2026-2027 Student Code of Conduct

NORTH CAROLINA A&T STATE UNIVERSITY
GREENSBORO, NORTH CAROLINA

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This Student Conduct Handbook is a source of information on the Student Code of Conduct for North Carolina Agricultural and Technical State University (N.C. A&T or University). This handbook does not constitute a contract, express or implied, between N.C. A&T and its students, parents of students, or any other individual.

The Office of Student Conduct and Conflict Resolution (OSCCR) supports N.C. A&T's mission of providing equal opportunity while seeking to facilitate a welcoming and inclusive environment that supports the right of every member of the University community to learn and work in an environment that promotes fairness, equity, and access to employment and educational programs free of discrimination. OSCCR is responsible for upholding the academic and community standards through addressing concerns that impact the health, safety and wellbeing of the campus community along with promoting learning and accountability that foster student success.

The safety and well-being of our community is the University's primary concern. It is the policy of the University that acts of harassment and violence will not be tolerated. Any act of intimidation, threat of violence, or act of violence committed against other members of the University when committed within the jurisdiction as outlined within the Student Code of Conduct is prohibited. Any Student or Student Organization found responsible for a violation of this standard will be subject to discipline up to and including expulsion.

I. STUDENT CONDUCT REGULATIONS

A. PROCEDURE STATEMENT

Students are expected to uphold the values of integrity, respect, and responsibility. The University reserves the right to take disciplinary action for conduct that violates community standards, endangers others, or disrupts the educational mission.

B. PURPOSE

North Carolina Agricultural and Technical State University is committed to fostering a safe, respectful, and inclusive learning environment. This policy outlines the standards of student conduct and the procedures for addressing violations, consistent with the UNC System Policy 700.4.1 and UNC Board of Governors Policy 700.4.2. N.C. A&T strives to educate students who violate community standards through the imposition of sanctions. The goals of the educational process are as follows:

1. To educate the student on the importance of community standards;
2. To bring the student's behavior into compliance with community standards;
3. To have the student maturely accept accountability when responsible their behavior;
4. To help clarify the student's values as they concern behaviors in question;
5. To assist the student in making future choices;
6. To help students consider, in advance, consequences of their behavior;
7. To determine, with the student, the reason(s) for misconduct; and
8. To protect the safety and welfare of the University community.

C. JURISDICTION

1. Locations Covered:

Unless otherwise prohibited by law, the Student Code of Conduct applies to conduct that occurs at any time from an individual's acceptance of an offer of admission until the individual is no longer in a continuing relationship with the University.

A University affiliated event is any off-campus gathering of members of the NC A&T community (and/or their guests) which is sponsored or funded in whole or in part by NC A&T. Private off-

campus events not sponsored or funded by NC A&T may be subject to the University discipline system if the conduct violates University policies or procedures, local, state, or federal law, or when the University determines that the conduct has a direct impact on the educational mission and interests of the University and/or the safety and welfare of the University community.

The Student Code of Conduct may also be applied to conduct online, via email, or other electronic media. Students should be aware that online postings such as blogs, web postings, chats and social networking sites are in the public sphere and may subject a student to allegations of conduct violations (excluding the exercise of constitutionally protected rights, or conduct otherwise permissible under local, state or federal law).

The University retains the burden of proof at all times to establish by a preponderance of the evidence that a student knowingly committed, permitted, or facilitated a violation of this Code on University-affiliated property.

2. **Persons Covered:**
   Jurisdiction under the Student Code of Conduct applies to the conduct of any Student or Student Organization that while the student meets the definition of "student" as articulated in section D. and the student organization meets the definition of "student organization" as articulated in Section D., regardless of the geographic or electronic location. Students scheduled to graduate, who have a pending Student Code of Conduct case will have an administrative hold placed on their account; transcripts and degrees may be held until the case is resolved.

D. DEFINITIONS

Academic misconduct:

Academic misconduct refers to any act or omission that provides or attempts to provide an unfair academic advantage or that compromises the integrity of the learning environment and the evaluation of academic work.

Business Day:

A day when the University is open for regular business operations from 8:00 a.m. up to 5:00 p.m. Eastern Standard Time.

Conduct Prohibited by the University:

Refers to behaviors that interfere with the safety, well-being, or mission of the University, including but not limited to threats, harassment, hazing, sexual misconduct, Academic misconduct, and violations of local, state or federal law.

Complainant:

A person who files a complaint on their own behalf or a person that a complaint has been filed on behalf of by the university or another individual.

Designated University Official (DUO):

A designated university official is a staff member who represents the university during hearing procedures and presents a student conduct case to hearing officials for decision.

Interim Separation:

An immediate yet temporary (i.e., a limited period of time) separation from the University.

On-Campus Housing:

Such housing is owned, controlled, and operated by the University, including privatized housing.

Outcome:

Outcome refers to the final decision or disposition issued following adjudication of a student conduct proceeding. This would include responsibility determination based on the preponderance of evidence standards.

Preponderance of the Evidence:

Under the preponderance of the evidence standard, the evidence must indicate that it is more likely than not that the violation occurred.

Respondent:

A person or organization who has been alleged to have violated the Student Code of Conduct in a complaint.

Sanction:

A disciplinary consequence issued to those found responsible for a violation of the Student Code of Conduct. Sanctions are intended to maintain the safety of the campus community and the academic value of the NC A&T academic degree while helping students learn from their actions, take responsibility, and make positive contributions moving forward.

Student:

All persons enrolled in courses delivered in any manner by the university, either full or part-time, for credit or non-credit; persons who have been notified of their acceptance for admission; persons who withdraw after allegedly violating the Student Conduct Regulations; persons who are not enrolled for a particular term (but who have not officially withdrawn from the university), but who enroll in courses from time to time; and persons who have a continuing relationship with the university (e.g., on academic suspension or academic dismissal, disciplinary suspension or studying abroad).

