

SECTION I

STUDENT ACADEMIC HONOR CODE

POLICY 03.100

I-1 THE UNCW STUDENT ACADEMIC HONOR CODE

The University of North Carolina Wilmington is a community of high academic standards where academic integrity is valued. UNCW students are committed to honesty and truthfulness in academic inquiry and in the pursuit of knowledge. This commitment begins when new students matriculate at UNCW, continues as they create work of the highest quality while part of the university community, and endures as a core value throughout their lives.

I-2 THE UNCW HONOR PLEDGE

All students enrolled at UNCW are subject to the UNCW Student Academic Honor Code (hereafter referred to as the Honor Code), which is intended to help every member of the UNCW community appreciate the high value placed on academic integrity and the means that will be employed to ensure its preservation. Students are expected to perpetuate a campus culture where each student does his or her own work while relying on appropriate resources for assistance. In such a climate students enjoy a special trust that they are members of a unique community where one's thoughts and words are attributed correctly and with proper ownership, and where there is little need for systems to sanction those who cheat. As such, all UNCW students shall commit to the principles and spirit of the Honor Code by adhering to the following pledge:

“As a student at The University of North Carolina Wilmington, I am committed to honesty and truthfulness in academic inquiry and in the pursuit of knowledge. I pledge to uphold and promote the UNCW Student Academic Honor Code.”

I-3 GUIDELINES IN SUPPORT OF THE HONOR CODE

Disciplinary action will ensue when students fail to align themselves with the ideals and expectations outlined in the Honor Code. The following guidelines are designed to educate students about the types of academic dishonesty, the roles that the university community has in upholding the Honor Code, the procedures used to report and adjudicate alleged offenses, and the limitations on withdrawals and repeating courses in the event of academic dishonesty. Because the university takes a holistic approach to addressing student misconduct, both of an academic and non-academic nature, incidents involving students with prior findings of responsibility for academic dishonesty or serious non-academic misconduct (typically denoted by the status of “disciplinary probation”) will be referred to the Student Academic Honor Board.

A. ACADEMIC DISHONESTY OFFENSES

No form of academic dishonesty is tolerated in our community. Academic dishonesty is broadly defined as attaining academic goals by deception, and includes but is not limited to attempted or completed offenses as follows:

1. CHEATING

Cheating is deception implying that work in fulfillment of course or degree requirements represents a student's own level of knowledge when it actually does not. Common examples of cheating include:

- a. Any conduct during a program, course, quiz or examination which involves the unauthorized use of written or oral information, or information obtained by any other means of communication. Students are expected to consult with their instructors for clarification on whether assignments may be conducted jointly with other students. In the absence of approval for joint work, the expectation is that students will conduct their own work and research both outside and within the classroom environment (not including authorized assistance and sanctioned university resources such as the University Learning Center). Students must

- receive approval by their instructor(s) in advance for submitting a paper previously written and submitted by the student for another class.
- b. The unauthorized acquisition, buying, selling, trading or theft of any examination, quiz, term paper or project.
 - c. The unauthorized use of any electronic or mechanical device during any program, course, quiz or examination, or in connection with laboratory reports or other materials related to academic performance.
 - d. The unauthorized use of laboratory reports, term reports, theses, or written materials in whole or in part.
 - e. The unauthorized assistance or collaboration on any test, assignment, or project.
 - f. The unauthorized use by a student of another person's work, or the falsification of any other person's work, or writing another person's work for them to submit.
 - g. Bribery, including but not limited to the offering, giving, receiving or soliciting of any consideration in order to obtain a grade or other treatment not otherwise earned by the student through his/her own academic performance.
 - h. Any form of lying or furnishing false information to a professor, administrator or staff member acting in performance of their duties (including taking an exam for another student).

2. PLAGIARISM

Plagiarism is the copying of language, phrasing, structure, or specific ideas of another and presenting any of these as one's own work, including information found on the internet. Common examples of plagiarism include but are not limited to:

- a. Reproducing someone else's work without quotation marks or proper attribution and submitting it as your own.
- b. Paraphrasing or summarizing another's work without attribution or acknowledgement of the source and submitting it as your own.
- c. Deliberate attribution to a source from which the referenced material was not in fact derived.
- d. Failing to cite a source for ideas or information.

