



## NOTICE OF APPEAL

### Sexual Misconduct Adjudication Process

In the matter of: \_\_\_\_\_ and \_\_\_\_\_  
Complainant Respondent

Filed by: \_\_\_\_\_  
Print Name

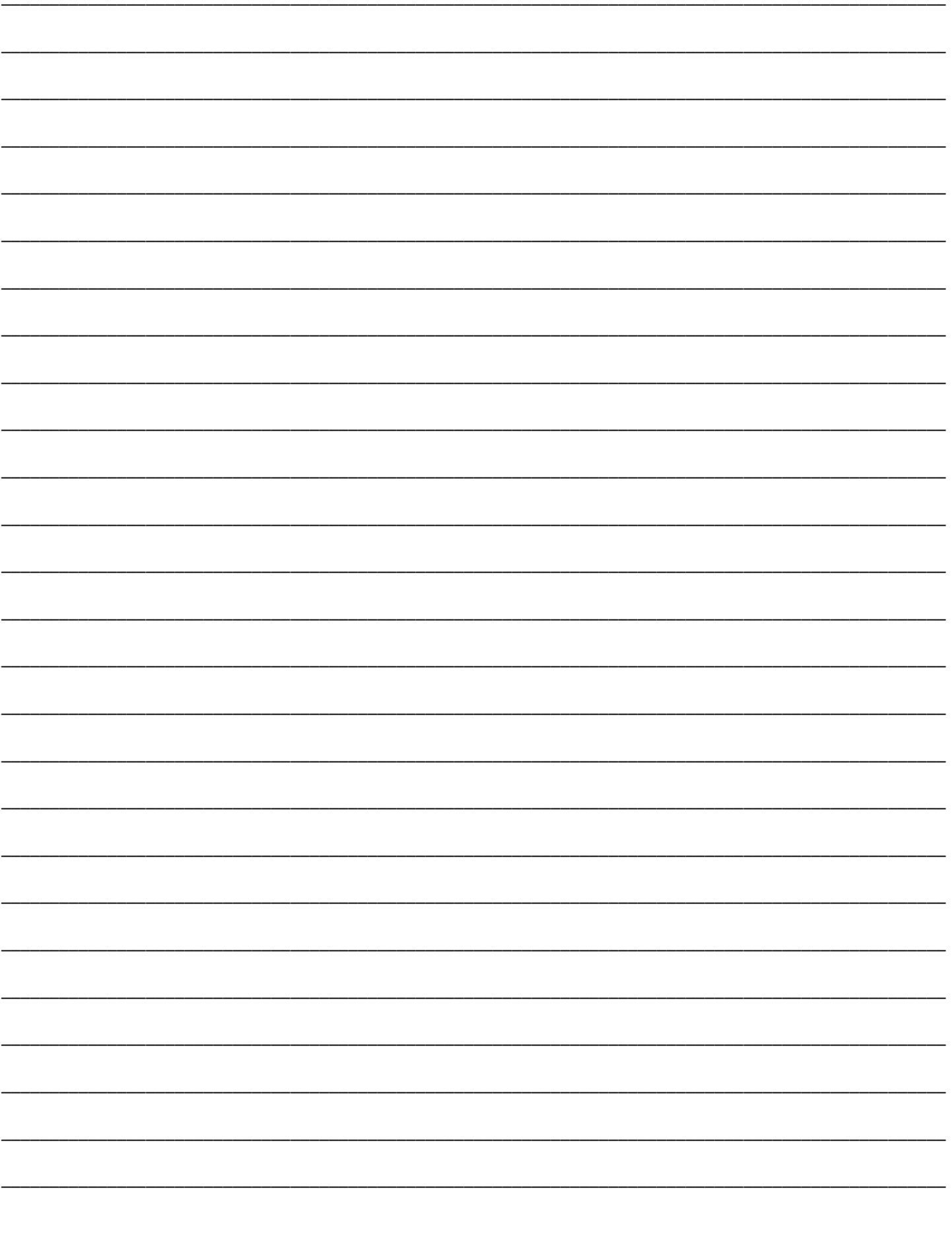
Per the Sexual Misconduct Adjudication Process, both the complainant and the respondent are entitled to one appeal of an Adjudication Panel's decision. An appeal must be filed within **seven (7) days** after the complainant's and respondent's meetings with the Administrative team handling the case. Appeals filed outside of this time period may not be considered. The Notice of Appeal should be submitted to the Title IX Coordinator, Melissa Kelley. The Notice of Appeal may be emailed to Dr. Kelley, [kelleym2@union.edu](mailto:kelleym2@union.edu), or delivered in person, 403E Reamer Campus Center. When an appeal is filed, the other party will be provided with a copy of the Notice of Appeal and will be given an opportunity to respond.

Please check the basis of appeal\*:

- Procedural Error*: The Appellant alleges that there was a deviation or change from the procedures outlined in the Sexual Misconduct Adjudication Process and that deviation had an adverse impact on the outcome of the complaint against the appellant. If the appellate panel determines that there was a procedural error which would have altered the outcome of the case, the appeal will be submitted to the original decision making panel for a determination regarding the impact of the procedural error on the outcome of the complaint.
- New Information*: The Appellant alleges that, subsequent to the issuing of the Panel's decision, new information became available which would have impacted the outcome of the disciplinary complaint. The Appellant must: (i) present the new information; (ii) show why it was unavailable prior to the Panel's decision; and (iii) show that the new information would have altered the outcome of the complaint. If the appellate panel determines that there is new information that meets these three (3) requirements, the appeal will be submitted to the original Panel for review in light of new information. At the original Panel's discretion, additional investigation of the new information can be requested.
- Severity of The Disciplinary Action*: The Appellant alleges that the disciplinary action issued by the Administrator is unduly harsh or lenient. If the Appeals Panel determines that that disciplinary action was unduly harsh or lenient, it will remand the matter to the Administrator for reconsideration. The decision of the Administrator after reconsideration is final.

*\*Please note that the appeal is not an opportunity to argue that the Appellant disagrees with the Panel's decision. The appeal is not a new fact-finding process. The only grounds for appeal are the three (3) noted above, however, more than one may be used as a basis for appeal.*

Please state all the information that should be considered by the Appellate Panel in support of your appeal. Please note that the appellate panel will be given the Notice of Appeal, the statements from both the complainant and respondent, the adjudication panel's decision and the investigative report to review when considering this appeal. Please use the space on the back and attach additional sheets if necessary.



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*Please use additional sheets if necessary*

**Verification:** The appellant acknowledges and agrees that this statement is truthful and complete to the best of their knowledge. The appellant further verifies that they personally drafted and composed this statement, in its entirety, and that the statement was not prepared by someone other than the appellant. The appellant acknowledges and agrees that it is improper to submit a statement prepared by someone other than the appellant, and that submitting a statement prepared by someone else is grounds for dismissal of the appeal in its entirety.

Acknowledged and Agreed

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Appellant

Date Received by the Title IX Coordinator: \_\_\_\_\_