Appeal Process

Residents who choose to appeal a formal hearing decision must do so by submitting the ?On-Line Conduct Appeal Form? within five business days of the date of notification of the decision. This form can be found at [http://manoa.hawaii.edu/housing/forms][1] and will require the use of the individual?s log in information.

The right to appeal must be based on at least one of the following categories:

- A procedural error (example: ?Resident Rights? not afforded) has occurred during the original conduct process.
- New evidence or an unusual condition, relevant to the case, was discovered and was verifiably not available at the original formal hearing.

The On-Line Conduct Appeal Form requesting an appeal must contain information explaining in detail the procedural error and/or new evidence or unusual conditions related to the resident?s case. A resident may appeal on one or both of the categories listed above, but may not appeal because the resident simply disagrees with the decision and sanctions. All requests for appeals of conduct decisions will be reviewed by the Associate Director, an Assistant Director or a designee, who will evaluate the appeal to determine whether valid grounds exist to meet one or more of the criteria cited above. Appeal forms that do not contain the appropriate information will be rejected and returned to the resident with sanctions upheld. If an appeal request is granted, conduct action will be suspended until the appeal process is concluded. However, any further violations can result in other conduct action which may include immediate suspension or dismissal from the residence halls.

Residents will receive a decision within seven business days from the date that the appeal is received. The appeal investigation will result in one of the following decisions:

a) Uphold the original decision.
b) Revise the decision.
c) Remand the case to a Formal Hearing.

Residents have one level of appeal after the original decision is rendered and that decision on the appeal is final and binding within the Student Housing Services.