

Appeal Procedures

Sexual and Interpersonal Violence

Appeals from the decision of a college level hearing body/officer in all sexual violence cases shall be directed in writing by the respondent and/or the complainant to Rebecca Nadzadi, Assistant Dean of Students within five (5) class days of the respondent's receipt of the written decision. The letter should be addressed to the Appellate Hearing Committee, 501 Culkin Hall, SUNY Oswego, New York 13126. The letter should indicate that the subject of the letter is an appeal of a disciplinary action which resulted from a sexual violence disciplinary hearing, and also provide the date of the hearing. Both parties will be informed of a five day period where each party can amend or add to their appeal letter. You cannot submit the appeal via email, it must be hand delivered or mailed.

In the letter, the respondent or complainant may share with the Appellate Hearing Committee any information that they feel is important for the committee to know. You may attach letters of reference if desired. It may be helpful for respondents and complainants' to review the letter with your advisor before it is submitted and make sure that your letter contains all that is important to you. You must also include your current address, email address and phone number.

Either Party may submit an appeal within 5 class days of the hearing for the following reasons:

- A) There was significant procedural error of a nature sufficient to have materially and detrimentally affected the outcome.**
- B) There is significant new evidence of which the appellant was not previously aware; that the appellant could not have discovered through the exercise of reasonable diligence; and the absence of which was sufficient to have materially and detrimentally affected the outcome.**
- C) The sanction(s) imposed is grossly disproportionate to the charges found to have occurred.**

Any one or a combination of the criteria for the appeal may be addressed. In each case, it is important to explain the reasons for appeal.

The Appellate Hearing Committee shall review the decision on the consideration of the grounds of appeal listed and shall provide the Code Administrator with explanation of any modification of the decision. The Code Administrator will then send the Respondent and Complainant written notification via e-mail. This appeal is final within the campus conduct system.

After receipt of the Appellate Hearing Committee's decision, the respondent may request a Presidential Review of the case by submitting the request in writing to the Vice President for Student Affairs and Enrollment Management. The Vice President will forward all relevant documents pertaining to the case to the President of the College. However, whether or not the case will be reviewed is the prerogative of the President.

The Code of Conduct requires that five (5) class days be allowed for an appeal to be submitted. During recess periods it is our practice to waive the five-day class requirement, however, you must submit the letter of appeal within the time requirement as designated by the Code Administrator outlined in the hearing outcome letter.

If you have any questions please do not hesitate to contact Student Conduct, 501 Culkin Hall, 312-3378.