A person is no longer a student upon graduation, official withdrawal, expulsion, or death. The University reserves the right to refer conduct occurring prior to date of matriculation to the Office of Enrollment Management for resolution.

Student Groups or Student Organizations:

A Student Group/Organization, and its leaders may be held collectively or individually responsible for violations of the Code. Student Groups/Organizations may be charged with violations of the Code even if individual members are charged with violations from the same incident. Students should not knowingly permit, condone, or facilitate any violation of the Student Code of Conduct by the Student Group/Organization.

Student leaders or any identifiable representative for a Student Group/Organization may be required by the Assistant Vice Chancellor for Student Engagement or their designee to comply with any action designed to address the violation of the Student Code of Conduct or to prevent its recurrence. Failure to comply may be a violation of the Student Code of Conduct by the leaders or representatives of the Student Group/Organization and by the Student Group/Organization itself.

E. STUDENT RIGHTS AND RESPONSIBILITIES

Students have the right to due process, access to education, confidentiality of records, and respectful treatment. They are responsible for knowing University policies and procedures, exercising sound judgment, and maintaining high standards of conduct. Students' rights apply to both the complainant and respondent, while complainant rights are specific to the complainant.

The Respondent's Rights

- Written notice of the Student Code of Conduct alleged violations;
- A fair and timely hearing to respond to the allegations;
- The right to be represented, at their own expense, by a licensed attorney or non-attorney advocate of their own choosing in accordance with UNC System Policy 700.4.1;
- The opportunity to consult with a Student Conduct Advisor;
- The right to present relevant evidence and witnesses who can provide direct information and to question witnesses present at the hearing in accordance with hearing procedures;
- The opportunity to challenge for cause the conduct officer, panelists, or composition of any hearing panel;
- Receive notification of outcome of the hearing in writing within 10 business days of the hearing; and
- The respondent may appeal the outcome of the hearing. Appeals must be submitted within 7 days of the case outcome notification letter using the established university process

The Complainant's Rights

- Written notice of the Student Code of Conduct alleged violations;
- The right to be represented, at their own expense, by a licensed attorney or non-attorney advocate of their own choosing in accordance with UNC System Policy 700.4.1;
- The complainant can be present at any resulting conduct proceeding(s);
- The complainant shall receive in writing the outcome of the hearing;
- In Title IX Sexual or Gender Based Harassment, the complainant may appeal the outcome of the hearing; and
- The complainant shall be afforded confidentiality in the handling of the conduct process in accordance with applicable policy and law.

F. CONDUCT VIOLATIONS

The following section outlines behaviors prohibited by the University. In assessing whether conduct constitutes a violation, decision-makers may consider the following factors:

- Whether the conduct poses a threat to members of the University community;
- Whether the conduct violates community standards to such an extent that it undermines the integrity of the University;
- Whether the conduct interferes with the University's educational mission or operations; and
- Whether the conduct infringes upon the rights of others to access and pursue their education.

Violations that place a student in peril of suspension or expulsion (major violations) include, but are not limited to, possession of a weapon on university property; assault or threat of violence; sexual misconduct; commission of felonies; hazing; disruption of university-sponsored activities; falsely reporting a fire or setting off a fire alarm; sale, delivery or possession of illegal drugs; violating terms of disciplinary probation; and repeated violations of the rules and regulations of the university. Minor violations include any violations for which suspension or expulsion are not the likely outcome.

The following conduct violations or any attempt to violate the Student Code of Conduct will be used in charging all Students or Student Organizations:

1. **POSSESSION AND CARRYING WEAPONS ON CAMPUS**

   Possessing or carrying on campus, whether openly or concealed, any gun, rifle, pistol, dynamite cartridge, or powerful explosive.

   a. Carrying concealed weapons such as bowie knife, dirk, dagger, sling shot, loaded cane, metallic knuckles, razor, shuriken (throwing star), Taser or stun gun, pellet guns, B-B Guns, air guns or other deadly weapons interpreted as being a gun or any object that is intended to be used as a weapon.
   b. Possession on campus of firearms, ammunition, explosives, fireworks, or other dangerous weapons not used solely for instructional or school-sanctioned ceremonial purposes.

2. **THREATS, INTIMIDATION AND ACTS OF VIOLENCE**

   Any verbal, written, electronic, visual, symbolic, or physical communication or conduct that a reasonable person would interpret as expressing an intent to inflict physical harm, cause injury, damage property, or place another person in fear for their safety or the safety of others. Threats may be direct or indirect, explicit, or implied. Any communication or conduct that a reasonable person would interpret, and which the speaker intended or knowingly communicated, as a serious expression of an intent to inflict unlawful physical harm or damage property.

3. **HAZING**

   Conduct or activities that coerce or subject another individual, with or without consent, to risk of personal injury, mental or psychological distress, humiliation, abuse, sexual acts, or other offensive personal indignities, including activities that require violations of university policy or local, state, or federal laws, in connection with recruitment, initiation, membership, continued membership, or participation in a group or organization.

   Hazing, under North Carolina law, means to subject another student to physical injury as part of an initiation, or as a prerequisite to membership into any organized school group, including any society, athletic team, fraternity or sorority, or other similar group. N.C. A&T further defines hazing to mean any intentional, knowing, or reckless act committed by a person, whether individually or in concert with other persons against another person or persons regardless of willingness to participate, that is committed in the course of an initiation into, an affiliation with, or the maintenance of a membership, in a student organization and causes or creates a risk above the reasonable risk encountered in the course of participation in the institution of higher education or organization, of physical or psychological injury.

   a. **Subtle Hazing:**

      This type of hazing is often thought of as harmless or insignificant. The behavior usually involves activities or attitudes that cross the line of mutual respect, appropriate standards, places the individual on the receiving end of ridicule and/or humiliation practices, or emphasizes a power imbalance between new members/initiates and other members of the group or team.

   b. **Harassment Hazing:**

      Behaviors that cause emotional anguish or physical, mental, or psychological discomfort to feel part of the group. It can be viewed as confusing, frustrating, and/or causing undue stress for new members/initiates and may lead to mental or psychological trauma.

c. **Cyber-Bullying:**
This form of hazing exposes an individual to communications made through emails, cell phones, unauthorized posted pictures on websites and/or other social media, internet chat rooms, or other telecommunications by seeking to intimidate, control, manipulate, stalk, torment, harass, ridicule, put down, falsely discredit, and/or humiliate the recipient of cyber-bullying.

d. **Violent Hazing:**
Behaviors that have the potential to cause physical and/or emotional or psychological harm or trauma.

