Chapter 1. Principles and Purpose

The University of North Carolina at Charlotte is an academic community dedicated to teaching, scholarship, service, inclusion, and the holistic development of Students. Academic integrity is a cornerstone value of the University's intellectual community. It is important to nurture an atmosphere of honesty, fairness, trust, respect, and mutual responsibility. Integrity is essential because it ensures that Students fairly benefit from their educational experience and pursuits of knowledge. Violating the principles of academic integrity damages the reputation of the University and undermines its educational mission and goals.

The University recognizes that Academic Misconduct detracts from the value of a UNC Charlotte degree and has influence beyond the University community, including relationships with employers, other educational institutions, the business community, the UNC system, and the community at large.

The purpose of the Code is to:

1. support and promote an ethical learning environment;
2. create consistent standards for all members of the academic community;
3. assist Students in learning responsibility for one’s own academic work;
4. protect the academic environment of the University community; and
5. clarify Student values and how they relate to the behavior in question.

Chapter 2. Definitions

When used in the Code, certain terms are defined as follows:

1. **Academic Misconduct** means any of the conduct prohibited in Chapter 6 of the Code and is synonymous with the term “academic dishonesty” in N.C. Gen. Stat. § 116-40.11.

2. **Academic Integrity Board (AIB)** means a body of full-time faculty members, composed as set forth in Chapter 7, Section III, the members of which serve on Hearing Panels to adjudicate charges of Academic Misconduct.

3. **Advisor** means an individual invited by the Student, Faculty, or Referring Party to attend a Hearing and to confer with the Student, Faculty, or Referring Party during the Hearing. An Advisor may not address a University official or the Hearing Panel, other parties, or witnesses, and may not unreasonably delay, disrupt, or otherwise interfere with the proceedings. An Advisor may not argue, make statements, or question witnesses; however, an Advisor may respond to questions if asked to do so. An Advisor may not be called as a witness.

4. **Authorization** means approval of an action, conduct, or activity provided by the Faculty Member responsible for the evaluation of the Student’s academic work or as otherwise required in the Code.

5. **Chair** means the Chair of the Academic Integrity Board.


7. **Convener** means the member of the Hearing Panel who exercises control over the Hearing proceedings to maintain a fair, impartial, and efficient Hearing.

8. **Day** (unless otherwise specified) means a business day on which the University is open.

9. **Director** means the Associate Dean of Students and Director of Student Conduct & Academic Integrity or designee.

10. **Facilitator** means an individual appointed by the Director to conduct a Facilitated Resolution.

11. **Faculty Member** means a person who is responsible for assigning, grading, reviewing, and/or assessing an academic exercise that is alleged to have been affected by Academic Misconduct, including full-time faculty members, part-time faculty members, adjunct faculty members, instructors, and teaching assistants or a designee.

12. **Hearing** means the resolution method adjudicated by a Hearing Panel.

13. **Hearing Panel** means a body of two members of the Academic Integrity Board (AIB) and a trained undergraduate or graduate student appointed by the Chair or designee that adjudicate a charge of Academic Misconduct against a Student.

14. **Provost** means the Provost and Vice Chancellor for Academic Affairs.

15. **Referring Party** means an individual, other than the Faculty Member, who suspects that Academic Misconduct has occurred, determines that the information is sufficient to warrant an adjudication, and participates in the Academic Misconduct process as a representative of the University.
16. **Responsible** means determined by the procedures in the Code to be responsible for Academic Misconduct.

17. **Staff Advisor** means an individual appointed by the Director to advise a Hearing Panel.

18. **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 continuing relationship ends upon graduation, termination of the relationship, or a break in enrollment of twelve (12) consecutive months after the last semester attended at the University.

19. **Student Panel Member** means a student who is selected, appointed, and trained by the Director or designee to serve on Hearing Panels to adjudicate cases of Academic Misconduct.

Chapter 3. Standards of Due Process, Standard of Proof, and Jurisdiction

Section I. Standards of Due Process

1. Any Student is entitled to a Hearing before a Hearing Panel, except when the case is resolved through an Informal Resolution or a Facilitated Resolution, as provided in Chapter 7 of the Code.

2. The focus of inquiry in the Academic Misconduct procedures is to determine whether the Student is or is not responsible for engaging in Academic Misconduct prohibited under Chapter 6 of the Code.

3. Formal rules of evidence do not apply, nor does deviation from prescribed procedures necessarily invalidate a decision or proceeding, unless significant prejudice to the Student or Faculty Member results.

Section II. Standard of Proof

For a Student to be found responsible for Academic Misconduct under the Code, the information must establish that the Student is responsible for Academic Misconduct by a preponderance of the evidence—that it is more likely than not that the Student engaged in Academic Misconduct as charged. This determination must be based solely on the information presented, which may include, but is not limited to, pertinent records (e.g., assignment, syllabi), exhibits (e.g., photographs, audio/video information, social media information), and written/oral statements.

Section III. Authority and Jurisdiction

1. When necessary, and in consultation with the Chair, the Director may alter academic misconduct procedures to protect the University community, property, or resources.

2. Subject to the exception in Paragraph 2 below, jurisdiction under the Code may be exercised with respect to all academic work, whether in the classroom, online, through distance education, or in-person. Academic work subject to the Code may be either inside or outside the context of an academic course, including in the preparation of materials submitted as a program or degree requirement or other non-course-related academic contexts.
3. Academic work that is submitted in a grant application or for publication, or in the case of a thesis or dissertation, submitted to ProQuest (or the University’s then current dissertation database), falls under the jurisdiction of the Research Misconduct process. Prior to initiating an Academic Misconduct case in which research integrity might be implicated, the Research Integrity Officer and the Chair should discuss the case and make a mutual determination about the appropriate process to be applied. See University Policy 309, Responding to Allegations of Misconduct in Research and Scholarship.

Chapter 4. Responsibilities

The responsibility for maintaining the academic standards of honesty and integrity is shared by all members of the academic community. Students and Faculty Members are expected to be familiar with and abide by the provisions of the Code.

Section I. Faculty Member Responsibilities

Faculty Members are responsible for the academic instruction and evaluation methods for all academic exercises. As such, Faculty Members should ensure, to the best of their ability, that all work submitted by Students is consistent with academic standards, including being free from the adverse impacts of academic misconduct. To that end, Faculty Members are obligated to:

A. Publish, review, and enforce their expectations for academic conduct in course work.
B. If the Faculty Member suspects that Academic Misconduct has occurred and determines that the information is sufficient to warrant an adjudication, report all such cases of suspected Academic Misconduct using the appropriate adjudication method outlined in the Code of Student Academic Integrity so a central record may be kept. Faculty are expected to participate as needed in the adjudication of the suspected misconduct.
C. Engage mechanisms that discourage Academic Misconduct, such as exam monitoring, online submission of materials, etc. (See examples.)
D. If a Faculty Member who has referred an Academic Misconduct case fails to appear at a Hearing after being notified pursuant to the Code, the Hearing will continue in the absence of the Faculty Member.

Section II. Student Responsibilities

A. Students are integral members of the academic community and are responsible for their academic work, abiding by the Code, and will be held responsible for their Academic Misconduct. As responsible members of the University, Students are expected to take an active role in encouraging other members of the academic community to respect the standards set forth in the Code. Should a Student suspect Academic Misconduct, they should make the suspicion known to the Faculty Member or Director.
B. If a Student who is charged with Academic Misconduct fails to appear at a Hearing after being notified pursuant to the Code, the Hearing will continue in the absence of the Student.

Section III. Referring Party (other than Faculty Member) Responsibilities

A. Members of the University community are also expected to take an active role in encouraging Students to respect academic integrity. If a Referring Party suspects that Academic Misconduct has occurred and determines that the information is sufficient to
warrant an Academic Misconduct adjudication, they should make the suspicion known to the Faculty Member or Director.

B. When a Referring Party refers a suspected case of Academic Misconduct to the Faculty Member or Director, it is the Referring Party’s responsibility to follow the policies and procedures in the Code, including attendance at and participation in any Hearing that may be conducted to adjudicate a charge of Academic Misconduct, if such attendance and participation is requested.

C. If a Referring Party who has referred an Academic Misconduct case fails to appear at a Hearing after being notified pursuant to the Code, the Hearing will continue in the absence of the Referring Party.

Chapter 5. Rights of the Parties

Section I. Rights of the Student

The Student has the following rights:

A. to be provided a fair, impartial, and efficient process;
B. to be presumed not responsible for a violation of the Code until determined otherwise;
C. to be given notice of any allegation(s) of Academic Misconduct;
D. to review the information that will be presented in any case resolution, provided that the information may be given to the Student in a redacted format;
E. to present relevant information on their behalf;
F. to obtain support, advice, or assistance pursuant to relevant sections in Chapter 7 of the Code;
G. if found responsible, to have sanction(s) imposed on the basis of the guidelines set forth in the Code;
H. to be informed of the final decision and results of a proceeding;
I. to request reasonable accommodations under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act through the Office of Disability Services;
J. to confront, in some manner, the allegations and information presented relevant to the formal charge(s) against them, which in all cases will be brought forward by the University;
K. to request that a member of a Hearing Panel be excluded from the Hearing on the basis of a conflict of interest, bias about, or interest in the case;
L. to pose reasonable questions, verbally or in writing, to any witness appearing at a Hearing;
M. to have prior Academic Misconduct excluded from information presented during a Hearing Panel’s deliberation of findings for any charge(s);
N. to appeal any decision of a Hearing Panel, pursuant to Chapter 9 of the Code; and
O. to have supervised access to a recording of the Hearing proceedings.

Section II. Rights of the Faculty Member or Referring Party
The Faculty Member or Referring Party have the following rights:

A. to be provided a fair, impartial, and efficient process;
B. to review the information that will be presented in any case resolution, provided that the information may be given to the Faculty Member or Referring Party in a redacted format;
C. to present relevant information on their behalf;
D. to obtain support, advice, or assistance pursuant to relevant sections in Chapter 7 of the Code;
E. to be informed of the final decision and results of a proceeding;
F. to request reasonable accommodations under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act through the Office of Disability Services;
G. to be provided the same opportunities as the Student to address any University official involved with the resolution of the complaint, including being present during the findings stage of the Hearing;
H. to request that a member of a Hearing Panel be excluded from the Hearing on the basis of a conflict of interest, bias about, or interest in the case; and
I. to have supervised access to a recording of the Hearing proceedings only to which the Faculty Member or Referring Party has an opportunity to participate.

Chapter 6. Prohibited Academic Conduct

Except in cases of Research Misconduct, as set forth in Chapter 3, Section III.2 of the Code, the following conduct, or complicity in the following conduct, is considered Academic Misconduct under the Code:

A. **Cheating** means using or attempting to use materials, or giving assistance or materials without Authorization to another in any academic exercise that could result in gaining or helping another to gain academic advantage. See examples.
B. **Fabrication** means providing fabricated information, including inventing or counterfeiting information, in any form in an academic exercise. See examples.
C. **Falsification** means altering without Authorization any data or information, regardless of communication method (e.g., e-mail or other electronic communication), in an academic exercise. See examples.
D. **Misuse of Academic Materials** means sharing, distributing, altering, acquiring, damaging, or making inaccessible academic materials without Authorization, that could result in gaining or helping another to gain an academic advantage. See examples.
E. **Multiple Submission** means submitting academic work or substantial portions of the same academic work (including oral reports) in more than one academic exercise without Authorization. See examples.
F. **Plagiarism** means presenting the words or ideas of another as one’s own words or ideas, including failing to properly acknowledge a source, unless the ideas or information are common knowledge. Plagiarism includes self-plagiarism, which is the use of one's
own previous work in another context without indicating that it was used previously. See examples.

G. Unauthorized Collaboration means sharing the work or effort in an academic exercise with another individual or individuals without Authorization. See examples.

H. Research Misconduct means a determination that Research Misconduct has occurred under University Policy 309, Responding to Allegations of Misconduct in Research and Scholarship and its Supplemental Procedures. (See Chapter 3, Section III of the Code.)

Chapter 7. Academic Misconduct Process Structure

This Chapter outlines the general process for handling suspected cases of Academic Misconduct. Specific procedures for adjudicating cases of Academic Misconduct are detailed in the Procedures for Adjudication of Academic Misconduct Cases supplemental to the Code (“Supplemental Procedures”).

Section I. Case Referrals

Swift resolution of suspected Academic Misconduct cases is highly desirable for both the institution and the accused Student. To this end, Faculty Member and Referring Parties are responsible for timely communication with the appropriate University officials involved in the Academic Misconduct process. Specific procedures for case referrals are set forth in the Supplemental Procedures.

Once a Student has received notice of an alleged Academic Misconduct violation, if the Student withdraws from the course, the Academic Misconduct adjudication process may continue.

Section II. Adjudication Methods

A. Informal Resolution

Some first offenses are properly handled and remedied by an Informal Resolution with the Faculty Member teaching the specific academic exercise in which they occur. In the event the Faculty Member is unavailable, the chair of the department may appoint a designee, who may act on the Faculty Member’s behalf throughout the Academic Misconduct process.

B. Facilitated Resolution

The Director, in consultation with the Chair, may determine that a Facilitated Resolution is appropriate and offer a Facilitated Resolution:

1. if a Student is eligible for an Informal Resolution (it is the Student’s first charge of Academic Misconduct), but the Faculty Member and the Student are unable to reach an Informal Resolution; or
2. if a Student is not eligible for an Informal Resolution (it is not the Student’s first charge of Academic Misconduct), but the Director determines that it is appropriate to attempt resolution through a Facilitated Resolution.
C. Formal Resolution

A Formal Resolution before a Hearing Panel is required in any of the following circumstances:

1. The Faculty Member or designee believes that a more severe sanction is warranted for an alleged first Academic Misconduct charge than is permitted under an Informal Resolution and the Director has determined that a Facilitated Resolution is not appropriate;
2. The Student is eligible for an Informal Resolution, but no such resolution is reached pursuant to the procedures in Chapter 7;
3. The Director has determined that a Facilitated Resolution is appropriate and has offered a Facilitated Resolution, but either the Student or Faculty member declines the offer or no such resolution is reached pursuant to the procedures in Chapter 7; or
4. The Student has been charged and found responsible for a prior Academic Misconduct offense.

Section III. Academic Integrity Board and Hearing Panels

A. AIB Composition

1. The AIB is composed of full-time faculty members, including the AIB Chair.
2. At least two faculty members shall be appointed to the AIB from each college, and the number of faculty members appointed from each college shall be in proportion to the number of full-time faculty members in each college.
3. The Provost or designee shall determine the minimum number of members of the AIB and shall appoint the Chair. The Senior Associate Provost shall appoint all other faculty members to the AIB.
4. The faculty members and the Chairperson shall be appointed for two-year staggered terms. All members of the AIB may be reappointed.

