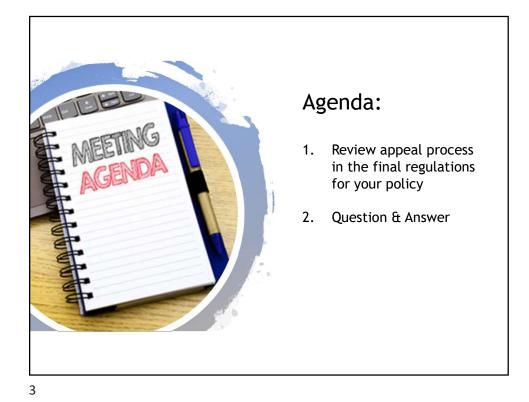
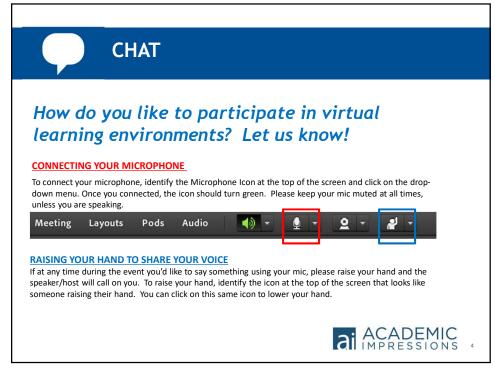
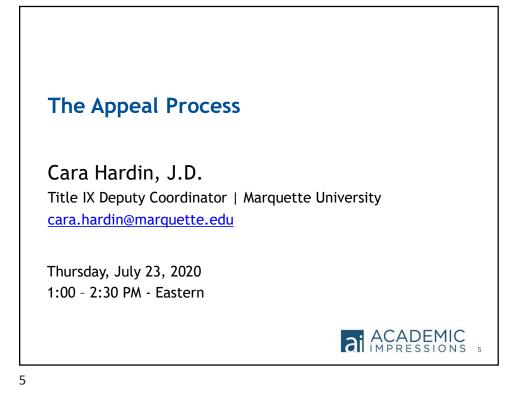


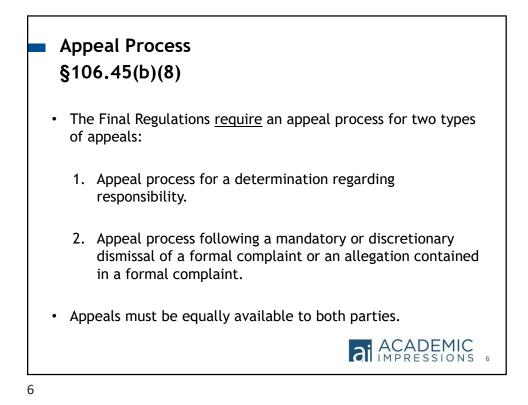


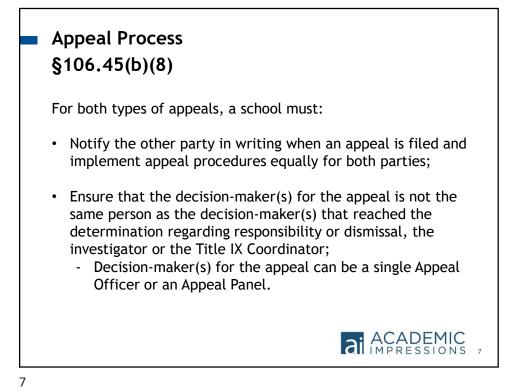
Academic Impressions



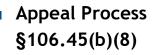






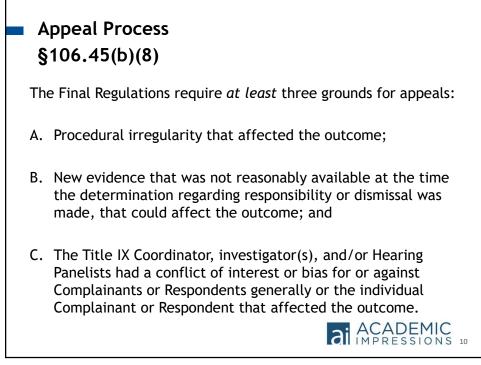


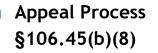




- Ensure that decision-maker(s) for the appeal are free from a conflict of interest and bias, receive appropriate training, including anti-bias training, and otherwise comply with the requirements of §106.45(b)(1)(iii).
- Give both parties a reasonable and equal opportunity to submit a written statement in support of or challenging the responsibility determination or dismissal;
- Issue a written decision and rationale to both parties simultaneously.

