

Student Conduct and Conflict Resolution Florida International University Appeal Instructions

Instructions for Appeal Form:

1. The Appeal form and any additional pages must be completed and typed by the **charged student**. Attach additional pages to this form)
2. The Appeal form must be signed and dated by the **charged student**.
3. The reason(s) for appeal must be selected on the Appeal Form.
 - i. The charged student must submit the Appeal form to the appropriate office:
 - i. If appealing a decision made by Student Conduct and Conflict Resolution, IFC, PC, PHNC or MCG student conduct boards, submit the Appeal form to GC 219, Vice President of Student Affairs office, and address appeal to Dr. Helen Ellison, Associate Vice President for Student Affairs.
 - i. If appealing a decision made by a Residential Life staff member, submit the Appeal form to GC 311, Student Conduct and Conflict Resolution Office, and address appeal to the Director for Student Conduct and Conflict Resolution or designee.
4. Appeal forms submitted to any other office or entity or by anyone other than the charged student will NOT be accepted.

The Appeal form **must** be received by the appropriate office within seven (7) business days after the date of receipt of the decision letter. Late appeals will NOT be accepted.

Appellate Review Process:

The appellate officer will review the record of the original hearing and determine if there is a basis for an appeal. If the appellate officer determines there is no basis for appeal, a written decision will be sent to the student stating appeal denial and basis for denial.

If the appeal officer determines that there is a basis for appeal, an appellate review will be conducted. The appellate officer may do one of the following:

1. If the charged student alleges that the severity of the sanction was disproportionate to the nature of the offense and the Appellate Officer finds the charged student proved his/her allegation, the Appellate Officer may modify the sanction.
2. If the charged student alleges that there was a violation of the charged student(s)' rights or other failure to follow the Student Conduct procedures that substantially affected the outcome or that there was new information, which was not available at the time of the hearing and could not have been presented, which could have substantially affected the outcome and the Appellate Officer finds that the charged student proved his/her allegation, the Appellate Officer will order a new hearing.

The appellate decision is issued within twenty-one (21) calendar days of receipt of the written request for appeal, unless notification is given that additional time is necessary for consideration of the record on appeal. Decisions of the appellate body reflect final agency action. Except in the case of an interim suspension, the student's status will remain unchanged during the appellate process and all sanctions are placed on hold during the appellate process. See Student Code of Conduct at <http://www2.fiu.edu/~camplife/index2.html> for further information.

APPEALS FORM

Date: _____

Dear _____,

I am writing to appeal the outcome of my student conduct case within the office of _____ . I was notified of the decision on _____ (date). I know that I have until _____ (date) to submit my appeal, which is seven business days after my outcome notification.

I choose to appeal based on the following criteria (*check all that apply*):
(Attach additional pages to this sheet)

1. _____ Due process errors involving violations of a charged students' rights (see Section 7 of the Code of Student Conduct for Students' Rights) that substantially affected the outcome of the initial hearing. Appeals based on this consideration will be limited solely to a review of the record of the first-level hearing.

On an additional page, describe in detail the irregularities in fairness and stated procedures that could have affected the outcome of the hearing.

2. _____ New evidence which was not available at the time of the original hearing and could not have been presented. In addition, the student must show that the new evidence could have substantially affected the outcome. The nature of the evidence must be described in full detail in the appeal letter.

On an additional page describe the new and significant evidence and how you believe it could affect the outcome. Also enclose copies of documentation or evidence referenced.

3. _____ The severity of the sanction(s) is disproportionate to the nature of the offense(s).

On an additional page, describe why the sanctions are disproportionate and what you would recommend as alternative sanctions.

Thank you for your time. I look forward to receiving your response regarding my appeal.

Sincerely,

Print Name

Phone Number

Signature

Panther ID Number

Mailing Address (Please print legibly)

E-mail Address:
