GUIDELINES
to the
UNC Charlotte Code of
Student Responsibility

The UNC Charlotte Code of Student Responsibility (the Code) sets forth certain rights and responsibilities in matters of student discipline. The Code defines these responsibilities and guarantees you certain rights that ensure your protection from unjust imposition of disciplinary penalties. You should familiarize yourself with the provisions and procedures of the Code.

Note: These guidelines provide a brief summary of the Code and are intended only as a quick reference for UNC Charlotte students. Please refer to the full Code for complete policies and procedures, available at legal.uncc.edu/policies/ps-104.html or the Dean of Students Office.

PURPOSE
The primary purpose for the imposition of discipline in the University setting is to protect the campus community and to maintain an environment conducive to learning. Consistent with that purpose, efforts are also made to foster the personal and social development of those students who are held accountable for violations of University regulations.

JURISDICTION AND AUTHORITY
The University may exercise jurisdiction under the Code regarding an incident that occurs at any time from a student's initial enrollment until his/her association with the University ends, including any incident related to an application for admission or financial aid. Instances of student misconduct may be subject to the Code whether or not they occur on the campus or on other adjacent property.

The University reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community.

CONDUCT RULES AND REGULATIONS
Below are brief summaries of conduct subject to disciplinary action. Please rely on the Code for full explanations of prohibited conduct.

- Inflicting physical injury or fear of physical injury; committing various specified sexual offenses; inflicting severe emotional distress; engaging in "fighting words" harassment.
- Possessing, using, or storing a weapon, dangerous chemical, or explosive.
- Initiating a false report, warning, or threat of an emergency.
- Interfering with normal University activities.
- knowingly violating the terms of disciplinary sanctions imposed under the Code.
- Possessing, consuming, using, manufacturing, selling, or delivering any controlled substance or drug paraphernalia.
- Setting fires or misusing or damaging fire safety equipment or elevators.
- Furnishing false information to the University; misrepresenting one's organizational affiliation to entice a person into joining an organization.
- Forgery, unauthorized alteration, or unauthorized use or misuse of any document or instrument of identification.
- Theft of property or services; unauthorized use or access to private or confidential information; possessing stolen property.
- Destroying or damaging property.
- Failing to comply with reasonable directions of University officials.
- Violating University regulations or policies.
- Possessing, consuming, or distributing alcoholic beverages in violation of law or policy or operating a motor vehicle under the influence of alcohol. (See also Policy Statement #57, “Alcoholic Beverages.”)
- Being present in or using University premises, facilities, or property without University authorization.
- Using or possessing fireworks.
- Disorderly conduct or conduct that disrupts or interferes with the normal functions of a class.
- Hazing. (See also Policy Statement #83, “Hazing.”)
- Computer abuse or misuse. (See also Policy Statements #8, #10, #20, #66, and #67.)
- Gambling for money or other things of value.
- Commission of an act that is a felony, violation of N.C. General Statutes, or violation of federal law.
- Being present during or condoning prohibited behavior.

Attempts to commit acts prohibited by the Code are treated in the same way as completed violations.

SANCTIONS
One or more of the sanctions listed below may be imposed for violation of disciplinary regulations. All sanctions may be altered, deferred, or suspended on appeal. Students may be subject to these sanctions as well as applicable civil or criminal laws for the same conduct.

Individual Sanctions
The following sanctions may be imposed upon a student:
- Conduct Reprimand
- Definite Conduct Probation
- Indefinite Conduct Probation
- Removal from University Housing
- Definite Suspension
- Indefinite Suspension
- Expulsion
- Post-Enrollment & Post-Graduation Sanctions
- Additional Sanctions (see the Code)

All violations of any sections of the Code may result in expulsion or suspension from the University.

Student Groups and Organizations
The following sanctions may be imposed upon a group or organization: reprimand, registration probation, registration suspension, registration revocation, or additional group or organization sanctions (see the Code).

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PROCEDURES
Any student or student group or organization (“party”) charged with a violation of the Code is entitled to a hearing, except where the party and the University agree to settle the charge without a hearing.