B. Hearing Panels

1. The Director shall appoint a Hearing Panel of two members of the AIB, and one student, to adjudicate a charge of Academic Misconduct through Formal Resolution.
2. One of the members of the Hearing Panel is designated by the Director or designee as the Convener to conduct the Hearing.
3. When the accused Student is a graduate Student, the Hearing Panel must include graduate faculty and a graduate Student Panel Member.
4. The Director shall assign Hearing Panel members on the basis of availability and impartiality in a particular case. Neither faculty member may be from the same academic department in which the alleged offense occurred or the department in which the student is seeking a degree.
5. When the appointed faculty members of the AIB are unable to serve on a particular case, the Director is authorized to appoint a faculty member from an appropriate department on an interim basis.
6. The Chair may not sit on a Hearing Panel.
C. Conflicts of Interest or Bias

1. The Student, Faculty, or Referring Party may challenge any member of the Hearing Panel on grounds of a bias or relationship that might affect impartial consideration of the case by that Panel member. The Student, Faculty, or Referring Party must submit the challenge in writing to the Director or designee at least two (2) Days prior to the scheduled Hearing. The Director must decide the challenge prior to the Hearing. If the Director determines possible bias, they will excuse the Hearing Panel member and appoint a replacement. The Hearing may be rescheduled at the discretion of the Director in order to appoint an available replacement.

2. Additionally, Hearing Panel members may recuse themselves if they believe there is a conflict with, bias about, or interest in the case.

3. The Director shall make the final decision whether to exclude any Hearing Panel member; this decision cannot be appealed. If a Hearing Panel member is excluded, the Director will select a new Panel member as a substitute.

Section IV. Sanctions

When a Student admits to or is found responsible for Academic Misconduct, sanctions may be imposed as set forth in Chapter 8 of the Code.

Section V. Appeals

A Student may appeal the Hearing Panel’s determinations on responsibility and sanctions under a Formal Resolution pursuant to Chapter 9 below.

Chapter 8. Educational Sanctions

Sanctions for Academic Misconduct are intended to educate Students on the effects of their Academic Misconduct, encourage appropriate conduct in future academic exercises, and uphold the standards essential to maintaining the integrity of the academic community.

In all cases, a grade received based on sanctions imposed in an Informal Resolution, Facilitated Resolution, or Formal Resolution will not be replaced if the course is repeated. This provision is not subject to appeal or academic petition.

Section I. Compelling Factors

Compelling factors may be considered when determining sanctions and may include, but are not limited to:

A. Student’s demonstration of insight about their behavior;
B. Nature and seriousness of the offense;
C. Injury or damage resulting from the Academic Misconduct;
D. Student's motivation, intent, and state of mind at the time of the incident;
E. Student’s prior Academic Misconduct record;
F. Student's attitude and demeanor subsequent to the violation; and
G. Whether the incident was motivated by bias based upon an individual’s actual or perceived race, color, religion, age, national origin, ethnicity, gender, gender identity or expression, sexual orientation, disability, or veteran status.

Section II. Sanctioning Options for Faculty Members (Informal Resolution)

Possible sanctions that may be imposed under an Informal Resolution are:

A. **Written Warning.** Official documentation conveying to the Student that their behavior was unacceptable and that any future violation of the Code may result in more severe action, including Suspension, or Expulsion;
B. **Resubmission of Academic Exercise** with or without grade penalty;
C. **Reduced Academic Exercise Grade** including “F” if undergraduate Student and “U” for graduate Student;
D. **Reduced Course Grade** including “F” if undergraduate Student and “U” for graduate Student; and/or
E. **Educational Sanctions** to help Students learn from their decisions and reflect on what they want to get out of the University experience. [See examples.](#)

The maximum sanction that a Faculty Member or designee may assign using the Informal Resolution form is an “F” for an undergraduate course and a “U” for a graduate course. The sanctions under B-D above do not apply in a case in which an Academic Misconduct violation is not within the context of an academic course.

The Informal Resolution file will be kept for eight years in the Office of Student Conduct & Academic Integrity. A first offense Informal Resolution file is an internal University record and is not part of the Student’s conduct record or academic transcript.

Section III. Sanctioning Options for Student Conduct Officer (Facilitated Resolution)

Possible sanctions that may be imposed under a Facilitated Resolution are the same as for an Informal Resolution, as well as any sanction available under a Formal Resolution other than expulsion or degree revocation.

Section IV. Sanctioning Options for a Hearing Panel (Formal Resolution)

Possible sanctions that may be imposed by the Hearing Panel in a Formal Resolution are the same as for an Informal Resolution, in addition to one or more of the following, taking into consideration the Faculty Member’s recommendations:

A. **Academic Integrity Probation.** A status in which the Student is deemed not to be in good conduct standing with the University for a definite period of time not less than the remainder of the semester in which the Academic Integrity Probation is imposed. Academic Integrity Probation does not affect the Student’s academic standing and is not notated on the Student’s academic transcript. In the event the Student is subsequently found responsible for a violation(s) of the Code while on Academic Integrity Probation, more severe sanctions, including Grade Reduction/Transcript Notation, Suspension, or Expulsion, could result. Conditions restricting the Student’s participation in University activities may also be imposed.
B. **Grade Reduction/Transcript Notation.** The grade of "F" for an undergraduate Student or "U" for a graduate Student for the course with a notation of "X" on the academic transcript indicating that the notation is a result of Academic Misconduct.

1. If the Hearing Panel imposes this sanction, it will stipulate the exact minimum length of time the "X" notation shall remain on the academic transcript. When that time has elapsed, the "X" notation will be removed automatically by a request from Student Conduct & Academic Integrity to the University Registrar.