4. **HARASSMENT**

Unwelcome verbal, written, electronic, graphic, physical, or other conduct directed toward an individual or group that is based on a protected characteristic or other prohibited status, and that is sufficiently severe, pervasive, and objectively offensive. It unreasonably interferes with a person's academic performance, employment, participation in university activities, or creates an intimidating, hostile, abusive, or offensive educational, living, or work environment. Harassment may occur through in-person interactions, electronic communications, social media, or other forms of conduct.

5. **OBSTRUCTION, FALSE REPORTING, FURNISHING FALSE INFORMATION**

a. Intentionally delaying, obstructing, or resisting university officials or law enforcement in the performance of their duty.
b. Obstruction or disruption of teaching, research, university business, or university-sponsored events.
c. Falsely reporting a fire or emergency; falsely setting off a fire alarm; falsely reporting explosives.
d. Knowingly making false oral or written statements with intent to deceive or mislead, including furnishing false information to university officials or judicial boards.
e. Misuse or possession of false identification information.
f. Any other acts of falsification/fraud/false testimony or misrepresentation.

6. **UNAUTHORIZED USE OF PROPERTY, DAMAGE TO PROPERTY, EQUIPMENT TAMPERING**

a. Unauthorized use of university property or facilities.
b. Vandalism, malicious destruction, damage, misuse, or abuse of public or private property including library materials.
c. Any act of arson.
d. Tampering with or removing fire extinguishers, hoses, or another emergency equipment.

7. **SEXUAL ASSAULT, DATING VIOLENCE AND SEXUAL HARASSMENT**

a. **Sexual Assault** is any sexual act directed against another person without consent, including situations where the person is incapable of giving consent.

- **Rape:** Penetration, no matter how slight, of the vagina or anus with anybody part or object, or oral penetration by a sex organ, without consent.

- **Fondling:** Intentional touching of another person's private body parts without consent for sexual gratification, degradation, humiliation, or related purposes.

- **Incest:** Sexual intercourse between persons related to degrees prohibited by law.

- **Statutory Rape:** Sexual intercourse with a person who is below the legal age of consent.

b. Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

c. Domestic Violence: Felony or misdemeanor crimes of violence committed by:

- a current or former spouse or intimate partner;
- a person sharing a child with the victim;
- a person cohabitating or who has cohabitated with the victim as a spouse or intimate partner;
- a person similarly situated to a spouse under applicable domestic violence laws; and
- any other person protected under state domestic violence laws.

d. Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or experience substantial emotional distress.

e. Sexual Coercion: The use of pressure, manipulation, intimidation, threats, or other tactics to cause someone to engage in sexual activity without freely given consent. Sexual coercion undermines voluntary consent and is often addressed under institutional sexual misconduct policies. UNC System institutions commonly incorporate coercion into their definitions of consent and prohibited sexual misconduct.

f. Sexual Harassment includes conduct based on sex that meets one or more of the following criteria:

- an employee conditions a university benefit, aid, or service on participation in unwelcome sexual conduct;
- unwelcome conduct that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an educational program or activity; and
- conduct constituting Sexual Assault, Dating Violence, Domestic Violence, or Stalking.

8. VIOLATIONS INVOLVING PHYSICAL OR DIGITAL UNIVERSITY DOCUMENTATION

a. Unauthorized peer-to-peer file sharing or distribution of copyrighted materials, violating the university's Peer to Peer (P2P) Policy.
b. Spamming or unauthorized mass mailing through university systems.
c. Use of Aggie OneCard by anyone other than the issued person.
d. Forgery, alteration, or misuse of university documents, records, or IDs; furnishing false information with intent to deceive.

9. DISORDERLY OR DISRUPTIVE CONDUCT ON OR OFF CAMPUS

a. Intentional creation of disturbance including fighting, nuisance, endangerment, or disruption of academic or social environments.
b. Failure to comply with university authority or regulations.
c. Engaging in disorderly, disruptive, or criminal behavior on another campus.
d. Lewd, indecent, or obscene conduct.
e. Being an accessory to misconduct.
f. Excessive or disruptive noise or unapproved amplified sound.
g. Rioting, inciting to riot, assembling to riot or raid.
h. Violations of off-campus housing safety or health rules.
i. Practical jokes or excessive noise.
j. Flagrant violation of rules by university or off-campus authorities.
k. Disruptive behavior in dining facilities including throwing food, abusive language, theft, or removal of equipment.

l. Assisting in any behavior or activity that violates University policy or law.

10. VIOLATIONS OF NORTH CAROLINA OR FEDERAL LAW

a. Commission or attempt of acts violating NC General Statutes or federal law.
b. Criminal arrest, charge, or conviction for felony under NC or another jurisdiction.

11. THEFT, BREAKING AND ENTERING, TRESPASSING, AND SOLICITATION

a. Trespassing on university or off-campus property.
b. Theft, larceny, shoplifting, embezzlement, or unauthorized possession of property.
c. Theft by deception or fraudulent practices via communication channels.
d. Unauthorized breaking and entering university or off-campus property.
e. Unauthorized solicitation or fundraising.