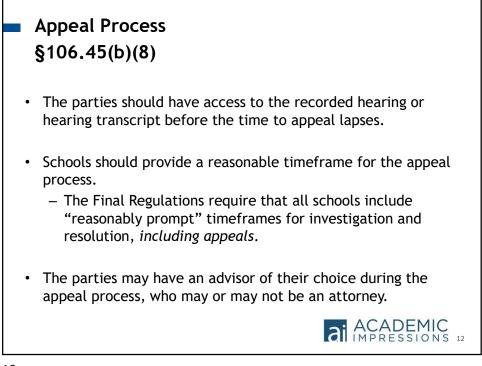


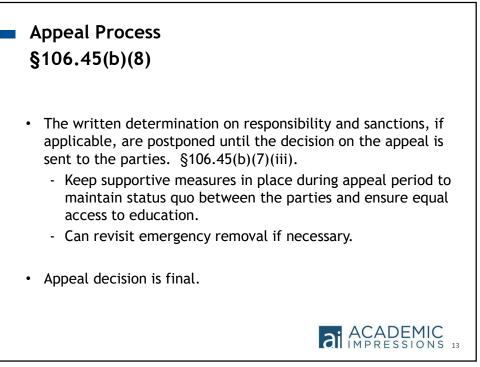


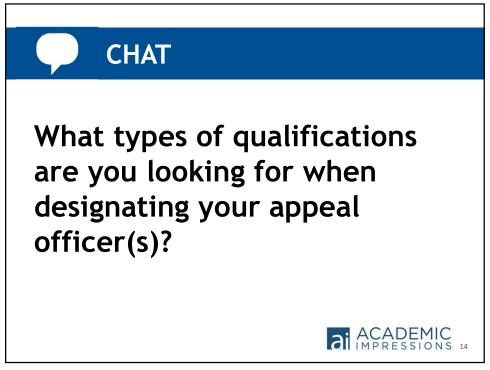


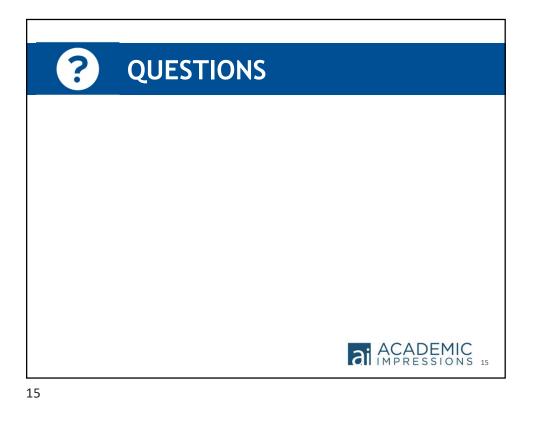
- Schools are permitted to include additional contents relating to the appeal process at their discretion.
- Schools may offer additional bases for appeal equally to both parties, such as to allow for an appeal on the severity or proportionality of the sanction. §106.45(b)(8)(ii).
- Allowing an appeal to challenge the remedies imposed is not necessary per OCR. (Preamble, p. 940 (Federal Register version)).

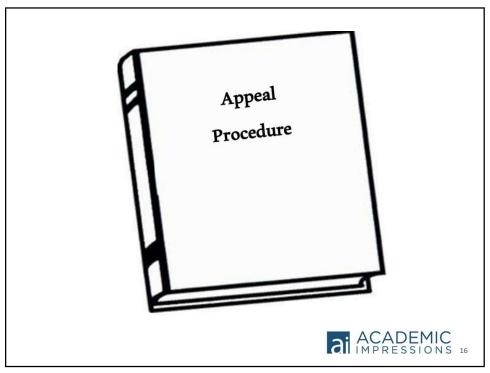












- 1. Any party may appeal a determination regarding responsibility or a dismissal of part, or all of a formal complaint under the grounds set forth in Section \_\_\_\_ [insert grounds].
- 2. If no appeal is filed, or an appeal is not timely, the original finding will stand, effective on the date the appeal period expires.
- 3. The appeal procedures herein are implemented equally for all parties.
- 4. Supportive measures may be continued or reinstated by the Title IX Coordinator during the appeal process, as appropriate.



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#### Appeal Procedure -Sample

- 5. Upon delivery of the Notice of Outcome, both parties may submit an appeal to the Title IX Coordinator within 7 business days. Following receipt of a Notice of Dismissal, the parties may submit an appeal to the Title IX Coordinator within 2 business days.
- 6. An appeal must articulate the specific ground(s) for the appeal and provide a statement and/or evidence in support of or challenging the responsibility determination or dismissal decision.
- 7. The Title IX Coordinator will promptly confirm receipt of the appeal and notify the other party of the filing of the appeal by distributing a written Notice of Appeal to both parties.
  ACADEMIC IMPRESSIONS 18

- 8. The Title IX Coordinator will determine if the appeal is timely. If the appeal is timely, the Title IX Coordinator will:
  - a. Appoint an Appeal Officer to decide the appeal. The Appeal Officer is independent of the previous process, including from any dismissal appeal that may have been heard earlier in the process.
  - b. Provide the identity and contact information for the Appeal Officer to the parties.
  - c. If both parties submit appeals (i.e., cross-appeals or counter-appeals), the same Appeal Officer will decide both appeals individually, but contemporaneously. The same Appeal Officer will decide any appeals arising from the same facts and circumstances.



