



INSTITUTIONAL GRIEVANCE APPEAL PROCESS AND REQUEST FORM

Background Information

Jersey College provides students (and staff in cases of Title IX determinations) (an “appealing party”) with a process for resolving incidents of suspected injustice. An appealing party who believes that a decision or sanction that was imposed by Jersey College is unfair has the right to appeal to a Grievance Board by filing a written notice of appeal. Students are directed to the Academic Catalog for additional facts and information with respect to the appeal process.

An appeal is not intended to re-hear or re-argue the same case, and is limited to the specific grounds outlined below. The appeal must state the specific grounds for the appeal and should include all supporting documentation. The appeal request must be: (i) addressed to the Grievance Board; (ii) contain information, facts and supporting documentation for a prima facie case of an error within the authority of the Grievance Board (see below); and (iii) be received by the Grievance Board within three (3) days of being informed of the decision (the “deadline”). The written request for appeal must be sent via (i) email with a confirmation request to grievance@jerseycollege.edu; (ii) regular or express mail to Jersey College, Attention: Grievance Board, 546 US Highway 46, Teterboro, NJ 07608; or (iii) personally delivered to the Campus Director. An appeal request not presenting a prima facie case of an error will be denied. In all cases, *the decision of the appeal is final.*

Grounds for Appeal

The Grievance Board only has the authority to hear and pass judgment on a request for reconsideration based on an error that: (i) had a significant, substantive effect on the decision; (ii) on newly discovered evidence that was not available at the time the decision was made, or (iii) in an appeal of a Title IX decision or sanction (x) a procedural irregularity that affected the outcome of the matter or (y) the Title IX Coordinator, investigator, or decision-maker having a conflict of interest or bias that affected the outcome of the matter (each, individually and collectively an “Actionable Error”).

In sum, an appeal may be based only upon one or more of the following grounds:

- Procedural error that resulted in material harm or prejudice to the student (i.e., by preventing a fair, impartial, or proper hearing). Deviations from the designated procedures will not be a basis for sustaining an appeal unless material harm or prejudice results;
- Discovery of substantial new evidence that was unavailable at the time of the hearing, and which reasonably could have affected the decision of the hearing body; or
- Disciplinary sanction imposed is grossly disproportionate to the violation(s) committed, considering the relevant aggravating and/or mitigating factors.

Dissatisfaction with a decision is not grounds for appeal.

Appeal Procedure

Complete this Appeal Request Form, including signing the form and providing supporting documentation (if applicable), and submit this form by the deadline via (i) email with a confirmation request to grievance@jerseycollege.edu; (ii) regular or express mail to Jersey College, Attention: Grievance Board, 546 US Highway 46, Teterboro, NJ 07608; or (iii) personally delivered to the Campus Director. *The decision of the appeal is final.*

Students who do not submit their appeals by the deadline waive their opportunity to appeal.



APPEAL REQUEST FORM

Name: _____

Phone: _____ Email: _____

Address: _____

City: _____ State: _____ Zip: _____

I am the: accused student victim in a sexual harassment/violence case

I am basing my appeal on one or more of the following reasons (please check the appropriate boxes and provide information).¹ Please attach additional sheets as needed.

- Procedural error that resulted in material harm or prejudice to the student (i.e. by preventing a fair, impartial, or proper hearing). Deviations from the designated procedures will not be a basis for sustaining an appeal unless material harm or prejudice results.

Please identify the procedural error(s) that took place and how the error(s) prevented a fair, impartial or proper hearing.

¹ You must provide facts and documentation that support your appeal. It is important to provide information that is as detailed and accurate as possible, so that the College can make an informed decision regarding the appeal and whether a prima facie case of an error within the authority of the Grievance Board may have occurred.

- Discovery of substantial new evidence that was unavailable at the time of the decision, and which reasonably could have affected the decision of the investigating body.

Please describe the new evidence and, if appropriate and possible, attach it to this appeal. Indicate why the information was not provided at the time of the hearing. Also indicate why the information is sufficient to alter the original decision in the case.

- The disciplinary sanction imposed is grossly disproportionate to the violation(s) committed, considering the relevant aggravating and/or mitigating circumstances.

Please explain how the sanction is grossly disproportionate to the violation (i.e. unreasonably harsh or light, given all of the relevant circumstances).

- The Title IX Coordinator, investigator, or decision-maker having a conflict of interest or bias that affected the outcome of the matter.

Please explain in detail the conflict of interest and bias that affected the outcome. To support a claim of conflict of interest or bias, the appealing party must provide overt and substantiated evidence of the conflict or bias, and how such conflict or bias did not afford for a bona fide and fair determination. Mere allegations are insufficient for an appeal.

I certify that the information presented in my appeal is accurate, to the best of my knowledge. I understand that providing false information is a violation of the Code of Student Conduct and subject to disciplinary charges.

Signature

Date