12. VIOLATIONS AGAINST UNIVERSITY REGULATIONS

a. Engaging in behavior on- or off-campus that jeopardizes the integrity of the University.
b. Violating terms of probation or university-imposed sanctions.
c. Failure to control the conduct of non-NCAT guests.
d. Unauthorized possession of pets except approved service/emotional support animals.
    - Approved emotional support animals in unauthorized areas
    - Failure to properly control animal that poses health and safety concerns

13. DRUG AND ALCOHOL VIOLATIONS

a. Underage possession or misuse of alcohol.
b. Hosting or sponsoring a gathering where underage individuals are drinking alcohol.
c. Use or possession of marijuana or paraphernalia.
d. Use, manufacture, possession, or distribution of illegal or mind-altering substances including synthetic drugs.
e. Possession of controlled substances listed in NC General Statutes.
f. Illegal manufacture, sale, or delivery of controlled substances.

14. VIOLATIONS INVOLVING PHYSICAL FORCE OR THREAT OF PHYSICAL FORCE

a. Assault causing bodily injury.
b. Assault causing serious injury.
c. Battery involving unwelcome or offensive physical contact.
d. Assault with a deadly weapon.

15. ACADEMIC MISCONDUCT

a. Cheating or assisting another in Academic misconduct, including utilization of artificial intelligence or other technology-based tools for the purpose of Academic misconduct.
b. Plagiarism including unauthorized use of another's work.
c. Unauthorized possession of exams or materials; destruction or hiding of resources.
d. Unauthorized grade changes or tampering with grade records.
e. Hacking into systems to access tests or answer keys.
f. Assisting another student in Academic misconduct.

II. STUDENT CONDUCT PROCEDURES

A. REPORTING INFORMATION

1. Any individual may report an alleged violation(s) of the Code online, including allegations regarding an individual Student(s) and Student Organizations. The complaints must be filed within

180 calendar days of the date of the misconduct alleged in the complaint. Alleged sexual misconduct complaints may be filed at any time after the alleged misconduct date.

2. The reported information will be reviewed by the Associate Dean of Students & Director for Student Conduct and Conflict Resolution or their designee(s) to determine whether formal charges will be pursued for an alleged violation of the Student Code of Conduct.

    - Criminal incidents must be reported promptly to permit accurate, complete, and timely information about safety on campus as required under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), 20 U.S.C. 1092(f).
    - Criminal activity (actual or perceived) should be reported immediately to the University Police Department, and where appropriate, the University Police Department will submit a report to the Office of Student Conduct and Conflict Resolution for university review.

3. The University reserves the right to serve as the Complainant when the complainant chooses not to participate in the student conduct process. The Associate Dean of Students & Director for Student Conduct and Conflict Resolution or designee will determine whether the University will serve as the Complainant.

4. Complaints against University employees will be forwarded to the Office of Human Resources, and/or the Office of Equal Opportunity and Institutional Compliance for review and resolution.

5. If the Associate Dean of Students & Director for Student Conduct and Conflict Resolution or designee determines that a Formal Charge(s) will be pursued, the Respondent(s) will be notified of the alleged charge(s) and additional rights in writing.

B. HEARING ADVISORS, SUPPORTERS, AND LEGAL COUNSEL

1. In accordance with UNC System Policy 700.4.1, students participating in the student conduct process have the right to be accompanied by one advisor and one support person of their choosing. This may include a licensed attorney, non-attorney advocate, counselor, parent, peer, or other individual. The support person may attend but may not speak on behalf of the student, present evidence, or question witnesses. The role of the support person is limited to providing guidance and support and may not disrupt proceedings.
2. The Respondent must provide the Associate Dean of Students & Director for Student Conduct and Conflict Resolution or designee with a completed Notice of Attorney or Non-Attorney Advocate Representation form. The notice must be submitted at least five (5) Days prior to the scheduled meeting or Hearing. Failure to meet these requirements may result in the loss of the Respondent's right to participation of a Representative.

C. Interim MEASURES

1. **Interim Suspension:** The Associate Dean of Students & Director for Student Conduct and Conflict Resolution upon receiving a complaint of alleged violations by student or student organization, will review the complaint and determine whether the alleged violation warrants a recommendation to the Associate Vice Chancellor and Dean of Students for immediate interim separation due to an imminent threat to the health, safety, and welfare of an individual and/or the university community.

    a. **The Respondent:** The Respondent may neither attend nor participate in any classes, including any online components, during this time. The Respondent is also banned from being on or in any University Premises and/or On-Campus Housing, and from participation in any University- sponsored/related event or activity, except with the permission of the Associate Vice Chancellor and Dean of Students. A Student Organization may neither attend nor participate in any University-sponsored/related event or activity, use University space, register/host gatherings and events, except with the permission of the Associate Vice Chancellor and Dean of Students.

    b. **Appeal Process:** A student who receives an interim separation may appeal to the Vice Chancellor for Student Affairs by submitting an appeal in writing within five (5) business days, detailing the basis for the appeal. The Vice Chancellor for Student Affairs considers any information provided by the student and evaluates the interim separation based on the reliability of information, whether the student engaged or threatened to engage in behavior posing danger or serious harm to campus safety, and whether the student exhibits disruptive behavior that significantly interferes with the educational pursuits and/or living environment of others. If the Vice Chancellor for Student Affairs determines that interim separation criteria were not met or is no longer necessary, then the suspension will be lifted; otherwise, the interim separation remains in place until the case is resolved with the Office of Student Conduct and Conflict Resolution.

2. **CEASE AND DESIST DIRECTIVES:** The Associate Vice Chancellor for Student Affairs & Dean of Students or designee, upon receiving a complaint against a club, organization, fraternity, sorority or other student group, will review the complaint and determine whether the alleged violation warrants an immediate Cease and Desist due to an imminent threat to health and safety of an individual and/or the university community. Under this action, chapter activities may be canceled until the matter has been resolved with the Office of Student Conduct and Conflict Resolution. If appropriate restriction of privileges may be outlined to include but not limited to: no identifiable group assembly anywhere on campus unless otherwise notified, prohibition of members wearing paraphernalia on campus, no representation in university marketing, suspension of University Event Center privileges, no participation in Greek Life or other University-wide campus-oriented events, etc. Any violations of these directives will be considered substantial evidence of major violations to the university's Student Code of Conduct.

