

Preface

All UNC Charlotte Students are expected to be familiar with University policies and procedures, and to conduct themselves accordingly.

University Policy 406, Code of Student Responsibility (the Code) fulfills the duty of the Chancellor to regulate matters of Student behavior in the University community.

University Policy 407, Code of Student Academic Integrity governs Student behavior relating to academic work.

University Policy 501, Nondiscrimination, University Policy 502, Sexual Misconduct and Interpersonal Violence, and University Policy 504, Title IX Grievance Policy govern behavior related to discrimination, discriminatory harassment, and sexual or interpersonal misconduct, respectively. Any such allegations against Students are processed under those policies and not under this Code. See the Civil Rights and Title IX website for more information.

All Student inquiries concerning the Code or University Policy 407 should be directed to the Associate Dean of Students and Director of Student Accountability & Conflict Resolution ("Director").

The current version of the above policies, which may be periodically revised, are available online

Special Notes:

Any individual may report an alleged violation(s) of the Code online at <https://incidentreport.charlotte.edu>. Individuals may report crimes or incidents involving imminent threat of harm to Police and Public Safety at 704-687-2200. Any Student needing assistance because of a disability may contact the Office of Disability Services at 704-687-0040.

For the purposes of this Code and any references to this Code, the terms "accountability" or "behavior" are synonymous with the term "conduct," and the term "outcomes" is synonymous with the term "sanctions," where the terms "conduct" and "sanctions" are used in UNC System Policy 700.4.1.

views, but must also take responsibility for affording the same right to others.

Students have the right to be treated fairly and with dignity regardless of race, color, religion, sex, sexual orientation, gender identity, age, national origin, physical or mental disability, veteran status, or genetic information, and as outlined in University's Nondiscrimination policy (University Policy 501)

Accordingly, Students will not be unlawfully discriminated against on the basis of protected group status.

Students have the right to be protected from arbitrary decision making by the University and to have access to University policies which affect them. The University is committed to providing Students with a balanced and fair system of dispute resolution. Accordingly, Students will not be deprived of the

2 Disruption of Classroom Environment - ~~500~~
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2 Misusing Equipment - ~~Michigan~~

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j Hazing - ~~Michigan~~

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k Misrepresentation

1 Furnishing - ~~Michigan~~

2 Failing to Report Felony Convictions - ~~Michigan~~

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Chapter 4. Accountability Procedures

Multiple Choice

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2. B
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10. A

11. A

Multiple Choice

12. A

13. A

14. A

15. A

16. A

Multiple Choice

17. A

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19. A

20. A

21. A

Multiple Choice

22. A

23. A

E. Resolution Types

1. In Absentia Resolution

24. A

25. A

26. A

27. A

28. A

29. A

30. A

31. A

2. Mutual Resolution

32. A

33. A

34. A

35. A

In Absentia A

6
In

b

responsibility

Only Hearing. In an Outcome Only Hearing, the Hearing Officer or Hearing Panel accepts the Student's admission of responsibility for the violation(s) and will only make a decision on an appropriate outcome(s) through a Hearing.

For more information about the hearing process, please see Supplemental Procedures.

Chapter 5. Outcomes

If a Student is found responsible for a violation of the Code through Accountability Procedures, outcomes (synonymous with the term “sanctions”) The University of North Carolina Board of Governors Policy 700.4.1 may be imposed. Outcomes are intended to educate Students on the effects of their behavior and encourage change in future decision making.

A. Compelling Factors

Mitigating or aggravating factors or circumstances affecting outcomes will be considered prior to imposing an outcome. Factors to be considered may include, but are not limited to:

1. the Respondent’s demonstrated understanding of their responsibility and the consequences of their actions;

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the respondent's demonstrated understanding of their responsibility and the consequences of their actions; the respondent's demonstrated understanding of their responsibility and the consequences of their actions; the respondent's demonstrated understanding of their responsibility and the consequences of their actions; the respondent's demonstrated understanding of their responsibility and the consequences of their actions; the respondent's demonstrated understanding of their responsibility and the consequences of their actions;

outcomes, including Disciplinary Suspension or Expulsion, could result, with Disciplinary

or permanent withholding of the transcript for any degree earned, regardless of whether the degree has been awarded; and/or (c) having outcome(s) imposed as a condition of re-enrollment at the University.

