

**CONCORDIA UNIVERSITY
OFFICE OF STUDENT CONDUCT
INSTRUCTIONS FOR SUBMITTING A
DISCIPLINARY APPEAL**

Policy

- Any party to a complaint (the Complainant or Respondent) may submit a Request for Appeal (RFA) form to the Vice President of Student Life (CUW students) or the Vice President (CUAA students) who will review the appeal (Hereinafter the “RFA Reviewer”).
- All sanctions instituted by the original hearing body are to be implemented, barring extreme exigent circumstances. Final exams, graduation-related events, and/or proximity to the end of a term are not considered exigent circumstances.
- The presumptive stance of the RFA Reviewer is to be that the original hearing body was correct in its initial finding. The burden is on the respondent/complainant to show error as outlined below in the Grounds for Appeal.
- Appeals are not intended to be full re-hearings of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal. No interviewing of or testimony by the parties is appropriate.
- The RFA Reviewer or USCAP may, at his/her discretion, request information regarding procedure from the Investigator, Formal Hearing Panel Chair or Original Hearing Officer. Ideally, this information would not be necessary, as it should be included in the written requests and/or response memorandums.

Steps to Submit an Appeal

STEP 1

Schedule (call or appear in person) a meeting with the Vice President of Student Life within 3 business days of the date of the email to you announcing the results of your Formal Panel Hearing or Formal Administrative Hearing.

CUW Office Contact Information: Mr. Steve Taylor
Phone Number (262) 243-4332

CUW Office Location: Albrecht Hall, Room 107

STEP 2

Meet with the Vice President. The appeal process will be explained and any questions will be addressed by the Vice President.

STEP 3

Following the meeting with the Vice President, submit the appeal within 3 business days of the meeting date with the vice president. Use the form located on the University Portal (Resource Tab).

STEP 4

If requested, meet with the University Student Conduct Appeals Panel.

IMPORTANT NOTE: Any Request for Appeal not filed in a timely fashion will be denied. No exceptions to the above timelines are permissible without the express permission of the RFA Reviewer.

Grounds for an Appeal

- A procedural error or omission occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.)
- To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.

NOTE: When a party fails to provide a statement under advice of counsel during an investigation, and subsequent to the hearing decides to provide a statement, it will not be considered “new evidence” for the purposes of this ground. Additionally, subsequent findings of a criminal or civil court (e.g., dismissals, plea bargains, settlements) alone do not constitute sufficient grounds for appeal, but may be considered by the SCO designee if new evidence was the grounds for said finding.

- The sanctions fall outside the range of sanctions the University has designated for the offense. As the Dean/CSAO/Title IX Coordinator reviews all sanctions, this ground for appeal is only appropriate when the Dean/CSAO’s review has not taken place.