



Appeals

FOR DEPUTIES, ADVISORS, AND HEARING OFFICERS

Stetson University
Office of Title IX

After the hearing...

- ▶ Parties are notified of the outcome within 5 business days after it has been decided
- ▶ Both complainant and respondent are notified
- ▶ Information shared includes alleged violation(s), responsible/not responsible finding, sanctions imposed, and the appeals process

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Who can appeal?

- ▶ Complainant
- ▶ Respondent

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Appeal requirements:

- ▶ Within 3 days after delivery of the written findings
- ▶ Must be provided *in writing* to the Title IX Coordinator or appropriate Deputy
- ▶ Limited grounds for appeal

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Appeals must be based on

1. New evidence exists which was unavailable at the time of the decision;
2. A significant procedural error or omission occurred the may have significantly impacted the outcome;
3. Sanctions fall outside of the range of the University-designated sanctions;
4. Conflict of interest or bias on the part of the Title IX Coordinator, Investigators, or Hearing Officer(s)

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Examples of a significant procedural error or omission:

- ▶ Material deviation from established procedures
- ▶ Preponderance of evidence does or does not support the findings
- ▶ Substantiated bias

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Once the appeal is received:

- ▶ All parties are notified of the appeal and the request and any evidence is shared – other party/parties have 3 days to submit a written response to the appeal
- ▶ Appeals Officer is identified when the formal process is implemented; this allows for them to be insulated from any details of the investigation/hearing
- ▶ All responses and requests are shared with each party
- ▶ Appeals Officer reviews the evidence and hearing recording
- ▶ Appeals Officer will meet with both the complainant and respondent if necessary (“equitably”)

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What the Appeals Officer can do:

- ▶ Affirm the original decision and sanctions
- ▶ Modify the original decision and sanctions
- ▶ Send the matter back to the investigators (when the appeal is granted based on new evidence)
- ▶ Notify the Title IX Coordinator of their decision
- ▶ The Title IX Coordinator then must provide all parties with written notice of the final outcome of the appeal within 5 days of the outcome

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The Appeals Officer's decision...

...Is the final determination of University violations

There is no additional appeal.

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Need more information?

Lyda Costello Kiser

Executive Director & Coordinator for Title IX

386-822-7960 titleix@stetson.edu lkiser@stetson.edu

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