3. **NO CONTACT DIRECTIVE:** Administrative notice that prohibits communication between two or more individuals.

4. **EMERGENCY INTERIM PROTECTIVE SEPARATION:** Based on the report or other of information, it is determined that the student has a medical, emotional, or psychological condition, and there exists a direct threat or actual risk to self or others.

a. A student placed under emergency interim protective separation may be prohibited from attending classes and living in university housing based on the circumstances.
b. The Associate Vice Chancellor for Public Safety and Chief of Police may trespass a student from campus or from any portion of campus if the Associate Vice Chancellor for Public Safety/Chief of Police believes that a trespass order is appropriate under the circumstances, consistent with University Policy 409, Trespass.

D. APPROPRIATE ADMINISTRATIVE ACTION

Reported violations of the Student Code of Conduct are reviewed by the Associate Dean of Students & Director for Student Conduct and Conflict Resolution or their designee to determine whether it should be adjudicated under the Student Code of Conduct, and, if applicable, the appropriate adjudicator.

After reviewing the complaint and conducting any necessary hearings, the Associate Dean of Students & Director for Student Conduct and Conflict Resolution or Designated University Official will determine the appropriate administrative action(s) from the following options:

Investigation

The Associate Dean of Students & Director for Student Conduct and Conflict Resolution or their designee retains the discretion to determine whether an investigation should be conducted, and the scope of such investigation based on the alleged violations under the Student Code of Code. The investigation will be a review of incident reports; any evidence submitted as part of the complaint and may include additional meetings with involved parties to determine if there is sufficient information to warrant action by the University.

Interim Measures

The Associate Dean of Students & Director for Student Conduct and Conflict Resolution upon receiving a complaint, will review the complaint and determine whether the alleged violation warrants any immediate interim measures as outlined in Section II.C.

Classroom Environment

The primary responsibility for managing the classroom environment, whether in-person or online, rests with the faculty and staff of the college. Students who engage in any unlawful acts or behaviors which materially and/or substantially disrupt a class may be directed by the Instructor or University Police to leave the class for the remainder of the class period. This provision should not be used to discipline students with differing academic interpretations or viewpoints.

Student Protective Withdrawal or Hospitalization

Depending on the circumstances, the issuance of a Student Protective Withdrawal or Hospitalization may apply for students determined by the Associate Vice Chancellor for Student Affairs & Dean of Students, in consultation with appropriate staff and the Behavioral Intervention Team, to require medical or psychological evaluation or intervention prior to returning to the University as found in Interim University Policy 408.

Investigation by Title IX Office

If the complaint alleges violations that include prohibited discrimination or harassment under Interim University Policy 207, the case will be referred to the Office of Title IX for review, investigation, and/or resolution if applicable. The Title IX Office will provide a summary of its

investigation or the outcome to the Office of Student Conduct and Conflict Resolution for adjudication, if applicable.

Complaints related to sexual harassment, sexual assault, and intimate partner violence may be submitted directly using the Sexual Harassment, Sexual Assault, and Intimate Partner Violence Form.

Decline a Case for Adjudication

The University can refuse to assign a case for adjudication where there is insufficient evidence to support an alleged violation of the Student Code of Conduct or if the university has no jurisdiction over the alleged violation. The Office of Student Conduct and Conflict Resolution reserves the right to reopen a closed complaint if sufficient supporting information becomes available.

Referral for Mediation

With approval from the Associate Dean of Students & Director for Student Conduct and Conflict Resolution, complaints may be referred for mediation. Mediation may not be available if there are pending charges in any criminal court. All named parties must agree to enter a formal mediation process through the Office of Student Conduct and Conflict Resolution.

Referral to Housing and Residence Life

Complaints involving residential life matters may be referred to the Office of Housing and Residence Life for resolution under the Guide to Living on Campus. Alleged violations subject to separation or repeated violations from the University will be processed by the Office of Student Conduct and Conflict Resolution. Complaints handled by Housing and Residence Life that result in separation from university housing will be determined by the Executive Director for Housing and Residence Life and may be appealed to the Associate Vice Chancellor & Dean of Students or designee. Incidents may also be submitted directly using the Housing Incident Reporting Form.

Referral to Office of Student Activities and Campus Involvement

Complaints alleging violations by recognized student clubs and organizations, fraternities and sororities and other groups may be referred to the Office of Student Conduct and Conflict Resolution. Additionally, complainants that not are violations of the Student Code of Conduct may be referred to Office of Student Activities and Campus Involvement for review of Student Organization handbook violations. The Office of Student Activities and Campus Involvement will be notified regarding alleged violations for student groups. Complaints related to hazing or organizational misconduct may also be submitted directly using the Hazing/Organizational Misconduct Reporting Form.

Academic misconduct

When a complaint alleges violations involving Academic misconduct, the complaint will be reviewed by the Provost and Executive Vice Chancellor for Academic Affairs or their designee for appropriate action in accordance with university academic policies and procedures. Academic misconduct violations that implicate the Student Code of Conduct may be addressed through the student code of conduct hearing process if applicable.

E. STUDENT CONDUCT HEARING PROCEDURES

If it is alleged that a Student Code of Conduct violation has occurred, the student or student organization will receive a written notice of the charge(s) from the Office of Student Conduct and Conflict Resolution outlining the allegations and related prohibited conduct along with information for a scheduled disciplinary proceeding. The disciplinary proceeding will comply with procedures

outlined in the Student Code of Conduct. Hearings are conducted in accordance with UNC System Policy 700.4.1, which establishes minimum substantive and procedural standards for student disciplinary proceedings. The purpose of the hearing is to provide a fair, impartial, and educational process for resolving alleged violations.

Acceptance of Responsibility

A student alleged to have violated the Student Code of Conduct Policy may choose to accept responsibility for the charge(s) at any point prior to the conclusion of the conduct process. When a student accepts responsibility in writing, the matter may proceed directly to sanctioning. At this point, the student waives the right to appeal the outcome and sanctions of the conduct process.