B. RESPONSIBILITY OF THE UNIVERSITY COMMUNITY

1. GENERAL RESPONSIBILITY

It is the responsibility of every faculty member, student, administrator and staff member of the university community to uphold and maintain the highest academic standards and integrity of the university. Any member of the university community who has reasonable grounds to believe that an infraction of the Honor Code has occurred has an obligation to report the alleged violation to the faculty member teaching the class who, in turn, must report the allegation to the Office of the Dean of Students. This obligation is a core value of the Honor Code, and must be fulfilled by each and every member of the university.

2. STUDENT RESPONSIBILITY

By virtue of enrollment at UNCW all student are bound by the Student Academic Honor Code. Students are responsible for seeking clarification from faculty whether and to what degree they are permitted to collaborate on assignments; use laptops, cell phones, and other electronic media in class; and submit papers that they have submitted or intend to submit for another course. It is the student's responsibility to receive approval in advance for conducting joint academic work (work which involves anyone other than the student him/herself) or when attempting to submit work that was previously written/conducted by the student (commonly known as "recycling" one's work). Students who observe or suspect an Honor Code violation are to notify the instructor in whose course the alleged infraction occurred.

3. RESPONSIBILITY OF INDIVIDUAL INSTRUCTORS

Instructors should remind their students of the Honor Code during the first week of classes and include Section I of the Honor Code and the Honor Pledge in their syllabi. In addition to discussing the Honor Code with students, instructors should clarify whether and to what degree students are permitted to collaborate on assignments; use laptops, cell phones, and other electronic media in class; and submit papers that they have submitted or intend to submit for another course. While

faculty are encouraged to discuss these issues with students, it is the student's responsibility to receive approval in advance for conducting joint academic work (work which involves anyone other than the student him/herself) or when attempting to submit work that was previously written/conducted by the student (commonly known as "recycling" one's work). While all students are bound by the Honor Code through either a signed pledge or by virtue of enrollment at UNCW, instructors have the option of including the Honor Pledge on examinations and requiring students to include a signed pledge with submitted work. Each instructor is obligated to report allegations of academic dishonesty, upon discovery, to the Office of the Dean of Students.

4. RESPONSIBILITY OF ACADEMIC AFFAIRS

The Division of Academic Affairs is responsible for advising all new university faculty and academic administrative staff regarding the Honor Code. The provost/designee shall have the right to hear an expedited student case as requested by the Office of the Dean of Students, and to review appeals for students sanctioned as a result of Honor Code infractions.

5. RESPONSIBILITY OF THE OFFICE OF THE DEAN OF STUDENTS

The Office of the Dean of Students is responsible for overall education of the university community on the Honor Code; for advising all current university faculty, administrative staff, personnel and students of the Honor Code; and for collecting signed Honor Pledges. In consultation with Faculty Senate, the Office of the Dean of Students will see that the Honor Code and any amendments or changes approved by the Faculty Senate and the UNCW administration are published and promulgated annually. The Office of the Dean of Students shall also receive and maintain comprehensive records of all matters relating to violations of the Honor Code; therefore, faculty must consult with the Office of the Dean of Students upon making or receiving a complaint of any Honor Code infraction.

I-4 REPORTING PROCEDURES

A. FILING COMPLAINTS

An alleged infraction of the Honor Code observed by anyone other than the course instructor shall be reported, preferably in writing, to the instructor of the course in which it occurred. Such a report shall be made within five (5) business days from the time of discovery, unless extenuating circumstances prevent reporting. Faculty who observe, discover, or are informed of infractions should report them immediately to the Office of the Dean of Students. Faculty may report infractions at any point during the term of the class or at any point preceding the end of the tenth calendar day after grades are due for the final class of enrollment for the student in question.

