

Appeals of Hearing Decisions/Sanctions

Hearing: The Title IX grievance process provides for a live hearing with cross-examination conducted by the Complainant and Respondent's advisors. The live hearing will be conducted remotely, with each party (and their Advisor) in a separate room and the Decision-maker, Title IX Coordinator, Investigators, and witnesses (as they give evidence) in a third room. Technology will link the rooms together so they can both see and hear each other. Grievance led by a Decision-maker who will determine responsibility and sanctions in T9 cases and for other policy violations growing out of the same allegations. All hearings are conducted virtually with technology enabling each party to see and hear each other. An audiovisual recording will be made of the hearing.

Failure to subject to cross-examination by any party will require that their statement(s) made during the investigation cannot be considered and no inference based on the fact that the party has not submitted to cross-examination.



Appeal: Either party may file a Request for an Appeal by submitting the request in writing to the Title IX Coordinator within five (5) days of the delivery of the Notice of Outcome Letter. Once the five (5) days have passed and neither party has filed an appeal request, the matter will be deemed closed.

Grounds for Appeal:

- 1) procedural irregularities,
- 2) discovery of new evidence, and
- 3) any bias or a conflict of interest detected amongst any Title IX personnel.

The Title IX Coordinator sends the appeal request to the Appeal Officer (Provost).



Accepted/Rejected Appeal: The Appeal Officer will deny any request for an appeal that does not meet the grounds, as outlined above. The dismissal notification will be communicated to the requesting party with in five (5) days of the request being received by the Appeal Officer.

If appeal is accepted, the Appeal Officer will notify the other party (and Advisor) that an appeal has been filed. Notification may also be made to the Title IX Coordinator and/or Investigators, Decision-maker. The other party will receive a copy of the appeal request and may have five (5) days submit a response to the portion of the appeal that deals with them and collects any additional information necessary to decide.



Decision: The Appeal Officer shall, within fifteen (15) days from the date the Appeal is requested, render a decision in the Appeal. The Appeal Officer shall draft a Notice of Appeal Outcome letter and submit it to all parties simultaneously. The Notice of Appeal Outcome letter will outline the decision on each approved ground and rationale for each decision. The Notice of Outcome letter will also outline specific instructions for remand or reconsideration of any sanction imposed by the Decision-maker.