

## Appeals Hypothetical

### Activity:

Analyze the following appeal request and whether it should be granted.

### Hypothetical:

To whom it may concern,

I am the Respondent for this complaint, and I am writing to ask you to consider my appeal regarding the determination that I violated the Policy. Specifically, I am appealing on the following grounds: that new evidence has been found that was not available during the hearing/investigation, and that a procedural irregularity occurred during the hearing that needs to be corrected prior to the determination being finalized.

In the days following the hearing, I spent time with several friends who happen to be close with Complainant as well. During these conversations, I was informed that Complainant told these friends that she wanted me kicked out of the University because I cheated on her, and that she was only filing the complaint to have me removed. Upon learning this, I asked if there was any proof of these conversations. These friends then showed me text messages with Complainant where she discussed what life would look like without me on campus, and how she was happy that she decided to file the false complaint. The text messages have been shared with me, and I have included them in this appeal submission.



Additionally, I believe that a procedural irregularity took place during the hearing. Specifically, my advisor and I had questions for the investigator, but they were never made available for us to ask questions. I'm not sure whether it was ever asked if I had questions for the investigator, but I feel as though they should have been present anyway based on the Policy stating, "the investigator will make themselves available to answer questions at the hearing." I believe that my advisor should be able to question the investigator prior to the hearing concluding.

**Instructions:** In your breakout group, please discuss the following questions: Should either, or both, appeal requests be granted? Why? Can you think of any arguments against your position? What are they?

GRAND RIVER  
SOLUTIONS