A suspected infraction of the Honor Code may be reported by:

- a. the student committing the infraction; or
- b. any member of the university community observing the alleged infraction; or
- c. any individual who has credible and reliable information that an infraction may have occurred.

B. CONSULTATION WITH THE OFFICE OF THE DEAN OF STUDENTS

Upon observing or discovering an alleged Honor Code infraction, or upon receiving a report of an infraction, the instructor shall consult with the Office of the Dean of Students to discuss appropriate procedures and protection of student rights, and to determine whether the case shall be heard by the faculty member, the Office of the Dean of Students or the Student Academic Honor Board. Any student with a prior finding of responsibility for an Honor Code offense or students with a history of serious non-academic misconduct (typically denoted by the status of "disciplinary probation") will be referred to the Student Academic Honor Board for resolution.

C. PRIOR OFFENSES

1. If the student has no prior Honor Code offenses and no history of serious non-academic misconduct, the faculty member will meet with the student to inform the student of the allegation of academic dishonesty and explain to the student their options, as follows:

- a. If the student admits the infraction, the faculty member must either propose a settlement by private resolution OR refer the case to the Office of the Dean of Students (without assigning a grade until after being informed of the final outcome of the case).
- b. If the faculty member decides on proposing a settlement by private resolution, proposed penalties should accord with the severity of the offense. Penalties can range from a failing grade on the work in question to a failing grade in the course.¹ The chairperson of the department in which the faculty member teaches may be consulted for assistance in reaching a settlement. If the penalty proposed by the instructor is acceptable to the student, the case can be resolved by providing notification to the department chair and to the dean of the college/school in which the faculty member teaches, and must be copied to the Office of the Dean of Students for inclusion in the student's disciplinary record.
- c. If the student does not admit the infraction, the faculty member must either:
 - i. Refer the case to the Office of the Dean of Students (without assigning a grade); OR
 - ii. Decide not to pursue the accusation(s) due to lack of evidence, whereupon he/she shall inform the reporting party of this decision within five (5) business days and also inform the Office of the Dean of Students.

D. DISCIPLINARY CORRESPONDENCE

All disciplinary correspondence will be sent to the student's UNCW e-mail address. UNCW regards e-mail as an official method of communication with student, staff and faculty (UNCW Policy 07.100). The university reserves the right to use other reasonable means to notify students.

E. SUMMONING A STUDENT RESPONDENT FOR A CONFERENCE

Should a respondent not appear when requested by the dean of students/designee, the dean of students/designee may formally summon the respondent to appear for a meeting in connection with an alleged violation by sending him/her notification of this. This notification shall direct the respondent to appear at a specified date, time and place not less than three (3) business days later. The letter shall also describe briefly the alleged violation(s). If the respondent fails to respond to a notification and the required pre-hearing interview, the respondent forfeits the option to request whether the case is heard administratively or by the Student Academic Honor Board and the dean of students/designee will decide how to route the case. The student will be notified by e-mail sent at least five (5) business days before a hearing before the dean of students/designee or, at the option of the dean of students/designee, the Student Academic Honor Board.

At the hearing, a decision of responsible or not responsible will be made based on available information, with or without the respondent. If the respondent fails to attend the hearing, all allegations against the respondent shall be deemed to be denied. When appropriate, a sanction will be determined and the respondent will be notified by e-mail.

I-5 PRE-HEARING MEETING and HEARING OPTIONS

All cases referred to the Office of the Dean of Students will result in an honor hearing. If the student has no prior Honor Code offenses, the student shall choose a hearing either before the dean of students/designee or before the Student Academic Honor Board. Based on the nature and scope of the alleged infraction, the dean of students/designee may elect not to hear a case and forward it directly to the Student Academic Honor Board. If the student has one or more prior Honor Code infractions or a history of serious non-academic misconduct, the case shall be heard by the Student Academic Honor Board. During a pre-hearing meeting, the Office of the Dean of Students will provide each student respondent the opportunity to accept responsibility for the alleged offense and to accept a penalty appropriate for the offense without proceeding to the Student Academic Honor Board. If the student accepts the sanction, authority to determine the course grade resides with the instructor; however, an assigned grade of "F" for the course is generally appropriate for an Honor Code offense. If the student disagrees with the sanction, the case shall be heard by the Student Academic Honor Board.