2. Students may not exclude a grade from GPA calculations for any course in which they have received a grade with an "X" notation. The conduct record will document the offense and sanction and will be maintained in accordance with the University’s records retention schedule, which currently requires retention for a period of eight (8) years.

C. **Suspension.** Separation from the University for a period no less than the remainder of the current semester.

1. Suspension may be effective immediately or deferred until the end of the current semester.

2. A notation of Suspension shall be recorded on the Student’s official University transcript maintained by the Registrar’s Office.

3. The notation of Suspension shall be removed from the Student’s transcript after they have completed the Suspension period. In the case of suspension for an indefinite period of time, the notation of Suspension shall be removed upon approval of the Director.

4. For cases in which an Academic Misconduct violation is not within the context of an academic course, Suspension from the University shall be for a minimum of one semester (or a longer designated period of time) following the semester in which the violation occurred. A record of the violation will be kept in the disciplinary file for a period of time to be determined by the Hearing Panel, after which it will be removed upon written request by the Student to the Director.

D. **Expulsion.** Permanent separation from the University.

1. Expulsion shall be effective immediately.

2. Expulsion precludes enrollment and matriculation at any constituent institution of the University of North Carolina System.

3. A notation of Expulsion shall be recorded on the former Student’s official University transcript maintained by the Registrar’s Office.

4. A record of the Expulsion will be kept in the Student’s conduct file permanently.

5. The former Student may petition the Chancellor to rescind the Expulsion no earlier than two (2) years after the effective date of the Expulsion. The Chancellor’s conclusion shall be based on the former Student’s petition and relevant documentation supporting or opposing the rescindment. If the Expulsion is rescinded, the Expulsion notation shall be removed from the former Student’s transcript, and they are no longer precluded from enrollment and matriculation at any University of North Carolina constituent institution on the basis of the Expulsion.

E. **Post-Enrollment and Post-Graduation Sanctions**
A Student who has violated the Code, but who graduates from the University or ceases enrollment before imposition of a sanction is subject to:

1. Revocation of any degree awarded;
2. Temporary or permanent withholding of the diploma or transcript for any degree, regardless of whether the degree has been awarded; and/or
3. Having sanction(s) imposed as a condition of re-enrollment at the University.

Chapter 9. Appeals

A. Eligibility for Appeal
   1. A Student may appeal the Hearing Panel’s determinations on responsibility and sanctions under a Formal Resolution.
   2. The Faculty Member bringing the charge of Academic Misconduct against a Student is bound by the Hearing Panel’s determinations on responsibility and sanctions and is not permitted an appeal. If a grievance has arisen, the Faculty Member may address it under the appropriate grievance procedure.
   3. A Student may not appeal an Informal Resolution or a Facilitated Resolution.

B. Grounds for Appeal
Grounds for appeal at any level of review are limited to:

1. violation of due process;
2. material procedural error;
3. sanctions inconsistent with charge.

It is not the purpose of the appeal process to provide for a new hearing at a higher administrative level.

C. Submission of Appeal
   1. A Student who wishes to appeal the outcome of a Formal Resolution must submit a written brief in support of the appeal to the Director within five Days after the Notice of Outcome.
   2. The appeal shall separately state each ground upon which the Student claims that the Hearing Panel committed error in reaching its conclusions and shall set forth the Student's information and arguments in support of such claims.
   3. Failure to submit a written appeal will render the decision of the Hearing Panel final and conclusive.
   4. Upon request, the University shall provide access to the case file to the accused Student for the purpose of preparing an appeal. The University shall redact any such copy to exclude confidential records regarding other Student(s), as appropriate.
   5. If the written appeal has been timely filed, the Director shall deliver them with the record on appeal to the Provost.

D. Provost’s Review
1. The Provost or his/her designate shall review the record and issue a written decision on
the appeal. If the Provost designates another person to make the determination on
appeal, that person's review and decisions shall be treated in all respects as if made by
the Provost. The decision may:
   a. Affirm the decision reached and sanction imposed by the Hearing Panel;
   b. Affirm the decision and reduce but not eliminate the sanction recommended by
      the Hearing Panel; or
   c. Remand the case for a new Hearing before a Hearing Panel composed of
      members of the AIB who have not previously participated in the case.

   On remand, the new Hearing Panel's decision(s) on responsibility and sanctions
to be imposed if any, shall be final and conclusive, except that the Student may
appeal the Hearing Panel’s decisions on remand to the Chancellor. Such appeal
is permitted only by method and on the grounds specified in Section E below.

2. The Provost or designee shall send copies of the decision on the appeal to the Student,
Faculty Member, Student Conduct & Academic Integrity, and Chair.

3. The decision of the Provost or designee or the decision of the Hearing Panel on remand
shall be final and conclusive, and the sanction(s) will be imposed as directed. If the
sanction is expulsion or revocation of degree, the Student may file a written signed letter
of appeal to the Chancellor through the Director.

E. Chancellor's Review

1. If the Provost’s decision on appeal or the Hearing Panel’s decision on remand results in a
sanction of expulsion or degree revocation, the Student may file a written signed letter of
appeal to the Chancellor through the Director.

