

# Appeals

The Dean of Students or their designate (hereafter referred to as the “Dean of Students”) will review appeals for new disciplinary proceedings or a review of sanction. During the appeal process, students may be subject to certain restrictions impacting such things as: class attendance; on-campus housing; participation and/or membership in organizations, athletic events/teams/clubs, and/or extracurricular activities; attendance at University events/functions; and access to University buildings. The Dean of Students may consult with other University officials as they deem appropriate. All decisions made by the Dean of Students are final, including whether or not an appeal is procedurally permitted.

## **A. Appeal for New Disciplinary Proceeding**

The Respondent and the Complainant have the right to file a written appeal for a New Disciplinary Proceeding to the Dean of Students. Appeals for a New Disciplinary Proceeding may be filed only for the following reasons:

1. Material procedural defect in the original disciplinary proceeding
2. Presence of new material evidence that was not available through no fault of the appealing party at the time of the original disciplinary proceeding.

The student filing the appeal must submit a typewritten appeal within two business days of notification of the outcome of the disciplinary proceedings stating the specific reason and justification for the appeal. The Dean of Students will review the appeal promptly and notify the student, who has filed the appeal, of the outcome.

## **B. Appeal for Review of Sanction**

The Respondent has the right to file a written appeal to the Dean of Students where the sanction is expulsion, suspension, or permanent loss of campus residency, and the student filing the appeal believes that the sanction is disproportionate to the offense. Other sanctions are not subject to review. Review of the sanction may occur only after the disciplinary proceedings have been completed and a sanction has been imposed. For the purposes of this sanction review, the Dean of Students will accept as binding the previous decision that the Respondent has violated the Code of Student Conduct.

The student filing the appeal must submit a typewritten appeal within two business days of notification of the sanction stating the reason why the sanction is disproportionate to the offense. They must schedule a date and time to discuss the appeal with the Dean of Students within five business days of notification of the sanction. Parents or guardians are permitted to participate in this discussion. The Dean of Students will review the sanction appeal and advise the student filing the appeal of their decision in writing.