¹ The assigned grade of "F" to a graduate student will result in ineligibility to continue in the Graduate School.

If the respondent is found responsible and sanctions are imposed, the respondent is responsible for completing sanctions regardless of their participation in the hearing process. Failure to complete assigned sanctions may result in further conduct action.

A. STANDARD OF PROOF

The standard of proof for all allegations of the academic honor code will be preponderance of evidence. This means that there is greater than a 50% likelihood, based on all reasonable evidence, that the respondent is responsible for the alleged violation.

B. STUDENT RESPONSIBILITIES & RIGHTS

STUDENT RESPONSIBILITIES

Participants in the Student Academic Honor Code process have the following responsibilities:

1. To know and adhere to the *UNCW Student Academic Honor Code*.
2. To be honest and complete in all information they provide in the process.
3. To attend all meetings or hearings in a timely manner.
4. To complete any imposed sanctions on time and consistent with the decision in their case.
5. To participate in a manner that is civil and respectful.

STUDENT RIGHTS

All students are entitled to the following rights prior to a student academic honor board hearing:

1. To a pre-hearing meeting with a university hearing officer where rights, responsibilities and procedures are explained.
2. To written notice of the charge(s). In the event that additional charges are brought, additional written notice must be forwarded to the respondent. Notices are sent via e-mail to the student's UNCW e-mail address.
3. To review all available information, documents, and a list of witnesses that may testify against him/her. This is a continuing obligation of the complaining party and the dean of students/designee.
4. To choose an Administrative or Student Academic Honor Board hearing. (The dean of students/designee may elect not to hear the case. The case would then be heard by the Student Academic Honor Board.)
5. To appear in person, hear all testimony and present any relevant information on their behalf, call witnesses and ask questions of any witnesses at the hearing.
6. To elect not to appear at the hearing, in which case the hearing shall be conducted in absentia (in the respondent's absence). A respondent who elects not to appear at a hearing may not be represented by a university or non-university advisor.
7. To know the identity of witnesses testifying against them.
8. To a university or non-university advisor.
9. To refuse to answer any questions or make a statement – however, the hearing body shall make its decision solely on the basis of information introduced at the hearing.
10. To have all statements, information or comments given during the hearing held in the strictest of confidence by the hearing body before, during and after deliberation.
11. To have the hearing conducted as outlined in the *UNCW Student Academic Honor Code*.
12. To have one level of institutional appeal as outlined in the UNC Policy Manual 700.4.1.

C. UNIVERSITY and NON-UNIVERSITY ADVISORS

A university or non-university advisor is permissible in an Administrative and Student Academic Honor Board hearing. Upon the request of the respondent, the Office of the Dean of Students will appoint a university advisor to help a student prepare for a hearing. The advisor may not speak on the respondent's behalf at the hearing. The university/non-university advisor's role is to:

- (1) Advise the respondent concerning the preparation and presentation of his/her case.
- (2) Accompany the respondent to all conduct proceedings as requested by the respondent.
- (3) Have access to all materials relating to the case as provided by the respondent.

A respondent who elects not to appear at a hearing may not be represented by an advisor at the hearing.

