

3344-83-11 Appeal process.

- (A) Rights of appeal are available to the charged party. Rights of appeal will be available to the charging party in cases of violation(s) of paragraphs (B), (D), and (E) if rule 3344-83-04 of the Administrative Code.
- (B) Grounds for appeal - appeals may be heard to determine whether the stipulated procedures were followed, whether the facts were interpreted appropriately, whether the facts supported a finding of violation or non-violation of the code, and whether the sanction was appropriate for the determined violation or decision.
- (C) Procedures - If a decision of any university hearing body specified in this Code is appealed by one of the eligible parties, notice of such appeal must be given within ten working days of the receipt of the decision. Notice of appeal must be submitted in writing to the JAO by the appealing party. The written request for appeal must state the grounds on which the appeal is being made.
- (D) The university appeal board (UAB).
 - (1) The membership of the university appeal board shall consist of the chairperson of the student life committee of faculty senate, the editor-in-chief of the “Law Review” and the vice provost for student affairs who shall convene the board, and two student representatives to the board of trustees. If any member of the university appeal board is not available to hear an appeal, the provost shall appoint a replacement for that appeal; a minimum of three board members are needed to hear an appeal.
 - (2) The university appeal board shall hear appeals of:
 - (a) Decisions of the student conduct officer;
 - (b) Decisions of the judicial board;
 - (c) Decisions of the judicial affairs officer, or

- (d) Any grievance or complaint regarding questions of jurisdiction of the judicial board.
- (3) The decision of the university appeal board may be appealed by one of the parties to the university president.
- (E) Review procedures.

The UAB shall:

- (1) Consider the grounds for appeal as stated in the written request for appeal; and
- (2) Review all materials of the hearing, including the tape of the hearing. This review can include a review of the process and procedures of the hearing.
- (3) The tape of the hearing shall be released only to the university appeal board. The tape may be reviewed by an involved party for the purposes of preparing an appeal only under the supervision of the JAO or his/her designee.

- (F) Decisions.

The UAB may:

- (1) Dismiss the appeal;
- (2) Affirm the decision on which the appeal is based; or
- (3) Alter the sanction imposed by the original hearing body:
 - (a) For appeals made by the party who has filed the charges, the sanction may be either increased or decreased;
 - (b) For appeals made by the party against whom the charges were filed, the sanction may be reduced; or

- (c) If the appeal board finds a party in violation who was previously found not in violation, the appeal board may impose appropriate sanctions.
- (d) Decisions of the appeal body must be presented in writing to the parties involved within fifteen working days of the receipt the notice of appeal from the JAO.

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