- e. Participants shall not take photos or videos of participants during the course of the hearing.
- f. Participants shall not engage in conduct that disrupts the orderly operation of the

hearing.

3. Hearing Officer

- a. The Hearing Officer shall be responsible for enforcing these rules and shall have sole discretion to determine if these Rules have been violated. The Hearing Officer has the authority to grant exceptions to these Rules for good cause, as determined by the Hearing Officer, except that any exception shall be applied equally to both parties.
- b. The Hearing Officer may impose reasonable time limits on any stage of the hearing, so long as such time limits are applied equally to both parties.
- c. The Hearing Officer will be responsible for making determinations regarding evidence, including relevance.
- d. When the Hearing Officer determines a question is irrelevant or has been “asked and answered”, the party must move on. The decision of the Hearing Officer is final. Parties shall refrain from making any comments after the Hearing Officer has issued a determination regarding a question or evidence.
- e. Upon a second or further violation of these Rules, the Hearing Officer shall have discretion to remove the offending participant from the hearing.
- f. The written determination shall document any decision to remove any participant from the hearing.

4. Parties

- a. Parties shall not make objections during the course of the hearing or during testimony by a party or witness.
- b. Parties may request clarification of hearing procedures by addressing the Hearing Officer after recognition, except that parties may not request such clarification during the testimony of a party or witness.