Student Code of Conduct

ARTICLE IX. APPEALS

1. A decision and/or sanction rendered during the Judicial process may be appealed to an Appellate Board within five (5) business days of the decision. Such appeals shall be in writing and shall be delivered to Vice President of Student Affairs or his or her designee.

2. Except as required to explain the basis of new evidence, an appeal shall be limited to review of the record of the initial hearing and supporting documents for one or more of the following purposes:
   a. To determine whether the original hearing was conducted fairly in light of the charges and evidence presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and present evidence that the Student Code of Conduct was violated, and giving the accused student a reasonable opportunity to prepare and to present a rebuttal of those allegations.
   b. To determine whether the decision reached regarding the accused student was based on substantial evidence; that is, whether the facts in the case were sufficient to establish that a violation of the Student Code of Conduct occurred.
   c. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code of Conduct, which the student was found to have committed.
   d. To consider new evidence sufficient to alter a decision or other relevant facts 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.

3. If an appeal is upheld by the Appellate Board, the matter shall be remanded to the original Judicial Body for reopening of the disciplinary hearing to allow for reconsideration of the original determination and/or sanction(s). If an appeal is not upheld, the matter shall be considered final and binding upon all involved.

4. In cases involving appeals by a student accused of violating the Student Code of Conduct, review of the sanction(s) by the Appellate Board may not result in more severe sanction(s) for the accused student.