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#### Appeal Procedure -Sample

- 9. The parties shall have 24 hours to object to the appointment of the Appeal Officer, in writing, on bases of perceived bias or conflict of interest.
  - The bases of objection must be articulated in writing.
  - The Title IX Coordinator has the sole authority to determine whether to replace the Appeal Officer and that decision is final.
- 10. When the selection of the Appeal Officer is final, the Title IX Coordinator will provide the appeal to the Appeal Officer.



- 11. The parties are entitled to an advisor, who may or may not be an attorney during the appeal process.
- 12. The Appeal Officer will review the appeal and determine whether it articulates a valid ground or grounds for appeal pursuant to Section \_\_\_\_\_ of the Policy.
- 13. If an appeal does not articulate a valid ground or grounds for appeal, the Appeal Officer will dismiss the appeal, in writing, for failing to articulate a valid ground for appeal. The Title IX Coordinator will communicate the dismissal decision to the parties simultaneously.



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### Appeal Procedure -Sample

- 14. If the Appeal Officer determines the appealing party has articulated valid grounds for appeal, the Appeal Officer will notify the parties simultaneously.
- 15. Following this notification, the non-appealing party has 2 business days to submit a written response to the appeal to the Appeal Officer, which will be provided to the appealing party.
- 16. The Appeal Officer may invite the investigator or Hearing Coordinator to submit a response to the appeal, which will be provided to the parties.
- 17. No further submissions related to the appeal are permitted.



- 18. An appeal of a determination on responsibility is not a review of the entire matter; rather, it is an objective review of the written documentation related to the investigatory and hearing processes and record of the Hearing, along with the appeal-related submissions authorized herein.
- 19. Accordingly, the Appeal Officer will not interview, question, or meet with the parties or their advisors.



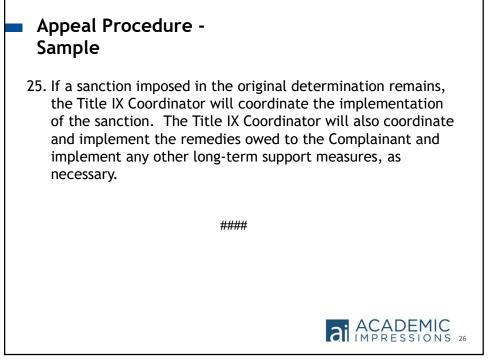
#### Appeal Procedure -Sample

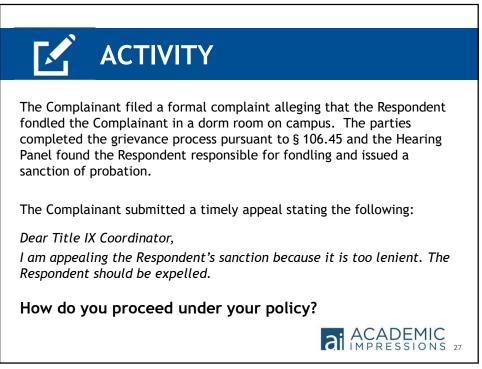
- 20. The Appeal Officer is to defer to the original findings and determination, remanding only when there is clear reason to do so, and modifying the outcome and sanction(s) only when there is a compelling justification to do so.
- 21. The Appeal Officer may take one of three possible actions on appeal:
  - a) Dismiss the appeal for failure to meet the grounds of appeal, upholding the initial outcome and sanction(s), if applicable.
  - b) Remand to the original investigator or hearing panel with specific instructions on the remanded issue(s).
  - c) Modify the outcome and/or sanction with a rationale supporting the modification.

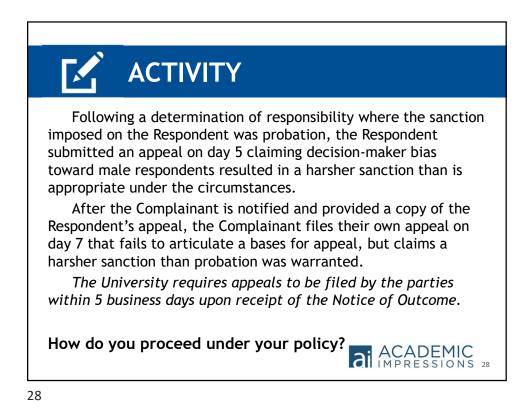
- 22. The Appeal Officer will generally render a written decision on the appeal, as to each ground raised, and rationale for the decision, within five (5) business days from receipt of the appeal, absent exigent circumstances.
- 23. The Title IX Coordinator will simultaneously forward the Appeal Officer's written decision to the parties.
- 24. The Appeals Officer's decision is final and there are no further appeal options.



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A Complaint filed a formal complaint against a Respondent where the Complainant alleged that the Respondent engaged in hostile environment sexual harassment.

After the Title IX Coordinator met with the Complainant to discuss the specific allegations for purposes of the Notice of Allegations, the Title IX Coordinator determined that the alleged conduct did not constitute Title IX Sexual Harassment as defined in § 106.30. Accordingly, the Title IX Coordinator dismissed the formal complaint pursuant to the mandatory dismissal provision in the Final Regulations and provided the dismissal and rationale for the dismissal to both parties.

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