

Michigan State University
Student Sanction Challenge Procedures
for Violations of the Relationship Violence and Sexual Misconduct and Title IX Policy

Background

The University prohibits acts of sexual harassment, including sexual misconduct, relationship violence and stalking through its Relationship Violence and Sexual Misconduct and Title IX Policy (RVSM Policy).

All complaints of alleged relationship violence, stalking, or sexual misconduct in violation of the RVSM Policy are investigated by or under the oversight of the Office of Institutional Equity (OIE) and, where a hearing is held, a Resolution Officer. When a finding is made for a student, OIE or the Resolution Officer may issue a sanction. These procedures detail the process to challenge the sanction issued by OIE or the Resolution Officer following an investigation and if applicable, a hearing.

I. CHALLENGES

Both the claimant and respondent may challenge sanction(s) pursuant to the following guidelines:

- A. Challenges must be submitted in writing within ten (10) calendar days¹ after the determination of responsibility becomes final.²
- B. Challenges must describe why the sanction was clearly inappropriate or not commensurate with the seriousness of the offense.
- C. Each party will be provided an opportunity to respond in writing to a challenge filed by the other party. OIE or the Resolution Officer will also be provided an opportunity to respond in writing to any challenge of the sanction decision. Written responses to a challenge must be filed within seven (7) calendar days of notification of the challenge. Copies of written responses will be shared with the other part(ies) and OIE or the Resolution Officer. Additional rebuttal statements will not be accepted.
- D. Challenges will be decided by the Dean of Students or designee. The Dean of Students and any designee(s) receive annual training regarding the University's policies and procedures and best practices in sanctioning prohibited harassment and discrimination,

¹ If a deadline contained within this document falls on a weekend or encompasses a University holiday, the deadline will be extended to the next day on which the University is open for business.

² Parties will be notified by the University's Equity Review Officer when the determination of responsibility becomes final. The determination of responsibility becomes final either on the date that the appeal decision is sent to the parties, if an appeal is filed; or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

including sexual violence.

- E. The Dean of Students or designee will review the challenge, any written responses to the challenge, and the written decision containing the determination of responsibility. The Dean of Students or designee may request other relevant documents or information necessary to the review of the challenge.
- F. The Dean of Students or designee will issue a written decision within seven (7) calendar days of the deadline to receive responses to the challenge documents and will either uphold the sanction or alter the sanction if it is determined that the sanction is clearly inappropriate or is not commensurate with the seriousness of the offense.
- G. The decision of the Dean of Students or designee is final and is not subject to appeal.

II. TIMEFRAMES

The timeframes in this document may be extended for good cause, as determined by the Dean of Students or designee, provided that the parties are provided with notice of the extension. Good cause is typically found where circumstances outside of a party's control would prevent that party from complying with the deadline. Requests for extensions should be made to the Dean of Students or designee before the deadline has expired and explain why there is good cause for the extension.

III. ELECTRONIC SUBMISSIONS

All challenges, responses, and other documents submitted through this process should be submitted electronically to the Dean of Students Office at doso@msu.edu.

Effective 8.18.2020