I-6 ADMINISTRATIVE HEARING PROCEDURE

1. If a student requests an administrative hearing before the dean of students/designee, the dean of students/designee will forward the student written notice of the date, time and place of the hearing to the respondent at least five (5) business days prior to the hearing. The respondent may waive all or part of the five (5) business days' written notice requirement. All waivers shall be executed in writing.
2. Administrative conduct hearings are closed hearings which are closed to the general public.
3. Prior to a hearing in cases which may involve suspension or expulsion the respondent is entitled to the following as outlined in [UNC Policy 700.4.1](#):
 - a. A written notice of the charge including possible sanctions will be sent via e-mail.
 - b. Review of all available information, documents and exhibits.
 - c. A list of witnesses that may testify against him/her.
 - d. An outline of student rights.
 - e. A formal hearing date scheduled no less than ten (10) business days after the respondent receives notice of the referral, unless the respondent waives the limit and agrees to an earlier hearing date. Waivers are voluntary and must be in writing and signed by the respondent and the dean/designee.
 - f. In cases that may result in expulsion, the written notice will specify that expulsion precludes matriculation at any UNC constituent institution.
4. Reasonable extensions of time for either party to prepare for the hearing may be allowed.
5. The dean of students/designee shall:
 - a. Set the date, time and place for the hearing.
 - b. Summon university witnesses and prepare evidence for each hearing.
 - c. Notify the respondent in writing via e-mail of the following:
 - i. the date, time and place for the hearing - the letter shall specify a hearing date not less than five (5) business days after the official notice is sent.
 - ii. the names of witnesses who may testify against the respondent.
 - iii. the charges against him/her.
 - iv. the dean of students/designee may question a student testifying in the respondent's behalf or question the respondent if he/she testifies in his/her own behalf.
6. If the student charged is a minor (under 18 years of age), a copy of the letter may be sent to his/her parent or guardian.
7. If a student chooses to present witness testimony at an administrative hearing it is the student's responsibility to notify their witness(es) of the day, time and location of the hearing.
8. Additionally, a list of witnesses and copies of any documentary evidence must be presented to the Office of the Dean of Students at least two (2) business days prior to the hearing.
9. If a respondent fails, without good cause, to comply with the letter sent under this section, the dean of students/designee may proceed with the hearing in the respondent's absence, as has been outlined.
10. A final administrative decision will normally be determined immediately, but must be determined within ten (10) business days after the date of the hearing. The case resolution form (also known as the "decision of hearing") will be presented to the respondent in writing within five (5) business days of the decision.

I-7 STUDENT ACADEMIC HONOR BOARD

The Student Academic Honor Board ("Board") is activated when a student requests a hearing before the Board or if a case is referred automatically by the dean of students/designee. The associate vice chancellor for student affairs/designee serves as the advisor to the Board.

When hearing a case involving an undergraduate student, the Board shall be comprised of four (4) undergraduates and two (2) faculty members. One of the two faculty members must come from a different UNCW college or school than that in which the infraction occurred, as referred by the academic dean and appointed by the Office of the Dean of Students. A fully comprised board constitutes a quorum.

When hearing a case involving a graduate student, the Board shall be comprised of four (4) graduate students from the current Graduate Student Association or assigned by the Graduate School, one (1) faculty member from the Campus Conduct Board, and one (1) additional faculty member appointed by the Dean of the Graduate School. A fully comprised board constitutes a quorum.

The dean of students/designee will select and train Board members and those that will serve as chairs.

No member of the hearing body who has a personal interest in the particular case may sit in judgment during the proceeding. If a member refuses to recuse him/herself due to a conflict of interest, the dean of students/designee will make the excusal decision. The respondent will also be given the opportunity to challenge a committee member or official on these grounds.

In such cases in which a member cannot serve due to a conflict of interest, a temporary member may be appointed by the vice chancellor/designee to serve for the duration of the hearing.

A. JURISDICTION OF THE STUDENT ACADEMIC HONOR BOARD

The Board may have, at the request of a respondent or the dean of students/designee, original jurisdiction in student academic honor code cases.

