

FOR STUDENTS

Appealing a Conduct Decision

What to expect from the All-University Conduct Board and how to prepare

This guide is yours to keep. It walks through what an appeal is, what you have to do and by when, and what the hearing will actually be like. Take it with you, write on it, and come back to it while you prepare. If this guide and the Code of Student Life ever seem to say different things, the Code is what governs. You can read the full appeal procedures at Handbook.uark.edu in Section IV.

Your deadlines

WHEN	WHAT HAPPENS	YOUR DATE
Day 0	The day you were notified of the Hearing Officer's decision. Everything below counts from here.	
Within 5 days	Let the Office of Student Accountability know in writing that you intend to appeal. This is encouraged, not required.	
Within 7 days	Everything you want the board to see must be submitted.	
Within 30 days	Your hearing is scheduled, counting from when your materials came in.	
At least 7 days before	You receive the file and all the materials the board will consider.	
Hearing day	You present your appeal to the board.	
Within 5 business days	The board's written decision reaches you. It is final.	

A "day" means a calendar day, including weekends and holidays. When a deadline says "business day," that excludes weekends, holidays, and days the campus is closed.

The Appeal Grounds

Your appeal has to rest on at least one of these. You may claim more than one, but each one you claim needs its own explanation and its own supporting evidence. Disagreeing with the outcome is not by itself a ground.

- 1 Your rights were violated.**
Something the Code guarantees you did not happen. Point to the specific right, and say what happened and when.
- 2 The sanction does not fit.**
The sanction falls outside the range the University uses for this kind of violation, or is not justified by the nature of what happened. This challenges the sanction, not the finding.
- 3 There is new evidence.**
Significant evidence has come to light that was genuinely not available at the time of your hearing and that bears on the outcome. Evidence you had and chose not to submit does not count.
- 4 The evidence does not support the finding.**
Looking objectively at the record, the evidence does not meet the standard of "more likely than not." This is an argument about the weight of what is already there.

What is an Appeal

An appeal is a review of the Hearing Officer's decision by a five-member panel called the All-University Conduct Board. It is not a second version of your original hearing. The board is not starting over and deciding the case from scratch — it is looking at what the Hearing Officer did and asking whether one or more of four specific things went wrong. You get one hearing before this board. There is no second appeal hearing, and no further appeal inside the University after the board decides.

Your Appeal

Your appeal has to be in writing and submitted electronically by you. It has to name which of the four grounds you are relying on, and then give a detailed explanation of your reasoning for each one along with the evidence that supports it. An appeal that arrives on time but names no ground, or names a ground without explaining it, can be turned down without ever reaching the board.

Appeal Materials

All of your materials are due within seven days, and once that deadline passes, nothing further will be accepted or considered. Build your packet to be complete on the day you submit it. Give yourself a private deadline a couple of days early so that a technical problem or a document you cannot locate does not cost you the appeal.

How to put it together

Organize what you write around the grounds rather than around the story of what happened. Take each ground you are claiming, state it, explain why it applies, and then point to the specific evidence that supports it.

Label and number every document you attach, and say in your written narrative what each one shows and which ground it goes to. A board reading a stack of unexplained attachments has to guess at why you included them.

Your Advisor

You may have one advisor or support person with you throughout this process. That can be a friend, a family member, someone from the University community, or an attorney. It is up to you to find. University officials are not obligated to serve in this role. If you need an Advisor, we have one that can be assigned to you. Please consult the office for a link to request an advisor.

At the appeal hearing, your advisor can do a great deal on your behalf: make the opening and closing statements, present evidence, and cross-examine witnesses. What your advisor cannot do is answer questions about the incident that are directed to you, or interfere with the board gathering information.

If you intend to rely on cross-examination at the hearing, you need an advisor there to do it. Line this up early. The hearing will not be scheduled around your advisor's availability.

Your File

You have the right to request, review, and keep reasonable access to your Administrative File, and to do so at least seven days before any hearing. If new material is added that is likely to be considered at your hearing, you will be told about it. Some parts may be redacted where the law requires it.

Records are reviewed in the office rather than taken away. At least seven days before your appeal hearing, you will also receive a copy of all the materials the board will be considering. Read them as soon as they arrive. If something you expected is missing, say so right away rather than raising it for the first time at the hearing.

Witnesses

You may bring material witnesses — people who can speak to a specific fact that matters to one of your grounds. Before you ask someone to appear, be able to answer two questions: what fact will this person establish, and which ground does that fact support? A witness who cannot answer both is unlikely to help you.

Character witnesses and expert witnesses may not appear in person. Their statements are accepted only in writing, which means those statements have to be inside the packet you submit by the seven-day deadline. Do not plan to bring them on the day.

Witnesses who cannot attend in person may take part electronically. The hearing will not be scheduled around when your witnesses are free, so confirm availability early and have a backup plan. The board may ask your witnesses questions directly, and everyone who takes part is expected to tell the truth — knowingly giving false information is itself a violation of the Code.

Your Hearing

The panel is five people: a faculty or staff member serving as chair, two more faculty or staff members, and two students. The chair breaks a tie when one occurs. If you are a graduate student, the student members will be graduate students. If you believe a panel member has a personal interest in your case, you can ask that they step down; if they disagree, the chair decides.

The Hearing Officer who made the original decision is invited to attend, summarize the case, and explain the reasons behind it, or to send that summary in writing. The hearing is audio recorded. You can listen to that recording afterward in the office with a staff member present, though you cannot copy it.

Hearings may be held in person or online, at the office's discretion. If yours is online, confirm the platform and test your connection ahead of time.

What you will get to do

You — or your advisor speaking for you — will be able to make an opening statement, present relevant evidence, cross-examine adverse witnesses, and make a closing statement. The chair runs the hearing and decides what evidence comes in, so expect the chair to set the order of events and follow their lead.

A useful way to think about it: your opening names the grounds you are claiming and says plainly what you are asking the board to do. Your closing ties the evidence back to each ground. Everything you rely on should already be in what you submitted.

ARRIVE EARLY

If you have not reported within 15 minutes of your hearing's start time, the case will be heard without you. Plan to be there well before the time on your notice, and if you are attending online, log on early.

While your appeal is pending

Once you file a permissible appeal, your sanctions are put on hold until the board decides. The exceptions are interim action and interim suspension — those stay in place. Be aware that sanctions can be made retroactive to the date of the alleged offense.

If there is a no-contact order or any interim measure in place, it remains in effect the whole time, and violating it is a separate charge. The same is true of trying to influence a witness or giving false information.

Conduct correspondence goes to your University email account, and you are responsible for checking it regularly. Your hearing notice will come that way.

Your Decision

Within five business days of the hearing, the board will approve, reject, or modify the Hearing Officer's decision, and you will be notified in writing.

Understand before you decide to appeal that modify runs in both directions. The board can change the outcome in your favor, and it can also change it in ways you did not ask for.

The board's decision is final. It is the last word within the University, and there is no further appeal after it.

If you need support

If you need a disability-related accommodation, an interpreter, or any other accommodation for your hearing, tell the Office of Student Accountability now rather than on the day. These take time to arrange.

A conduct process is stressful, and it is reasonable to want support while you go through it. Counseling and Psychological Services, UACares, and the Dean of Students office are available to you, separately from anything to do with your case.

Notes

Use this space for questions you want to ask, dates as they get set, or points you want to make sure you cover.