Notice of Student Conduct Hearing

All charges of misconduct referred to a hearing body are heard as promptly as circumstances permit. A student or organization shall be informed of charges in writing and include meeting information to appear before a specific conduct board. Notifications for conduct hearings are delivered at least five (5) business days prior to the hearing for a minor violation and at least ten (10) business days for a major violation, except in certain cases when time is of the essence, or extenuating circumstances prevail. For major violations, notice must include the possible sanctions and a brief description of the allegations supporting the charge. If expulsion is being contemplated, notice must state that expulsion precludes matriculation at any UNC System institution.

Pre-Hearing Conference and Evidence Review

Any student may request a pre-hearing conference with the Office of Student Conduct and Conflict Resolution in order to review the evidence to be presented at a hearing, to waive the right to a hearing, or to request a single adjudicator hearing. All students are given the opportunity to review any evidence to be used at the hearing and to obtain a list of witnesses before the hearing.

Record of Proceedings

The Office of Student Conduct and Conflict Resolution is responsible for recording and maintaining a record of any student conduct proceeding. No other recordings or broadcasts shall be permitted. The recording will be maintained with the case file and will be available as part of the record. The Office may redact information related to personally identifiable information of other students or employees as permissible or required by law.

Accommodations Due to Disability

The university is committed to ensuring that all students have equitable access to participate fully in the conduct process. Any Student needing assistance because of a disability may contact the Office of Accessibility Resources at 336-334-7765. It is the student's responsibility to request accommodations in advance of any conduct meeting, hearing, or proceeding. The conduct process will be paused if necessary to ensure accommodations are arranged and provided in a timely manner.

Conflicts of Interest in Student Conduct Proceedings

To ensure impartiality and fairness, any University official involved in investigation, adjudication, or appeal must be free from actual or perceived conflicts of interest. Any official, hearing panel member, or staff member involved in the process must disclose potential conflicts or bias and recuse themselves when a conflict of interest exists. Students may request in writing that an official be recused from their case due to perceived conflict or bias. If a conflict is identified, a trained alternate will be appointed to maintain fairness and integrity.

Appearance at the Disciplinary Hearing

Appearance at the disciplinary hearing is required if the Respondent does not accept responsibility for the charges or proposed outcomes. Scheduled university conduct hearings will be held in absentia if a student or organization fails to present themselves at the hearing. A 15-minute grace period will be provided to appear or reschedule. If the student or organization does not reschedule or appear, the hearing body will convene and decide based on the evidence at the hearing. This requirement may not apply to sexual misconduct cases.

Hearing Deliberations

Following the conclusion of a student conduct hearing, the hearing facilitator and the panel will enter a closed deliberation to determine whether the respondent is responsible for the alleged violation(s). Deliberations are confidential and limited to information presented during the hearing. The outcome must be based solely on evidence and testimony presented during the hearing. Decision-makers will prepare a written summary of findings, rationale, and recommended sanctions for final review and issuance.

Good Samaritan Reporting

Disciplinary action may be mitigated for student Respondent(s) who attempt remedial action to assist a victim in getting help from appropriate University or emergency personnel even when conduct violations may have occurred, or when Respondent(s) took steps to assist the University with gathering information regarding alleged conduct violations. Good Samaritan consideration may be applied by Student Conduct administrators or the hearing body on a case-by-case basis.

Determination of Sanctions

Sanctions are intended to be educational, proportionate to the violation, and consistent with institutional precedent. The Associate Dean of Students & Director of Student Conduct and Conflict Resolution or designee shall review recommendations and determine a final decision for lower-level sanctions below suspension or expulsion, provided they were not directly involved in the case. The Associate Vice Chancellor for Student Affairs & Dean of Students or Designee shall review recommendations and determine a final decision for sanctions up to suspension. The Vice Chancellor for Student Affairs may review recommendations and determine a final decision of expulsion. Written notice will include rationale, sanctions, and appeal rights.

F. RESOLUTION OPTIONS

Single Adjudicator Hearing

For minor offenses and under certain circumstances, the Associate Dean of Students & Director for Student Conduct and Conflict Resolution or designee may decide to serve as a single adjudicator. At a prehearing meeting, the Respondent will have the opportunity to accept responsibility for the alleged violation(s) and agree to proposed outcomes. If the Respondent accepts responsibility, an outcome letter will be sent with agreed sanctions and deadlines.

External Adjudicator Hearing

The Vice Chancellor for Student Affairs & Dean of Students, in consultation with the Vice Chancellor for Student Affairs and the Office of Legal Affairs, has authority to refer a case to an external adjudicator to hear cases involving major violations of the Student Code of Conduct, university policy, state or federal laws. The External Adjudicator will review the case and determine responsibility based on preponderance of the evidence and recommend appropriate sanctions to

the Associate Vice Chancellor for Student Affairs & Dean of Students, who will make the final sanction determination.

Student Conduct Council Hearing

The Student Conduct Council shall be composed of eleven (11) trained individuals elected by the student body. The Student Conduct Council shall have jurisdiction in cases that involve minor student behavior and infractions of university regulations and standards governing student conduct. These cases are limited to infractions specified by the Office of Student Conduct and Conflict Resolution. The Student Conduct Council will determine responsibility based on preponderance of the evidence and recommend sanctions to the Associate Vice Chancellor & Dean of Students, who will make the final sanction determination.

Administrative Panel Hearing

The Administrative Hearing Panel will be coordinated by the Office of Student Conduct/Conflict Resolution. A Designated University Official will present the case on behalf of the university, and a minimum of three faculty or staff trained by the Office of Student Conduct and Conflict Resolution will hear student conduct cases. The panel will determine responsibility based on preponderance of the evidence and recommend sanctions. The final determination of sanctions will be made by the Associate Vice Chancellor and Dean of Students or the Vice Chancellor of Student Affairs as it pertains to separation level cases.

