Article XI. Appeals

1. Cases which result in sanctions of restricted access, housing eviction, suspension, expulsion and/or banned from campus are eligible for appeal. Assigned sanctions will go in effect at the expiration of the appeal period.

2. A request for appeal must be made within five business days of the dated, written notification (hard copy or electronic) of the decision rendered during the student conduct proceeding. Any decision that does not receive a request for appeal within the designated timeline will be considered final and binding upon all involved.

3. Request for appeals must be in writing, addressed and delivered to the Office of Student Conduct & Advocacy. Students must follow the appeal procedures including completion of necessary forms found online at http://studentconduct.tamucc.edu/studentresources.html.

4. Except as required to explain the basis of new information, an appeal shall be limited to a review of the verbatim record of the hearing and supporting documents for one or more of the following purposes:
   a. Procedure: To determine whether the hearing was conducted in conformity with the prescribed process. Deviations from the designated procedure will not be a basis for sustaining an appeal unless substantial prejudice to the alleged violator or victim can be shown.
   b. New Information: To consider new information sufficient to alter a decision, not brought out in the original hearing because such information could not have been known to the alleged violator and/or victim at the time of the original hearing.

5. Once a request for appeal is received, appropriate parties will be notified of receipt of the appeal and provided a description of the next steps in the process. The Appellate Board will review all appeal requests along with all relevant materials regarding the case. Appeals may be heard within 10 business days from notification of the hearing outcome.

6. If an appeal request has been received before the communicated deadline, all assigned sanctions will be placed on hold until the outcome of the appeal has been decided by the appellate body.

7. If an appeal is upheld by the Appellate Board, the matter shall be returned to the original Hearing Body for re-opening of the hearing to allow reconsideration of the original determination. Upon rehearing, the outcome of the case may be overturned and/or if applicable a lesser, or a greater sanction may be assigned. If an appeal is not upheld, the matter shall be considered final and binding upon all involved. The Appellate Board may also chose to modify the sanctions imposed by the original Hearing Body. Appellate Boards may not impose sanctions that are greater than those previously assigned.