

Appeals Basis Hypothetical

Activity:

In your breakout group, analyze whether an appeal basis has been communicated in the following scenarios.

Hypothetical Scenarios:

1. I have been the victim of a false accusation. Complainant and I do not know each other, and never have. Therefore, I wouldn't have been able to commit the policy violation.
2. I have not been charged with a crime for this allegation, nor have the police been contacted to investigate. Therefore, this determination should be dismissed.
3. After the alleged violation, Complainant continued to talk to me and communicate with me. She even sent me a friend request on Instagram and later asked me to dance with her at a party. The determination that I committed a policy violation should be rescinded on this basis.

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4. A piece of evidence that I was unaware of has come to light in the last couple of days, and I think it is relevant to the case. I have included the piece of evidence with my appeal, and request that the hearing be resumed so the Decision Maker can consider the evidence.
5. I raised my concerns about the investigation multiple times, and nobody listened to my explanation or reviewed the evidence so they could see that I was falsely accused.
6. During the investigation, only one of the parties was given the opportunity to review the investigation report prior to finalization. Thus, this appeal is submitted on the basis that this constituted a procedural irregularity.

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