III. HEARING PROCEDURES

1. The burden of proof in a hearing rests with the University and Respondents are presumed Not Responsible. The standard of proof is a Preponderance of the Evidence.
2. Formal rules of process, procedure and/or technical rules of evidence applicable in the criminal or civil court process are not used in administrative hearings as the scope, purpose, procedure, and outcome, and are not designed to replace state or federal criminal laws or procedures.
3. The hearing will be recorded. The recording will serve as the only official record of the proceedings. No other recordings are permitted.
4. Hearings involving Student Code of Conduct Violations, the assigned adjudicator has the discretion to determine the order of the hearing which may include, but is not limited to, the following:
    - Introductions;
    - Reading of regulatory statements that govern process and behavior during a hearing;
    - Reading of charges and statement of responsibility;
    - Presentation by the Designated University Official (if applicable);
    - Complainant presentation when applicable;
    - Witness statements and questioning (if applicable);
    - Respondent presentation;
    - Questions by the hearing body (if applicable); and
    - Opportunity for final statements by complainant and respondent.
5. Prior conduct records and/or character statements are considered only in determining the appropriate sanction(s).

IV. SANCTIONS AND APPEALS

A. SANCTIONS

Sanctions serve both educational and corrective purposes. They are designed to promote reflection, accountability, and behavioral change, while also protecting the integrity and safety of the University

community. Sanctions define a student disciplinary standing following a finding of "Responsible" for a violation of the Student Code of Conduct.

There are three categories of sanctions: Status changes; Educational; and Fines or Restitution. Status changes may be applied to reflect the seriousness of a behavior and range from a minimum of a warning to a maximum of expulsion from the University. Educational sanctions may include but are not limited to workshops, online classes, community service, and training modules. Restitution and/or fines may be applied if the reported incident resulted in damages.

Suspension decisions are made by the Associate Vice Chancellor for Student Affairs & Dean of Students, with appeals to the Vice Chancellor for Student Affairs while Expulsion decisions are made by the Vice Chancellor for Student Affairs, with appeals to the Chancellor or their designee.

Factors influencing sanction severity may include, but are not limited to:

- The student's or organization's conduct history
- The nature and impact of the violation
- Harm or damage caused
- Whether the conduct was motivated by bias (e.g., race, gender, sexual orientation, disability).

Potential Sanctions for Individual Students:

- **Warning:** Formal notice that actions unacceptable and future violations may result in more severe sanctions.

- **Probation:** A period of time where the Respondent is considered not in good standing with the university. The respondents academic standing is not impacted. While on probation the respondent may be restricted from participation in university activities. Two types include Housing Probation and Disciplinary Probation.

- **Suspension:** Temporary separation from the University for a specific period of time. A Respondent is considered not in good standing with the university. Respondent is trespassed from campus including university housing and may not attend classes in-person or online. The Respondent is also banned from participation in any University sponsored/related event or activity. A respondent must meet conditions for re-enrollment.
    - The Respondent's name will be added to the UNC System Suspension/Expulsion Database, where it will remain indefinitely.
    - The respondent must meet conditions for re-enrollment at the university and is only eligible at the conclusion of the disciplinary suspension period.

- **Expulsion:** Permanent separation of the respondent from the university as well as banned from all UNC System institutions and University premises. A respondent is considered not in good standing with the university and trespassed from university premises including university housing. The Respondent may not attend or participate in classes; access various University electronic systems, including, but not limited to, email services; or participate in Student Organizations or any University-sponsored program, activity, or related event.

- **Removal from University Housing:** Loss of housing privileges, including any off-campus housing provided by the university. If applicable, a Respondent may be issued trespass restrictions.

- **Administrative Room Change:** Relocation within University Housing.

- **Restriction of Privileges:** Loss of access to campus services or activities.

Additional Educational Sanctions or Actions – May include:

- Restitution
- Fines
- Community service
- Reflective assignments
- Drug testing
- Counseling or assessments
- No Contact or Trespass Orders
- Holds on student accounts, academic records or degree conferral

Potential sanctions for student organizations include the following:

- Warning: Formal notice that actions unacceptable and future violations may result in more severe sanctions.
- Social Probation: Temporary period where the organization may not sponsor any activity, party, or function that is social in nature.
- Restriction of University Affiliation: Temporary period with organization privileges restricted including but not limited to: loss of privileges related to recruitment or hosting of events. The organization is considered not in good standing.
- University Affiliation Revocation: The temporary loss of recognition and privileges until conditions for reinstatement are met. The organization is considered not in good standing.
- Suspension: A temporary separation from the University with conditions for re-affiliation. The organization privileges will be restricted during this period. The organization is considered not in good standing.
- Revocation of Charter: Permanent removal of recognition and separation from university. The organization may not function at the University; utilize University facilities or services; or participate in any University-sponsored program, activity, or related event.
- Exclusion from intramural sports
- Restitution
- Denial of facility use
- Task assignments or community service

Potential sanctions for academic misconduct include the following:

- Grade Penalty: A loss of credit for an assignment, exam or project
- Overall Course Grade Penalty: The Respondent will be awarded a grade of "F" for the course

Pursuant to FERPA, parents, guardians, or sponsors may receive written notification, without student consent, in limited circumstances involving students under the age of 18, violations of campus or state alcohol and drug policies, or when there is an indication of imminent danger or significant risk to the student or the University community.

B. APPEALS

Students found responsible for a violation of the Student Code of Conduct Policy have the right to appeal the outcome of a disciplinary proceeding in accordance with UNC System Policy 700.4.1. Appeals must be submitted in writing within the timeframe specified in the policy and must be based on one or more of the following grounds: (1) a material violation of procedural standards that affected the outcome; (2) a lack of substantive evidence to support the decision; or (3) in cases involving Title IX or gender-based misconduct, a conflict of interest or bias, or the emergence of new evidence not reasonably available at the time of the hearing.