8. Additional Outcomes – Outcomes, including but not limited to the following, may be imposed in addition to those listed above:
 - a. restitution for loss incurred by an individual or the University as a result of the Respondent's violation(s);
 - b. exclusion and/or trespass from all or a portion of any University Premises or any University-sponsored program, activity, or related event, as specified in the outcome;
 - c. an administrative nocontact order with an individual(s);
 - d. loss of driving and/or parking privileges on University Premises;
 - e. community service and/or participation in educational programs;
 - f. restitution for expenses incurred by individuals or the University as a result of providing educational programs or other educational experiences related to the violation(s);
 - g. parental/guardian notification, pursuant to Section II.B.11 of University Policy 402, Student Education Records (FERPA);
 - h. any other appropriate outcome as determined by the Director or designee.

Chapter 6. Appeals

A. Eligibility for Appeal

A Respondent may appeal the Hearing determination on responsibility and outcomes. If a Respondent engages in an Outcome-Only Hearing, they may appeal only the determination on outcomes.

Grounds for appeal are limited to:

1. a violation of due process; or
2. a material deviation from Substantive and Procedural Standards adopted by the Board of Governors, described in The University of North Carolina Board of Governors Policy 700.4.1.

Appeals not meeting these grounds will not be considered. It is not the purpose of the appeal process to provide for a new hearing at a higher administrative level.

B. Submission of Appeal

A Respondent who wishes to appeal must submit an appeal in support of the appeal within five (5) Days after the Notice of Outcome.

1. The appeal should separately state ~~each~~ upon which the Respondent believes that the Hearing committed an error and should include all information the Respondent feels pertinent to support their claims.
2. Failure to submit an appeal within the set timeframe or failure to meet the grounds will render the decision of the Hearing final and conclusive.
3. Upon request, the University will provide access to the case file to the Respondent for the purpose of preparing an appeal. The University will redact any such copy to exclude confidential records regarding other Student(s), as appropriate.
4. The Director or designee will promptly forward appeals meeting the grounds, a (e)1 (w)4 (ill p)7 (.)

the Appellate Officer to the Board of Trustees. No appeal to the Board of Governors or the President of the University of North Carolina is permitted.

C. Deferral of Outcome(s)

At the discretion of the Director, the imposition of an outcome normally will be deferred until after a decision on an initial level of appeal, but may be imposed immediately ~~after~~ hearing if:

1. the Respondent has been found responsible for an act which resulted or foreseeably could have resulted in personal injury to another;
- 2.

Chapter 7. Case Files and Accountability Records

- A. Disciplinary records related to an individual Student are confidential and will be maintained pursuant to University Policy 402, Student Education Records (FERPr 9 (e)5.1 (9t Tm ()Tj ET EMC

3. impact the stability and continuity of normal University activities; and/or
4. directly and substantially impede the lawful activities of others.

The interim suspension may require the Organization to cease activities both on campus and off campus until the Accountability Procedures have been conducted.

Within five (5) Days of the effective date of the interim suspension, the Organization may submit an interim suspension appeal for requesting termination or modification. In reviewing the request, the Director or designee will consider the following issues only:

1. the reliability of the information concerning the Organization's behavior, including an assertion of mistaken identity; and
2. whether the behavior in the surrounding circumstances reasonably indicates that the continued activities of the Organization are threatening, harmful, or dangerous to others or the University community; pose a threat of significant property damage; impact the stability and continuity of normal University activities; and/or directly and substantially impede the lawful activities of others.

The Director or designee may, in their discretion, meet with the Student Organization and utilize information gathered in that meeting to make a decision on whether to terminate or modify the interim suspension. The Student Organization may be represented in that meeting, at its own expense, by a Representative. The Accountability Procedures will be initiated as soon as practicable.

D. Student Organization Outcomes

One or more of the following outcomes may be imposed on a Student Organization found responsible for a violation(s) of the Code.