Case Referrals/Reports
Any member of the University community may refer a party suspected of violating the Code to the Office of the Dean of Students by providing written information pertinent to the alleged violation(s). Referrals must be in writing and must include factual information supporting the allegation. Based on the referral, the Director of Student Conduct will determine whether a charge shall be pursued and whether that charge is for a “minor violation” or a “serious violation.”

Mutual Resolution and Waiver of Hearing
Accused parties agreeing to a mutual settlement and waiver of a hearing must accept responsibility for the violation(s) and the sanction imposed by the Director of Student Conduct or designee.

Cases not settled proceed promptly to a hearing, in accordance with notice procedures as set forth in the Code.

Hearings
Hearing Panels are composed of three panel members from the Student Court, except in cases in which an Administrative Hearing Panel is appointed, as set forth in the Code.

Below are brief summaries of the procedures for disciplinary hearings under the Code. Please rely on the Code for full explanations of procedures.

• The University sends to the accused party a notice of charges and the time, date, and location of the hearing, including the names of the hearing panel members.
• If the accused party fails to appear after proper notice, the Hearing Panel will make a determination in the absence of that party.
• The accused party shall be given the opportunity to present any witness or documentary evidence that he or she wishes to offer if the evidence is relevant and does not otherwise infringe the rights of others.
• Prior to a hearing on a serious violation, the accused party, upon request, must be given the opportunity to review any written evidence that will be used at the hearing and to obtain a list of witnesses.
• The accused party and any witness may be accompanied by one person from the Student Attorney General or Student Counsel staff whose role is limited to conferring with and advising the accused party or witness.
• The accused party has an opportunity to question the witnesses who testify and to examine any documents offered as evidence.
• Each hearing is recorded, and the recording becomes a part of the case file in the Office of the Dean of Students.
• The burden of proof is on the University, which must establish that it is more likely than not that the accused party violated the Code as charged.
• A decision on responsibility or non-responsibility is made in private by majority vote. If the decision is non-responsibility for all charges, the proceedings are concluded.
• The decision must contain a brief summary of the evidence upon which the decision is based and shall specify appeal rights, including the time in which to appeal and the permitted grounds for the appeal.
• A determination of responsibility on any charge is followed by a determination of an appropriate sanction upon private deliberation of the Hearing Panel. The past disciplinary record of the accused party is considered in determining the appropriate sanction(s).
• The Hearing Panel’s determination of a sanction constitutes a recommendation to the Director of Student Conduct.
• For minor violations, the Director of Student Conduct shall consider the Hearing Panel’s recommendation and shall determine the sanction to be imposed by the University.
• For serious violations, the Director of Student Conduct shall make a recommendation including suspension to the Associate Vice Chancellor and Dean of Students, or a recommendation including expulsion to the Vice Chancellor for Student Affairs. The Associate Vice Chancellor and Dean of Students shall make final decisions for sanctions including suspension, and the Vice Chancellor for Student Affairs shall make final decisions for sanctions including expulsion.

Appeals
Appeals are limited to the following grounds (please rely on the Code for official provisions):
1. a violation of due process; or
2. a material deviation from Substantive and Procedural Standards adopted by the Board of Governors, set forth in Board of Governors’ Policy 700.4.1.
• Separate appeal procedures for minor violations and serious violations are set forth in the Code.
• The decision of the Vice Chancellor for Student Affairs is final and conclusive, and the sanctions are imposed as directed; however, a student who believes that specified due process rights have been violated may appeal to the Chancellor within three days after the student receives the decision of the Vice Chancellor for Student Affairs.

RELATED STUDENT AFFAIRS NUMBERS
Vice Chancellor for Student Affairs: 704-687-2206
Dean of Students: 704-687-2376
Senior Associate Dean and Director of Student Conduct: 704-687-2617
Assistant Director for Student Conduct: 704-687-2617
Student Government Association Chief Justice: 704-687-7169
Student Government Association Student Counsel: 704-687-7175
Student Government Association Attorney General: 704-687-7174

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