Appeals will be reviewed by an impartial University official(s) who is trained in student conduct adjudication who was not involved in the original decision. The appeal review will be based on the record of the original proceeding, and no new hearing will be conducted. The reviewing official(s) may uphold, modify, or overturn the original decision, or remand the case for a new hearing. The decision of the appeal authority is final.

Grounds for Appeal:

- Procedural Error: A material deviation from the University's established conduct procedures that significantly impacted the outcome of the case. Minor or technical deviations that do not affect the fairness of the process are not grounds for appeal.
- Substantive Error: A lack of sufficient evidence in the record to support the finding of responsibility or the severity of the sanction imposed. The appeal must demonstrate that no reasonable person could have reached the same decision based on the evidence presented.
- New Evidence: Information that was not reasonably available at the time of the hearing and that could materially affect the outcome.
- Conflict of Interest or Bias: In cases involving Title IX or gender-based misconduct, the student may appeal on the basis that the decision-maker, investigator, or Title IX Coordinator had a conflict of interest or bias that affected the outcome.
- Violation of Procedural Standards: A violation of procedural standards occurs when a student or university official fails to adhere to the minimum procedural requirements established for student disciplinary proceedings under UNC System Policy 700.4.1.

Written notice of appeal must be submitted by the respondent or the complainant (when applicable) to the Office of Student Conduct and Conflict Resolution within ten (10) business days of the date of written notification of the decision of the hearing panel or the conduct officer provided at the time of the decision. Failure to submit the appeal within this time limit will render the original decision final and conclusive.

Individual students shall submit appeals of sanctions in the following levels: Appeal of sanctions resulting in suspension shall be appealed to the Vice Chancellor for Student Affairs or designee. Their decision is final, and no further appeal is permitted. Expulsion decisions shall be appealed to the Chancellor or their designee; their decision is final and no further appeal is permitted. Appeals of Academic misconduct sanctions shall be governed by the same procedural standards and guidelines provided in this section in accordance with UNC System Policy 700.4.1.

Student appeals must be received within ten (10) business days from the date that the outcome letter conveying the written decision and/or sanctions was issued. The Appeal Officer will issue a written decision on the appeal and rationale within ten (10) business days of receiving the complete record on appeal, although that deadline may be extended for good cause. All appeal decisions will be delivered in writing to the email account the University has on file for the student.

C. EXTERNAL LAW ENFORCEMENT AGENCIES

The Student Code of Conduct Policy is not designed nor authorized to enforce local, state, or federal criminal and civil laws. The University is under no obligation to delay University proceedings when a student is also being processed through the criminal or civil system. In addition, the outcome of a criminal or civil process does not influence or change any University processes and/or outcomes.

D. RECORDS RETENTION

The official records for the Student Campus Hearing Board will be maintained by the Office of Student Conduct, with appropriate copies of outcome letters sent to university offices that have a legitimate educational interest to know such information. Disciplinary record retention, access and disclosure, or notifications will comply with the Family Educational Rights and Privacy Act of 1974 (FERPA), Clery Act, Title IX, UNC Public Records Act and other applicable laws as appropriate.

E. RELATIONSHIP TO OTHER POLICIES

Allegations of misconduct that do not meet the definition of Prohibited Conduct under this Policy may be subject to other University policies. Members of the N.C. A&T community with questions about whether alleged misconduct falls under this or another policy should contact the Office of Student Conduct and Conflict Resolution by phone at 336-334-7614 or at osccr@ncat.edu.

Nothing in this policy is intended to (1) restrict any rights that would otherwise be protected from government action by the First Amendment of the United States Constitution; or (2) deprive a person of any rights that would otherwise be protected from government action under the Due Process Clauses of the Fifth and Fourteenth Amendments of the United States Constitution; or (3) restrict any other rights guaranteed against government action by the United States Constitution; or (4) be read in derogation of any person's rights under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e.

AUTHORITY: Chancellor

PROCEDURE OWNER: Vice Chancellor for Student Affairs

RESPONSIBLE OFFICES: Office of the Dean of Students and Office of Student Conduct and Conflict Resolution

V. RESOURCES, FORMS, POLICIES AND NORTH CAROLINA GENERAL STATUTES

- Reporting Forms – Reporting forms landing page.
- Student Conduct Incident Report Form – Student Conduct Incident Report Form.
- Maxient Reporting Landing Page – Maxient reporting landing page.
- UNC System Policy 700.4.1 – Minimum substantive and procedural standards for student disciplinary proceedings.
- UNC Policy 1300.7-Regulation on Behavioral Threat Assessment and Management Teams – Behavioral Threat Assessment and Management regulation.
- Family Educational Rights and Privacy Act (FERPA) – FERPA statutory reference.
- Interim University Policy 207: Sexual Harassment, Discrimination and Misconduct – N.C. A&T sexual harassment, discrimination and misconduct policy.
- Jeanne Clery Campus Safety Act – Clery Act reference.
- Interim University Policy 408-Student Protective Withdrawal or Hospitalization – Protective withdrawal or hospitalization policy.
- North Carolina General Statute, N.C. Gen. Stat. § 14-35 et seq. – Hazing statutory reference.
- Cyberbullying, N.C. Gen. Stat. § 14-458.1 – Cyberbullying statutory reference.
- Stop Campus Hazing Act – Federal hazing legislation reference.
- Student Handbooks – N.C. A&T student handbooks page.

VI. ADDITIONAL IMPORTANT POLICIES AND NORTH CAROLINA GENERAL STATUTES

- Title IX Policy
- Firearms on Campus
- University Drug and Alcohol Policy
- Interpersonal Relationships among Faculty, Staff, and Students
- Student Organization Code of Conduct
- Unlawful Harassment and Discrimination
- ADA/504 Grievance Procedures
- UNC Policy 700.4.1 on Minimum Substantive and Procedural Standards
- N.C. A&T Procedure on Disruptive Behavior in the Classroom