1. Disciplinary Warning – Formal written warning indicating that the Respondent's behavior was unacceptable and that if the Respondent is subsequently found responsible for a

Chapter 9. Definitions

When used in the Code, the following terms have the meanings provided below, though not every term in the Code is formally defined:

1. Accountability Procedures means procedures in this Code and [Procedures for Case Resolution](#) addressing alleged violations of prohibited behaviors by a Student or Student Organization, during which a designated University official or Hearing considers information and/or documentation in order to address whether a Student or Student Organization has violated the Code.
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13. Notice of Outcome means a written notification issued in accordance with the Code that contains the determinations on responsibility and outcome(s) (if applicable), ~~and~~ data assigned for any outcome(s), the rationales upon which the determinations are based, and any available appeal rights, including the permitted grounds for appeal and the time limits in which to appeal.
14. Possession means physically holding or controlling the subject item, or owning or controlling the space the item was present. The presence of the item creates a presumption that the individual owning or controlling the space had knowledge of the item's presence, unless sufficient information to the contrary is provided.
15. Procedural Advisor means a representative from the Student Accountability Board or a staff member appointed by the Director or designee.
16. Record on Appeal for appeal levels below the Board of Trustees means the notice of Hearing; the audio or audiovisual recordings or written transcript of the Hearing; all documents offered as information at the Hearing, including the Investigation Report (if applicable); the summary of the Hearing; and any written decision of the Director, Vice Chancellor, or Provost and Vice Chancellor for Academic Affairs. The Record on Appeal for appeals to the Board of Trustees may include additional documents pursuant to other applicable policies and procedures.
17. Representative means a licensed attorney or ~~attorney~~ advocate who represents a Student or Student Organization pursuant to Chapter 4 of the Code.
18. Respondent means a Student or Student Organization who has a pending Formal Charge(s).
19. Resolution Types include but are not limited to:
- a. In Absentia Resolution means the resolution method in which a case is resolved in the Respondent's absence.
 - b. Mutual Resolution means the resolution method in which, if offered, a Respondent voluntarily accepts the determinations on responsibility and outcome(s) proposed by the Director or designee.
 - c. Hearing means a formal resolution option involving a Student Hearing Panel, Administrative Hearing Panel, or Administrative Hearing Officer.
 - Administrative Hearing Officer means a trained University staff or faculty member, or a trained third party, appointed by the Director or designee, who addresses a Formal Charge(s) against a Respondent.
 - Administrative Hearing Panel means a body of three voting members appointed by the Director or designee, consisting of either (a) trained University staff and/or faculty members or (b) one or more trained University staff and/or faculty members and one or more Student Accountability Board member(s), that addresses a Formal Charge(s) against a Student or Student Organization.

- Outcome-Only Hearing means a hearing in which the Student takes responsibility for the Formal Charge(s) and the Hearing Officer or Panel only makes a decision on an appropriate outcome(s).
 - Student Hearing Panel means a body of three voting members appointed from the Student Disciplinary Board that addresses a Formal Charge(s) against a Respondent. A Student Hearing Panel may also be referred to as a "Student Honor Court" in the Code.
- d. Alternative Resolution means resolution methods that are an alternative to the Accountability Procedures.
20. Responsible means determined by the Accountability Procedures to have committed a violation(s) of the Code.
21. Staff Advisor means an individual appointed by the Director to advise a Hearing. The Staff Advisor in any particular case will not be the same individual who makes any determination on responsibility, recommendation on outcome(s), or determination on merits in that case, as those duties are described in the Supplemental Procedures.
22. Student means an individual who has accepted an offer of admission to the University; is currently enrolled in coursework or has registered for coursework at the University; has a continuing relationship with the University; is an auditing Student; or is participating in an educational program sponsored by or affiliated with the University. The co

26. Weapon means any item defined as such in University Policy 702, Weapons on Campus. Examples include, but are not limited to, all firearms; explosive agents ~~of fire~~, chemicals such as mace and tear gas (if used in an illegal manner); air or canister propelled guns such as BB guns, pellet guns, and paintball guns; tasers or stun guns; metallic knuckles; switchblade knives; martial arts weapons; any object or ~~substance~~ used, attempted to be used, or intended to inflict a wound, cause injury, or incapacitate; or any other “weapon” as defined by N.C.S. §14-269.2.

Revision History:

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- | [University Policy 706, Alcoholic Beverages](#)
- | [University Policy 711, Program to Prevent Use of Illegal Drugs and Alcohol Abuse](#)
- | [University Policy 802, Disciplinary at Speech Events](#)
- | [Disposition of Appeal: Instructions to General Counsel](#)
- | [Notice of Attorney or NonAttorney Advocate Representation](#)
- | [Help Seeking Protocol](#)
- | [Code of Student Responsibility Archives](#)