

BuzzFeedNEWS

Cecilia Carreras appealed the hearing board's decision to find the male student she accused of sexual assault not responsible for violating the school's conduct code policy. She appealed, in part, because she said witnesses had provided inconsistent statements and lied during testimony. Here is part of the university's response denying her appeal:

for example, the Athletics Department policy on suspending student-athletes. These issues are not relevant to your appeal and, therefore, were not considered by the Review Committee. After careful consideration of your appeal and the evidence regarding the manner in which the University Hearing Board was conducted, the Review Committee and I concluded that there is not clear and convincing evidence that your appeal should be granted. Therefore, I am denying your appeal and am upholding the decision and sanctions that resulted from the October 19, 2015 University Hearing Board.

The reasons for this decision include, but are not limited to:

1. In your appeal you cite what you believe to be inconsistencies in witness testimony. You do not assert and, in fact, there is no evidence that any of these inconsistencies are lies. In any fact finding hearing, witnesses often have differing perceptions and recollections of the facts, which leads to inconsistent testimony. It is the role of the University Hearing Board to assess any such inconsistencies and give the witness testimony the weight it deserves. In this particular case, that is exactly what the University Hearing Board did. The Hearing Board recognized inconsistencies in the witness testimony and [REDACTED]
[REDACTED]
[REDACTED] as a result, their testimony did not influence the decision of the Hearing Committee as to the primary issues in this hearing.
2. In your appeal, you assert that the Respondent and one other witness lied during the hearing. You allege that the Respondent lied about: [REDACTED]
[REDACTED]
[REDACTED] The Review Board and I did not need to determine whether, in fact, these statements were lies because we found that none of these statements are material to the key questions before the Hearing Committee and were not adverse to you. As a result, even if there had been clear and convincing evidence to support your assertion that these were lies, that finding would not be a basis for granting your appeal.