

When a respondent would like to appeal the decision of a hearing body, the below procedures are followed.

## GROUNDINGS FOR APPEAL

A respondent may appeal the original decision of a hearing body. An appeal is not an opportunity to “re-argue” the case. The appeal must be based on the grounds provided in the Code, which are listed below.

**Note:** Respondents who accepted responsibility through an Administrative Decision may only appeal on the grounds that the sanctions are grossly disproportionate to the violation(s) committed.

### PROCEDURAL ERROR

Procedural error that resulted in material harm or prejudice to the respondent (i.e., by preventing a fair, impartial, or proper hearing). Deviations from the designated procedures will not be a basis for sustaining an appeal unless material harm or prejudice results.

### SUBSTANTIAL NEW EVIDENCE

Discovery of substantial new evidence that was unavailable at the time of the hearing, and which reasonably could have affected the decision of the hearing body.

### GROSSLY DISPROPORTIONATE SANCTIONS

Disciplinary sanctions imposed are grossly disproportionate to the violation(s) committed, considering the relevant aggravating or mitigating factors.

The respondent may **not** appeal the decision based solely on the grounds that the respondent was not in attendance before the hearing body or that the respondent is dissatisfied with the decision.

## HOW TO APPEAL

### COMPLETE FORM

Complete and submit the **Appeal Request Form** found at [go.osu.edu/appeals](http://go.osu.edu/appeals) before the deadline provided in the outcome letter. **The respondent is limited to submitting one appeal.**

The respondent waives their right to appeal if they fail to submit their appeal by the stated deadline in the decision letter or fail to provide information concerning the basis for their appeal.

### REVIEW OF APPEAL

The appeal officer will decide the appeal based upon a review of the record and supporting documents.

## FINAL DECISION

The appeal officer will send notice of their final decision, which could include the following outcomes:

### UPHOLD

The appeal officer may uphold the original decision and/or sanction(s).

### REMAND OR REFER

The appeal officer may remand the case to the original hearing body to consider a specific issue as directed by the appeal officer, or the appeal officer may refer the case to a new hearing body to be reheard.

### MODIFY OR REDUCE

The appeal officer may modify or reduce the sanction(s).

### DISMISS AND VACATE

The appeal officer may dismiss the respondent's case or individual charge(s) and vacate any portion or all of the sanction(s).

