

C. Student Disciplinary Appeals

Filing an Appeal and Preliminary Appellate Process

1. A Respondent may appeal a disciplinary action by filing a written appeal with the Judicial Advisor within five (5) business days of being informed of the sanction being imposed. The imposed sanction remains in effect during the appeal process. The written appeal must indicate the grounds for reversing the sanction. Grounds for appeal shall be limited to:
 - a. the original hearing/investigation was not conducted fairly and in conformity with prescribed procedures (see B above);
 - b. new and relevant evidence, sufficient to alter the decision, has been revealed that was not brought out in the original hearing, because such evidence and/or facts were not known to the person appealing at the time of the original hearing; or
 - c. inappropriate gravity of the sanction in relation to the offense.
2. The Judicial Advisor has three (3) business days from the receipt of the appeal to determine whether the basis set forth in the appeal falls within the grounds allowed for appeal and to inform the appealing student in writing. If the Judicial Advisor determines that the case does not fall within the grounds allowed for appeal, then the previous adjudication stands. If the Judicial Advisor determines that the case does fall within the grounds allowed for appeal the Judicial Advisor may:
 - a. Meet with the Judicial Body who issued the original disciplinary action to discuss a possible modification or rescission, as appropriate. If a decision to modify or rescind is not reached, the appeal will be forwarded immediately to the Judicial Committee or
 - b. Immediately forward the appeal to the Judicial Committee for consideration;
3. All preliminary processing of appeals will be concluded within five (5) business days unless the Judicial Advisor determines that there are specific articulated extenuating circumstances (e.g., absence of key parties) that require an extension.
4. The Judicial Advisor will provide notification of the outcome of the preliminary processing of the appeal in writing within three (3) business days of the decision to the Respondent and, as applicable, the Complainant, and any administrative offices involved.