B. PRELIMINARY INFORMATION FOR STUDENT ACADEMIC HONOR BOARD HEARING

1. If a student requests a Board hearing, the dean/designee will forward written notice of the date, time and place of the hearing to the respondent at least five (5) business days prior to the hearing. The respondent may waive all or part of the five (5) business days written notice requirement. All waivers shall be executed in writing.
2. Student Academic Honor Board hearings are closed hearings which are closed to the general public.
3. Prior to a hearing in cases which may involve suspension or expulsion the respondent is entitled to the following as outlined in [UNC Policy 700.4.1](#):
 - a. A written notice of the charge including possible sanctions.
 - b. Review of all available information, documents, exhibits.
 - c. A list of witnesses that may testify against him/her.
 - i. An outline of student rights.
 - ii. A formal hearing date scheduled no less than ten (10) business days after the respondent receives notice of the referral, unless the respondent waives the limit and agrees to an earlier hearing date. Waivers are voluntary and must be in writing and signed by the respondent and the dean/designee.
 - iii. In cases that may result in expulsion, the written notice will specify that expulsion precludes matriculation at any UNC constituent institution.
 - iv. Written notice will be sent via e-mail.
4. Reasonable extensions of time for either party to prepare for the hearing may be allowed.
5. The dean of students/designee shall:
 - a. Set the date, time and place for the hearing.
 - b. Summon university witnesses and prepare evidence for each hearing.
 - c. Notify the respondent in writing (pursuant to Section I-C-3) of the following:
 - i. the date, time and place for the hearing - the letter shall specify a hearing date not less than five (5) business days after the official notice is sent.
 - ii. the name of the person appointed to serve as chairperson of SAHB.
 - iii. the names of witnesses who may testify against the respondent.
 - iv. the charges against him/her.
 - v. the dean of students/designee may question a student testifying in the respondent's behalf or question the respondent if he/she testifies in his/her own behalf.

- vii. a respondent may request in writing that an earlier date be set, if feasible. Reasonable extensions of time for either party to prepare for the hearing may be allowed. The Board, with good cause, may postpone or continue the hearing and notify all interested persons of the new hearing date, time and place.
6. If a student chooses to present witness testimony at a Board hearing it is the student's responsibility to notify their witness(es) of the date, time and location of the hearing.
7. Additionally, a list of witnesses and copies of any documentary evidence must be presented to the Office of the Dean of Students at least two (2) business days prior to the hearing.
8. If a respondent fails, without good cause, to comply with the letter sent under this section, the dean of students/designee may proceed with the hearing in the respondent's absence, as has been outlined.
9. A final administrative decision will normally be determined immediately, but must be determined within ten (10) business days after the date of the hearing. The case resolution form (also known as the "decision of hearing") will be presented to the respondent in writing within five (5) business days of the decision.

C. STUDENT ACADEMIC HONOR BOARD HEARING PROCEDURES

The Student Academic Honor Board shall proceed generally as follows during the hearing:

1. Board chairperson states the hearing is closed to the public.
2. The chairperson informs the respondent of his/her rights as listed in Section I-5-B, and asks the respondent whether he/she agrees or disagrees to the charge(s).
3. The dean of students/designee presents the university's case and may call witnesses. The instructor alleging the violation will be asked to speak at this time.
4. The respondent and the Board may question the university, the instructor alleging the violation and/or each witness called.
5. The respondent presents his/her case and may call any witnesses they have present.
6. The university and the Board may question the respondent and/or each witness called.
7. The dean of students/designee and the respondent present rebuttal evidence and final statements. Both the dean of students/designee and the respondent may make closing statements.
8. The Board deliberates in a closed session and decides the issue of responsible or not responsible for each charge.
9. If the Board finds the respondent not responsible for all charges, the hearing is concluded.
10. If the Board finds the respondent responsible, the dean of students/designee will indicate whether the student has any prior findings of responsibility for academic or non-academic conduct violations.
11. If the Board finds the respondent responsible for one or more charges, the dean of students/designee and respondent may present evidence and argument on an appropriate sanction.
12. The Board deliberates in a closed session and determines an appropriate sanction.
13. The Board renders a written decision (case resolution form, also known as the "decision of hearing") as to whether they find the respondent responsible or not responsible for the charge(s). The decision states the sanction, if any, and procedures for appeal. The respondent and dean of students/designee shall each be given a copy of the case resolution form. A final Board decision will normally be determined immediately but must be determined within ten (10) business days after the date of the hearing. The final decision, containing a brief summary of the evidence, will be presented to the respondent in writing. This will generally occur immediately following the hearing, however may take up to five (5) business days.
14. The student conduct file is confidential and consists of:
 - a. the original referral.
 - b. all correspondence directed to the respondent.
 - c. all material presented to, or considered by the Board.
 - d. the official case resolution form (also known as the "decision of hearing").
 - e. appeal documentation submitted, if any.