2. Such written appeal must be received by the Chancellor within five Days after the
Student receives notice of the Provost’s decision or the Hearing Panel’s decision on
remand.

3. The appeal shall separately state each ground upon which the Student claims that the
Hearing Panel committed error in reaching its conclusions and shall set forth the
Student's information and arguments in support of such claims.

4. Failure to submit a written appeal will render the Provost’s decision on appeal or the
Hearing Panel’s decision on remand final and conclusive.

5. Upon request, the University shall provide access to the case file to the accused Student
for the purpose of preparing an appeal. The University shall redact any such copy to
exclude confidential records regarding other Student(s), as appropriate.

6. The decision of the Chancellor shall be final and conclusive, and the sanction(s) will be
imposed as directed.

Chapter 10. Case Files and Conduct Records
A. Transcripts
1. Academic transcripts shall reflect sanctions as provided in Chapter 8 of the Code.
2. An Informal Resolution is an internal University record and is not part of the Student's conduct record or academic transcript.

B. Records Retention
1. The Academic Misconduct case file, including any audio recordings and/or transcripts of a Hearing, will be retained as part of the Student’s conduct record for eight (8) years from the date of resolution. Conduct records may be retained for longer periods of time or permanently, as specified in the sanction(s) or if the sanction(s) is considered incomplete.
2. Conduct records including the sanction of Expulsion shall be retained for seventy-five (75) years. Conduct records including the sanction of Expulsion shall not be voided except under very rare circumstances with unusual and compelling justification.

C. Student Access to Records
Students may inspect and review their Academic Misconduct records in accordance with University Policy 402, Student Education Records (FERPA).

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- Initially approved as an Academic policy August 16, 1984
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- Initially approved as a Policy Statement March 10, 1997
- Revised December 17, 2001
- Revised February 22, 2002
- Revised August 24, 2008
- Revised August 22, 2012
- Revised November 6, 2014
- Updated Settlement Forms January 5, 2015
- Revised August 15, 2017
- Updated Settlement Form November 16, 2018
- Revised August 5, 2019
- Revised August 13, 2020

Authority: Chancellor

Responsible Office: Academic Affairs and Student Affairs

Related Resources:
- Procedures for Adjudication of Academic Misconduct Cases
- Academic Integrity Informal Resolution Form
- Academic Integrity Process and Resolution Options
- Academic Integrity Resources and FAQs
- Student Response System (Poll Everywhere) and Academic Integrity
Procedures for Adjudication of Academic Misconduct Cases

Supplemental to University Policy 407, Code of Student Academic Integrity

Section I. Case Referrals

Swift resolution of suspected Academic Misconduct cases is highly desirable for both the institution and the accused Student. To this end, Faculty Member and Referring Parties are responsible for timely communication with the appropriate University officials involved in the Academic Misconduct process.

1. Faculty Members responsible for assigning final grades in an academic exercise or course may acquire information of suspected Academic Misconduct either directly or through information supplied by others. After collecting the information available, the Faculty Member or Referring Party determines whether the case warrants an adjudication.

2. If the Faculty Member or Referring Party determines that the information is sufficient to warrant an adjudication, they should contact the Director as soon as reasonably practicable. Failure by the Faculty Member or Referring Party to cooperate in the process or to notify the Director promptly may, at the discretion of the Director, result in the case no longer being pursued through the Academic Misconduct process.

3. The Director will inform the Faculty Member or Referring Party which resolution option is available. The Faculty Member or Referring Party should not take any further steps until hearing from the Director.

4. Once the Director has notified the Faculty Member or Referring Party about the appropriate resolution options, Faculty Members or Referring Parties are encouraged to notify the Students immediately that they are suspected of Academic Misconduct and the resolution process available.

5. Extraordinary circumstances may require that these guidelines be adjusted on a case-by-case basis by the Chair or the Director.

6. In cases where the Academic Misconduct adjudication process is not complete by the time course grades are due, the Faculty Member must assign the grade of "I" in the course (if the conduct is in the context of a course) pending the final resolution of the case.

Section II. Adjudication Methods

A. Informal Resolution Procedures

1. The Faculty Member should meet with the Student, present the information of Academic Misconduct, and request an explanation from the Student.

2. After considering the Student's explanation, if the Faculty Member determines that Academic Misconduct has occurred, the Faculty Member should propose an Informal Resolution by filling out and signing the Informal Resolution form, noting the sanction to be applied and should then give the form to the Student.

3. The Student has three Days to consider and seek advice on whether to accept responsibility and the sanctions proposed by the Faculty Member.
4. If the Student accepts the Informal Resolution, the Student must again meet with the Faculty Member and sign the Informal Resolution in the presence of the Faculty Member or designee. The Faculty Member should then implement the sanction(s).

5. The Faculty Member must forward the Student’s completed Informal Resolution form to the Director within three Days after the Student has signed the form.

6. The Student may not appeal an Informal Resolution.

7. If the Student declines an Informal Resolution, the Director may refer the case to a Facilitated Resolution or Formal Resolution for adjudication.

