

# Appeals

A student may request to appeal a determination made by a Hearing Authority. Students requesting appeal must submit the Appeals Request Form within ten (10) business days of receiving an outcome letter. The Office of the Dean of Students will review the request for appeal and determine if the request should be granted or denied.

A request for appeal shall only be granted where it is clearly demonstrated in the student's request for appeal that one of the following circumstances exists:

- New Information – There is new information that was not allowed or that was unable to be presented or that may have been unavailable at the time of the formal resolution hearing that could have altered the outcome if the information had been considered by the hearing officer(s).
- Extraordinarily Disproportionate Sanctions – The sanctions imposed are excessively harsh or unreasonable based on the circumstances.
- Flaw in the Process – There was a clear flaw in the Conduct process that may have resulted in an inappropriate outcome.

Mere disagreement with the hearing outcome is not grounds for an appeal. If a request for appeal is denied, the Student shall be notified in writing. If a request for appeal is granted, the Dean of Students shall convene a meeting of the Community Standards Appeals Committee (within ten (10) business days) to review the matter. The student shall be notified in writing.

The Appeals Committee shall consist of:

- The Dean of Students
- The President of Faculty Senate or their designee
- An Academic Administrator appointed by the President of the University
- One Student Representative

When deemed appropriate, the Dean of Students may utilize an alternate designee if an Appeals Committee Member cannot be present. A review by the Appeals Committee is not an opportunity to rehear the matter. Rather, the Appeals Committee is charged with reviewing the information to determine if the matter should be sent back to the Office of Community Standards for rehearing due to the circumstances set forth in the student's request for appeal. The Appeals Committee shall review all documents, written materials, and evidence presented at the Formal Resolution hearing. The Appeals Committee shall also have access to the audio recording of the hearing. The Appeals Committee may, at their discretion, choose to call witnesses to provide clarification regarding documents, written materials, and evidence as necessary.

The Appeals Committee may either overturn or uphold the Hearing Authority's determination as follows:

- **OVERTURN (with feedback and direction):** This decision indicates that the Appeals Committee found evidence to support that the case should be heard again. The Appeals Committee will send the case back to the Office of Community Standards for rehearing. The Appeals Committee will provide to the hearing authority (an Administrative Hearing Officer or a Community Standards Board) feedback and direction in writing to help ensure that certain items are addressed and resolved in the rehearing. The rehearing determination may not be appealed.
- **UPHOLD:** This decision indicates that the Appeals Committee did not find evidence to support that the case should be heard again and that the hearing authority's determination should stand.

The Dean of Students will notify the student of the Appeal Committee's decision within five (5) days of the Appeals Committee's decision. All Committee meetings, deliberations, and votes are confidential. The Committee's decision is final and unappealable.

## Conduct Standing

An active conduct record is defined as one in which any case(s) remain open. Conduct records shall be closed when all sanctions are completed and fulfilled. An active conduct record may affect student applications, leadership positions, and/or awards while a student is enrolled. Upon graduation or departure from the University, an active conduct record could result in the student account being placed on hold, thus limiting access to transcripts or student records.

## Alteration of Process

The Office of Community Standards reserves the right to alter the conduct process during the summer months and/or when school is not in session to address conduct issues in a timely manner. This alteration in process may include but is not limited to the use of distance technology (such as Zoom), the extension of outlined timeframes to accommodate lack of personnel, etc.