



## **MARSHALL UNIVERSITY PROCEDURES: TITLE IX GRIEVANCE PROCEDURES FOR STUDENTS – Appendix B Section 1.IX.A.3:**

### **APPEAL OF FINAL OUTCOME LETTER OR DISMISSAL LETTER**

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**Name of Party Completing Form:** \_\_\_\_

**Date Submitted:** \_\_\_\_

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*Both Complainant and Respondent may appeal a decision of the Review Panel and any mandatory or discretionary dismissal. A party may commence an appeal by submitting their Statement of Appeal to the Title IX Coordinator within (5) business days of the Final Outcome Letter, Dismissal Letter, or appealable issue.*

*Appeals may be brought only upon one or more of the following grounds:*

- 1. Procedural irregularity that affected the outcome of the matter.
  - a. Relevance determinations made by either the Investigator or the Review Panel may be appealed.**
- 2. Other evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter;*
- 3. The Title IX Coordinator, investigator(s), or Review Panel members had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.*

*The Appeal must set forth:*

- the determination(s) being appealed,*
- the specific ground(s) for the appeal, and*
- the facts supporting the ground(s).*

*Upon showing of good cause, an extension may be requested to file the Statement of Appeal. The request for extension must be in writing be submitted to the Title IX Coordinator by the close of the business day on the fifth business day following issuance of the Final Outcome Letter or Dismissal Letter.*



*Parties are not required to file an Appeal. Parties who choose to file an Appeal of a Review Panel Decision or Dismissal may use this form and submit it electronically to the Title IX Coordinator at [jessica.rhodes@marshall.edu](mailto:jessica.rhodes@marshall.edu).*

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*Bases of Appeal (Select all that apply):*

       : ***Procedural irregularity that affected the outcome of the matter, which includes relevance determinations made by either the Investigator or the Review Panel may be appealed.***

*[Give specific, factual details. Attach additional sheets if necessary and indicate below how many additional pages will be attached to ensure complete receipt of your appeal.]*

       : ***Other evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter;***

*[Give specific, factual details. Attach additional sheets if necessary and indicate below how many additional pages will be attached to ensure complete receipt of your appeal.]*



      : *The Title IX Coordinator, investigator(s), or Review Panel members had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.*

*[Give specific, factual details. Attach additional sheets if necessary and indicate below how many additional pages will be attached to ensure complete receipt of your appeal.]*

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Party Signature<sup>1</sup>

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<sup>1</sup> Signature may be electronic.