

Process of Appealing a Conduct Decision for Non-Sexual Misconduct or Harassment

Students may request an appeal of the outcome of conduct decisions by filing a Request to Appeal Form with The Office of Community Standards within twenty-four (24) business hours of being notified of the results of the Conduct Conference, Conduct Hearing or Conduct Board. A Request to Appeal Form can be found at:

https://publicdocs.maxient.com/reportingform.php?NicholsCollege&layout_id=10

Students may request an appeal for the following reasons ONLY:

1. The Student Conduct Process was not followed.
2. New and significant information has become available which could alter the original outcome.
3. The sanctions given were inconsistent with the Student Code of Conduct policies.

Note: A student who fails to appear for a scheduled Conduct Conference, Conduct Hearing, or Conduct Board forfeits all right to an appeal.

Request for Appeal Review

The Office of Community Standards will review the Request to Appeal and will determine if the request is valid under the provisions listed above. In the event that a Request to Appeal is not granted by the Office of Community Standards, the original decision and sanctions are upheld and go into effect once the respondent is notified. The respondent will be notified via email the outcome of the request within twenty-four (24) business hours of the request being received.

Request for Appeal Granted

If the Request to Appeal is granted, a student will have three (3) business days to submit a Statement of Appeal to the Office of Community Standards. The Statement of Appeal must provide a rationale for the appeal that specifically addresses the reason for appeal. Upon receiving the statement, the Office of Community Standards will designate an Appeals Officer based on the following:

Original Conduct Officer	Appeals Officer
Area Coordinator/Grad Assistant	Director of Community Standards or designee
Community Standards Coordinator	Director of Community Standards
Director of Community Standards	Dean of Students or Designee
Other College Official	Dean of Students or Designee

The appeal officer will review the Statement of Appeal, review other pertinent information, and take one of the following actions:

- a. Uphold the decision and sanction (The appeal is dismissed and the original outcomes stand)
- b. Reverse the decision and reduce the sanction
- c. Uphold the decision and increase the sanction
- d. Refer the matter to another hearing officer if a procedural error occurred
- e. Refer the matter back to the original hearing officer on the grounds of new relevant information

The appeal officer is not charged with re-evaluating the truthfulness or relevance of the facts presented in the original hearing, but rather will evaluate the process, sanctions, and decisions. The purpose of an appeal process is to foster checks and balances in the conduct process. The decision of the appeal officer is final.

Student Status Pending Appeal

Except for sanctions that change student status (probation, suspension, expulsion etc.), any other sanctions assigned are held in abeyance pending an outcome of appeal. The Dean of Students reserves the right to allow or restrict student participation in classes, athletics, other activities, or specific locations during the appeals process. Nichols College reserves the right to temporarily remove a student from housing and/or the College pending conduct outcomes where the presence of the respondent may constitute a real and/or potential danger or disruption to the College community.