



## PETITION FOR APPEAL LEVEL II

### GROUNDINGS FOR APPEAL

There are four grounds for appeal.

- 1. Insufficient evidence:** An appeal is not a complete “do over” of the decision. Under the Student Code, an appeal for “insufficient evidence” will only be successful if: *“It would be clear and convincing to a reasonable person that there was not enough evidence to find that it was ‘more likely than not’ that the respondent committed the violation.”*
- 2. Newly available evidence:** The respondent presents evidence in the appeal that was not known or reasonably available to the respondent at the time the respondent met with the complainant and that evidence is credible and would likely have led to a different outcome.
- 3. Procedural error:** The University did not follow its own rules for resolving the matter and it is likely that if it had, there would have been a different outcome.
- 4. Unreasonable sanction:** An appeal is not a “do over” of the sanction decision. Under the Student Code, an appeal for “unreasonable sanction” will only be successful if: *“It is clear and convincing that the sanction is inappropriate.”*

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### HOW TO APPEAL

Your appeal will only be considered by Community Standards if:

1. You complete this form with all required information;
2. You provide a written rationale/explanation to support the appeal (see next page);
3. You deliver the completed, signed form and the written explanation to the Community Standards office (address above) **within 48 hours of your meeting with the complainant** (or next business day if the 48 hours expires on a weekend or holiday).

**If you do not deliver the completed form – with a written rationale – to the Community Standards office by the deadline, your appeal will be denied.**

**NOTE:** The decision of the complainant (finding/sanction) does not take effect until the appeal is decided. You will be informed of the appeal decision by email.

Complete the information on the next page >>>

I, \_\_\_\_\_, met with \_\_\_\_\_  
(your name) (complainant name)

on \_\_\_\_\_ to discuss the incident that occurred on \_\_\_\_\_.  
(day and date) (incident date)

**I am appealing on the following grounds:**

Insufficient evidence       New evidence       Procedural error       Unreasonable sanction

**Signature of Respondent:** \_\_\_\_\_

**Name (print):** \_\_\_\_\_

**Email:** \_\_\_\_\_

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**WRITTEN RATIONALE / EXPLANATION**

The written rationale is your explanation of why you believe the decision should be changed. It should be detailed enough to allow an appellate officer to make a reasonable judgment about whether to change the finding/sanction. You will provide your rationale on the next page, or attach it to this form.

*If more space is needed, please attach additional sheets.*