B. Facilitated Resolution Procedures

If the case is not resolved by Informal Resolution, the Faculty Member or Referring Party is obligated to submit an Academic Integrity Charge Form as soon as practical for the case to be resolved through a Facilitated or Formal Resolution. Failure to do so promptly may, at the discretion of the Director, result in the alleged violation no longer being pursued through the Academic Misconduct process.

1. To initiate a Facilitated Resolution, the Director will communicate with the Faculty Member or Referring Party and the Student to coordinate a Facilitated Resolution.

2. The Director will work with the Faculty Member or Referring Party and Student to determine an appropriate proposed resolution to be reviewed by both parties.

3. Once the Director offers a proposed resolution to the parties, both parties will have three days to notify the Director if they accept or decline the Facilitated Resolution.

4. If both parties accept the Facilitated Resolution, the case is resolved with no further right of appeal.

5. Should either party decline the option to participate in a Facilitated Resolution or the proposed Facilitated Resolution, the case will be referred to a Formal Resolution.

C. Formal Resolution Procedures

1. Notice of Hearing

If the Director determines that an Academic Misconduct charge(s) shall be pursued, they will deliver a written notice of referral to the Student and Faculty Member or Referring Party. The notice of hearing will include the following:

   a. notice of the charge(s), citing the alleged behavior prohibited by the Code;
   b. date, time, and location of the Hearing;
   c. the names of the Hearing Panel member who will hear the case;
   d. the names of any witnesses being called to provide testimony;
   e. a statement indicating the accused Student may seek assistance from a Student Conduct Counselor in the preparation of their case for the Hearing;
   f. a statement indicating the accused Student has access to the case file in Student Conduct & Academic Integrity, and may review the evidence by scheduling an appointment.

The Student and Faculty Member or Referring Party will have no fewer than five (5) Days’ notice of the Hearing. The time limit for any notice may be waived if both parties agree. The Student and Faculty Member or Referring Party must submit all evidence to the
Director or designee within three (3) days after receiving notice of the hearing. Absent extraordinary circumstances, new evidence cannot be introduced during the hearing unless it has been submitted in accordance with the given deadlines.

Notice is sufficient if sent via email to the Student’s University email address, mailed via first class, hand delivery, or by telephone followed up by email or letter confirming the telephone notice. All claims of failure to receive adequate notice are waived by the Student if the Student appears at the Hearing and does not formally raise the issue of adequate notice at the first opportunity.

2. **Conduct of the Hearing**

   a. **Attendance of Parties**

      i. If the Student, Faculty Member or Referring Party fails to appear at the Hearing after being notified pursuant to the Code, the Hearing will continue in the absence of the Student, Faculty Member or Referring Party.

      ii. A sanction may be imposed upon a Student if, after notice and without showing sufficient justification for delay, the Student is unavailable for the Hearing.

   b. **Attendance of Student Conduct Counselors**

      A Student Conduct Counselor may attend the Hearing and may provide procedural advice to the Student, Faculty, or Referring Party. Any witnesses called to provide testimony may seek procedural advice from a Student Conduct Counselor. Participants may decline the assistance of a Student Conduct Counselor. Student Conduct Counselors will be appointed in advance of the Hearing by the Director, and the parties will be notified of their appointed Student Conduct Counselor.

   c. **Challenges of Hearing Panel Members**

      i. The Student, Faculty Member, or Referring Party may challenge a Hearing Panel member on grounds of bias or an individual relationship that might affect impartial consideration of the case.

      ii. The Student, Faculty Member, or Referring Party must submit the challenge in writing to the Director at least two (2) Days prior to the scheduled Hearing.

      iii. The Director must decide the challenge prior to the Hearing. If the Director determines possible bias, they will excuse the Hearing Panel member and appoint a replacement. The Hearing may be rescheduled at the discretion of the Director in order to appoint an available replacement.

   d. **Multiple Students**

      Pursuant to the Family Educational Rights and Privacy Act (FERPA), a charge of Academic Misconduct against multiple Students involved in the same incident
may be heard in a single Hearing only if each Student consents in writing in advance of the Hearing.

e. **Special Accommodations**

Upon timely request to the Director, the Student, Faculty Member, Referring Party, or any witness, the University may be able to provide special accommodations for testimony by alternate methods (e.g., telephone or video conference). Such accommodations are at the discretion of the Director or designee.

f. **Administration of the Hearing**

   i. Formal rules of evidence do not apply. The Convener, in consultation with the Staff Advisor, will determine the admissibility of any information. The Student’s prior Academic Misconduct record is not to be considered in the Hearing unless and until the Student is found responsible for a violation(s) of the Code.

   ii. The Convener will exercise control over the proceedings in order to maintain a fair, impartial, and efficient Hearing. The Convener may exclude or remove any individual who unreasonably delays, disrupts, or otherwise interferes with the Hearing, including the Student or their Advisor, or Faculty Member or Referring Party or their Advisor.

   iii. A Staff Advisor appointed by the Director or designee will attend the Hearing, may comment on questions of procedure and admissibility of information, and will otherwise assist in conducting the Hearing. The Staff Advisor will be present during deliberations of the Hearing Panel but may not actively participate in the deliberations or vote.

   iv. Each Hearing shall be audio recorded and/or transcribed by the University and not by any other individual, and the recording and/or written transcript becomes a part of the case file maintained by Student Conduct & Academic Integrity. All documents or recordings included in the case file are the property of the University.