Student Academic Honor Board records are maintained in the Office of the Dean of Students and are confidential. They may be released only with the consent of the student involved or as outlined in Family Educational Rights and Privacy Act. A written record of the proceedings and action taken will be filed in the Office of the Dean of Students.

I-8 APPEAL PROCEDURES

The respondent may request an appeal within two (2) business days after notification of the original decision. Notification is defined as the date the case resolution form (also known as the “decision of hearing”) is given to the respondent in person, or the date stamp of the e-mail sent to the respondent. Such petition shall be submitted to the Office of the Dean of Students and explain in detail the reason(s) for the student’s appeal. Original sanctions are normally put into effect only after an appellate decision has been made or the timeline for appeal has expired.

The provost/designee shall serve as the designated appeal officer for all Student Academic Honor Code cases.

The function of the provost/designee in hearing an appeal is that of reviewing the action of the administrative hearing officer/Student Academic Honor Board to determine if:

- a. an alleged violation of the rights guaranteed the respondent has occurred;
- b. the sanction is too severe for the violation; or
- c. new evidence has developed which has bearing on the outcome.

Upon receiving a petition, the provost/designee shall obtain the record of the administrative hearing officer/Student Academic Honor Board. The record shall include relevant documents, the case resolution form (also known as the “decision of hearing”), including a case summary and rationale for supporting the decision. With this information, the provost/designee shall decide whether an Appellate Review is warranted. This decision is based on one or more of the three options for an appeal outlined above. The respondent will be notified in writing of the decision within ten (10) business days after receipt of the petition. Reasonable extensions of time are permissible.

If the provost/designee determines that an Appellate Review shall be granted, that Review shall be held within ten (10) business days of such determination and notification shall be given in writing at least three (3) business days prior to the date set for the Review, specifying time and place of the Review and informing the respondent of his/her rights as outlined herein.

The provost/designee will review all written correspondence associated with the case, may request additional documents and information from the administrative hearing officer or student hearing chair who presided over the student board that heard the case, and may invite the respondent, the chair, and such other persons as deemed appropriate to appear to make statements and respond to questions.

The provost/designee has the authority to approve, reject or modify the decision in question or to remand the case back to the Board. For cases that do not result in suspension or expulsion, the decision of the provost/designee is final.

Consistent with Section 502 D (3) of the UNC Policy Manual, where the sanction is suspension or expulsion, an appeal may be made to the Board of Trustees within three (3) business days of notification that the original appeal has been denied. This appeal is for an individual student conduct case (not campus organizations), provided the appeal is based on:

- 1) violation of due process; or
- 2) a material deviation from Substantive and Procedural Standards adopted by the Board of Governors.

The Board of Trustees will review the appeal within ten (10) business days. Reasonable extensions of time will be permitted.

For suspension level cases, the appeal to the Board of Trustees is final; for expulsion level cases, a final appeal may be filed with the Board of Governors.

I-9 EXPEDITED REVIEW

As requested by the Office of the Dean of Students, the provost/designee, at his/her sole discretion, shall have the right to order an expedited review of the student's case. In such circumstances, the provost/designee shall sit as a hearing officer in lieu of the Board or the dean of students. This expedited hearing procedure shall be used only in emergency circumstances as identified by the provost/designee at his/her sole discretion. The decision of the provost/designee in such expedited proceedings is final unless the outcome is suspension or expulsion (see Section I-8).

I-10 AUTHORIZED DISCIPLINARY SANCTIONS

The outcome of a Board hearing is either a "responsible" or "not responsible" decision. If the student is found "responsible" for the charge, penalties shall be imposed according to the severity of the offense and made in consideration of whether it is the student's first offense. The sanction of disciplinary probation is typical for a first Honor Code offense, although the sanction of suspension may be assigned. The appropriate sanction for any student proven to be a repeat offender is suspension from UNCW. Authority to determine the course grade resides with the instructor; however, an assigned grade of "F" for the course is generally appropriate for an Honor Code offense. The assigned grade of "F" to a graduate student will result in ineligibility to continue in the Graduate School.

