



Ohio Administrative Code Rule 3335-23-18 Appellate process.

Effective: January 25, 2024

(A) Right to appeal.

(1) A student found to have violated the code of student conduct has the right to appeal the original decision. The appeal is not intended to re-hear or re-argue the same case and is limited to the specific grounds outlined in this rule. The appeal must state the specific grounds for the appeal and should include all supporting documentation. The appeal must be postmarked, delivered, sent via email or online form, to the appropriate appeal officer, listed in paragraph (C) of this rule, within five business days after the date on which notice of the decision is sent to the student. Each student shall be limited to one appeal of a decision of a hearing body. The decision of the appeal officer is final.

(2) Any extensions to the appeal date may be made at the discretion of the director of student conduct, residence life, or the office of academic affairs or their designee.

(3) A student who has accepted responsibility for violating the code of student conduct waives the right to appeal, except on the basis that the disciplinary sanction is grossly disproportionate to the violation(s) committed.

(4) When found in violation of the code of student conduct, a respondent shall be limited to one appeal. The decision of the appeal officer is final.

(B) Grounds for appeal.

An appeal may be based only upon one or more of the following grounds:

(1) An appeal may be based only upon one or more of the following grounds:

(a) Procedural error that resulted in material harm or prejudice to the student (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;

(b) 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; or

(c) Disciplinary sanction imposed is grossly disproportionate to the violation(s) committed, considering the relevant aggravating and/or mitigating factors.

(2) Non-attendance by the respondent or the complainant may not be the sole grounds for an appeal.

(C) Appropriate appeal officers.

(1) Appeals from residence hall hearings:

(a) All appeals from residence hall hearings other than contract terminations, shall be submitted to the director of housing and residence education or designee;

(b) All appeals, when the sanction imposed by the residence hall hearing is contract termination, shall be submitted to the director of student conduct or designee.

(2) Appeals of a decision of a hearing body other than those described in paragraph (B) of this rule will be submitted for decision to the vice president for student life or designee.

(3) Appeals of decisions of the committee on academic misconduct or its coordinator will be submitted for decision to the executive vice president and provost or designee.

(D) Appeal proceedings.

(1) The appeal officer will dismiss the appeal if the appeal is not based upon one or more of the grounds set forth in paragraph (B) of this rule.

(2) The appeal officer will decide the appeal based upon a review of the record and supporting documents (e.g. prior disciplinary history).



(E) Possible dispositions by the appeal officer.

The appeal officer may, after a review of the record:

(1) Uphold the original decision and/or sanction(s);

(2) Dismiss the case or individual charge(s) against the student and vacate any portion or all of the sanction(s);

(3) Modify or reduce the sanction(s); or

(4) Remand the case to the original hearing body to consider a specific issue as directed by the appeal officer or refer the case to a new hearing body to be reheard. If possible, a new hearing body should be different from the one that originally decided the case. If a case is reheard by a hearing body, the sanction imposed can be greater than that imposed at the original hearing.