g. **Closed Hearing**

A Hearing before a Hearing Panel is an open meeting pursuant to North Carolina law; however, the Hearing shall be closed to the public once a proper motion to go into closed session is made and adopted by the Hearing Panel. Once the Hearing is closed, admission of any individual to the Hearing shall be at the discretion of the Convener of the Hearing Panel, in consultation with the Staff Advisor.

h. **Witnesses and Testimony**

   i. The Student and Faculty Member or Referring Party may request the attendance of witnesses at the Hearing.

   ii. The Student and the Faculty Member or Referring Party may request the assistance of the Director in securing the attendance of witnesses.
iii. All witnesses are required to give truthful testimony. Furnishing untruthful testimony may subject a University student or employee to appropriate disciplinary action.

iv. Where possible, witnesses are encouraged to attend and provide testimony in person or via digital participation. Witnesses may submit written statements in lieu of direct participation. However, written statements may have limited value to the Hearing Panel due to the inability to ask questions of the Witnesses.

3. Attendance of Advisors

The Student, Faculty, and Referring Party, may each invite up to two individuals to the Hearing to serve solely as an Advisor. During the Hearing, the Advisor may confer with the Student, Faculty, or Referring Party, they are advising but may not address a University official, the Hearing Panel, or other parties, and may not unreasonably delay, disrupt, or otherwise interfere with the proceedings.

An Advisor may not argue, make statements, or question witnesses; however, an Advisor may respond to questions if asked to do so. An Advisor may not be called as a witness.

The Student, Faculty, and Referring Party must complete a FERPA Consent Form prior to being accompanied by an Advisor.

4. Hearing Panel Determinations

a. Standard of Proof

For a Student to be found responsible for Academic Misconduct under the Code, the information must establish that the Student is responsible for Academic Misconduct by a preponderance of the evidence—that it is more likely than not that the Student engaged in Academic Misconduct as charged. This determination must be based solely on the information presented, which may include, but is not limited to, pertinent records (e.g., assignment, syllabi), exhibits (e.g., photographs, audio/video information, social media information), and written/oral statements.

b. Deliberations on Responsibility

i. The determination by the Hearing Panel on responsibility shall be made in private, based solely on the information presented at the Hearing.
ii. The determination shall be by majority vote of the Hearing Panel.
iii. The determination on responsibility must be announced at the Hearing prior to making a determination on sanction(s).
iv. The determination on responsibility must contain a brief rationale upon which the determination is based.

c. Determination of Not Responsible

If the determination of the Hearing Panel is that the Student is not responsible for Academic Misconduct, the Hearing is called back to order and the Convener announces the finding of the proceeding.
The Panel drafts a summary of the hearing and sends it to Student Conduct & Academic Integrity. Student Conduct & Academic Integrity maintains an internal record for eight years. No part of that file becomes part of the Student's conduct record. The case is closed, and no sanction may be imposed.

d. Determination of Responsible

If the determination by the Hearing Panel is that the Student is responsible for Academic Misconduct, the Hearing Panel moves into the sanction phase of the hearing.

5. Deliberations on Sanctions

a. In the second phase of the hearing, or in the case of a determination of responsibility for Research Misconduct under the Research Misconduct Policy and a subsequent referral to the Hearing Panel for a determination on educational sanctions (see Chapter 3, Section III.2 of the Code), both the Student and Faculty Member or Referring Party may submit information and make statements concerning the appropriate sanction to be imposed. The Director will provide to the Hearing Panel the Student's Academic Misconduct history.

b. After submission of all information and statements on the appropriate sanction, the Hearing Panel will deliberate in private and will consider compelling factors.

c. Upon making its determination of the sanction, the Convener announces the sanction(s) determined by the Hearing Panel.

d. After the conclusion of the Hearing, the Hearing Panel prepares a summary of the hearing stating its findings, the determination on responsibility, and the sanction(s) it deems appropriate, along with a brief rationale upon which both determinations are based.

e. The Hearing Panel submits the summary to the Director, who sends a Notice of Outcome to the Student and Faculty Member or other party imposing sanctions that includes the Hearing Panel's findings, determinations, and sanction(s).

Section III. Appeals

1. Appeals may be submitted in accordance with Chapter 9 of the Code. Appeals should be submitted at https://cm.maxient.com/reportingform.php?UNCCharlotte&layout_id=7

Section IV. Imposition of Sanctions

1. If the case resolution includes a sanction of a reduced grade (including "F" if undergraduate Student and "U" for graduate Student) for the assignment and/or the course, the Faculty Member is responsible for the imposition of the sanction.

2. Student Conduct & Academic Integrity will be responsible for imposition and completion of all non-Academic Exercise related sanctions.

3. At the discretion of the Director, the imposition of a sanction(s) will normally be deferred during the resolution of an appeal. The sanction(s) may be imposed immediately following a decision if the Student's behavior was of such a serious nature that it (a) was threatening, harmful, or dangerous to others or the University community; (b) caused significant property damage; (c) impacted the stability and continuance of normal University functions; or (d) directly and substantially impeded the lawful activities of others.