

UNIVERSITY OF HARTFORD

University of Hartford

Office of Title IX Coordinator

Appeal Form

Instructions to Respondent:

1. Fill out section I and Section II.
2. Attach supporting documentation to this form.
3. Please return completed form and documentation to the Office of Title IX Coordinator within 3 academic days of notification to the Title IX Coordinator or designee of intent to file an appeal.

Section I:

Name _____ I.D _____ Date _____

Date of Decision _____

Section II:

Please check off your reason(s) for requesting a review and attach supporting documents.

1. ___ Additional and/or new relevant information that was not available at the time of the initial investigation.
2. ___ An error in process or an abridgement or rights, as outlined by this Sexual Violence Policy, which materially impacted the outcome of the hearing.
3. ___ The sanctions(s) assigned by the committee did not adhere to the sanction guidelines stated in the process.

Student Signature _____ date _____

Appeal Process

After receiving notification of the findings to the investigation and sanctions, when imposed, both the complainant and the accused student have five business days to notify the Title IX Coordinator or designee of their intent to appeal the finding. Sanction(s) imposed will remain in effect while the appeal is pending. The Title IX Coordinator or designee may put in place temporary or remedial action. The letter of appeal specifies the grounds upon which the appeal is based, and how those grounds materially affected the outcome (responsibility or sanctions) of the original meeting.

Appellant's written materials will be provided to the other party and the investigator(s), each of whom may submit materials in response to the appeal.

The Title IX Coordinator or designee will determine whether or not the appellant has presented one of three grounds for appeal. If the appeal letter(s) does not present grounds for appeal, the appeal will be denied and the matter will be closed.

If the appeal is granted on the sole basis that additional and/or new relevant information was not available at the time of the initial investigation, the Title IX Coordinator will direct the appeal back to the original Complaint Assessment Panel, who will work with the original investigator(s) to ensure that the additional and/or new relevant information is reviewed and necessary follow-up investigation is conducted. The findings of this investigation will be handed in a manner consistent with the procedures set forth above, including application of the preponderance of the evidence standard.

If the University Title IX coordinator determines that an appeal should be considered because it presents a claim of an error in process or abridgement of rights, or because the sanctions did not adhere to the sanctions guidelines in this Process, he or she may convene a formal Appeal Panel, which will consist of three persons from the Process pool. The Appeal Panel shall apply a clear error standard, granting the appeal only if the investigator(s) or Complaint Assessment Panel make a clear error which materially affected the outcome.

The Appeal Panel may decide that the appeal is not valid. In this case, all sanctions remain in place. If the Appeal Panel finds the appeal is valid, they may recommend adjustments in sanctioning to the Title IX Coordinator.

The Appeal Panel will prepare an appeal outcome letter with its conclusions, including an explanation of the basis for those conclusions. The decision of the appeal panel will be final. The appeal outcome letter will be sent simultaneously to the complainant and the accused.