If the administrative hearing officer/Board finds the student not responsible for the charge, the instructor will ensure fair treatment of the student.

A. LEVELS OF UNIVERSITY DISCIPLINARY SANCTIONS

The range of sanctions includes, but are not limited to:

Written Warning – is a status of warning through the end of the next full semester, which terminates automatically when the imposed period expires.

Disciplinary Probation – is a status of probation for up to one calendar year, which terminates automatically when the imposed period expires. A student who is placed on disciplinary probation is considered not to be in good standing with the university.

As part of disciplinary probation, the student may have restrictions placed on specific student privileges, as determined by the hearing body or administrative hearing officer, not to exceed the duration of the probationary period. In the event of a further violation of this Code or other applicable rules while on disciplinary probation, the university will seek the penalty of suspension or expulsion.

Suspension - Suspension is withdrawal of enrollment privileges and cancellation of registration, at a minimum, through the end of the next full semester, and carries with it conditions which must be met for re-enrollment.

Re-enrollment after a suspension period requires that the student apply to the dean of students at the close of the imposed period, and the dean will determine whether the student has met the conditions imposed and is otherwise eligible for re-enrollment. A denial may be appealed to the Committee on Extraordinary Disciplinary Emergencies.

During the term of suspension, the student may not come onto campus. Failure to abide by this condition may result in arrest for criminal trespassing.

A student who is suspended after the deadline for withdrawal with a "W" shall be assigned a grade of "WF" or "W" by each instructor based upon the academic performance prior to the suspension.

A sanction of suspension requires that the student's name be added to the UNC Suspension/Expulsion Database.

Expulsion – is the permanent dismissal of a student from the university, and it precludes matriculation at any UNC constituent institution, unless and until the chancellor who imposed or approved the sanction or his/her successor concludes on the basis of the former student's petition and any supportive documentation that the individual should be given a new opportunity to pursue higher education within the UNC system. The student will be trespassed from university property for as long as the individual is considered a risk to others or to university property. Expulsion will result in a permanent transcript notation.

The chancellor or vice chancellor for student affairs may impose the sanction of expulsion.

A sanction of expulsion requires that the student's name be added to the UNC Suspension/Expulsion Database.

The university reserves the right to impose other educational sanctions appropriate to the offense(s).

I-11 DISCIPLINARY RECORDS

The hearing record, notice of appeal and each petition for review are confidential and may not be disclosed in whole or part except as provided in Section III. This disciplinary record shall be separate from the student's academic record but shall be considered a part of the student's educational record and maintained in the Office of the Dean of Students.

A student who is suspended or expelled will have a "hold" placed on their registration file by the dean of students/designee. The "hold" will be removed when the term of suspension expires and/or conditions for re-enrollment have been met.

A notation of suspension or expulsion will be placed on the transcript as "Honor Code Suspension" for Honor Code withdrawals. The student's name will also be permanently added to UNC suspension/expulsion database.

Records for cases not resulting in suspension or expulsion will be destroyed one year after graduation.

I-12 SPECIAL PROVISIONS STUDENTS WITH DISABILITIES

When a student with a documented disability is charged with an offense, and informs the Office of the Dean of Students of such status, the university will assure that all requirements of Section 504 of the Rehabilitation Act and the Americans with Disabilities Act are met.

WITHDRAWALS

Once a student is alleged to have violated the Student Academic Honor Code, the student will be prohibited from withdrawing from the course. Should a student withdraw from the class, the grade of "W" will be considered temporary pending the final resolution of the case, which may lead to the designation of a grade in place of the "W".

REPEATS

A failing grade posted as a penalty for an admitted or adjudicated Honor Code offense shall not be replaced if the course is repeated. Both the penalty grade and the new grade shall appear on the student's transcript and count in the student's grade point average.