

Student Rights and Responsibilities in the Student Conduct Process

- 1 Students at the University have the same rights and protections under the Constitutions of the United States and the State of North Carolina as other citizens. These rights include freedom of expression, press, religion, and assembly. The University values freedom of expression, which includes voicing unpopular views and dissent. As members of the University community, Students have the right to express their own views, but must also take responsibility for affording the same right to others.
- 2 Students have the right to be treated fairly and with dignity regardless of race, color, religion, sex, sexual orientation, gender identity, age, national origin, physical or mental disability, veteran status, or genetic information. Accordingly, Students will not be unlawfully discriminated against pursuant to Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, or national origin in programs and activities that receive federal financial assistance.
- 3 The [University of North Carolina Policy Manual \(700.4.1\)](#) specifically refers to the important right of a fair hearing and due process. Students have the right to be protected from arbitrary decision-making by the University and to have access to University policies which affect them. The University is committed to providing Students with a balanced and fair system. Accordingly, Students will not be deprived of the appropriate due process protections to which they are entitled. The [Code of Student Conduct](#) is one of the University's administrative procedures and should not be equated with or substituted for procedures used in civil or criminal court.
- 4 Any Student needing assistance because of a disability may contact the Accessibility Resource Center at 910-521-6695 or by email at arc@uncp.edu.
- 5 Respondents have the following Rights related to the Hearing Process:
 - 5.1 to be provided a fair, impartial, and efficient process;
 - 5.2 to be presumed not responsible until determined otherwise through the Hearing Process;
 - 5.3 to be given advance written notice of any formal Charge(s);
 - 5.4 to examine the documentary information that will be presented in any Hearing,
 - 5.5 to present relevant information on their behalf, including witnesses and documentary information;
 - 5.6 to respond to information presented against them;
 - 5.7 to accept responsibility for any or all formal Charge(s);
 - 5.8 to decline to make statements;
 - 5.9 to be represented, at their own expense, by a licensed attorney or a non-attorney advocate to assist in preparing for the Hearing and/or during the Hearing process, except when the violation:
 - 5.9.1 will be addressed by a Student Honor Court, or

- 5.9.2 is an allegation of academic dishonesty, as governed by the Academic Honor Code Policy;
- 5.10. to obtain the list of witnesses who have been called to present information at the Hearing;
 - 5.11. to request a delay of the Hearing due to extenuating circumstances, provided that the granting of such request is in the discretion of the Director or designee;
 - 5.12. to challenge the objectivity of a Conduct Hearing Board member or an Administrative Hearing Officer if they believe that a bias or conflict of interest may exist;
 - 5.13. to pose relevant questions to any witness appearing at the Hearing in a manner consistent with the Code;
 - 5.14. to present any documents or letters regarding their character as part of the outcomes phase of the Hearing;
 - 5.15. to be notified in writing of the outcome of the Hearing Process;
 - 5.16. to appeal the decision of the Conduct Hearing Board or Administrative Hearing Officer within the time limits and conditions specified in the Code; and
 - 5.17. to have any conduct records kept confidential to the extent permitted under the Code and University Policy, and FERPA.

6 Responsibilities

6.1 All students are responsible for conducting themselves in a manner that helps enhance an environment of learning in which the rights, dignity, worth, and freedom of each member of the academic community are respected.

6.2 Students have the responsibility of checking their University email address on a regular basis and taking action on items related to their academic and conduct standing.

6.3 Students are expected to comply with local, state, and federal laws. Students are responsible for their actions and behaviors, the impacts they have on others, and the consequences of their decisions. Persistent prohibited behavior or disregard for personal safety, where other interventions and disciplinary actions have failed to bring about cooperation and behavior aligning with the Code, may result in Outcomes pursuant to the Code up to and including suspension or expulsion.

6.4 During the student's period of enrollment at the University of North Carolina at Pembroke, should the student be subject to any criminal charge and/or any disposition of a criminal charge, on or off campus, the student must within two (2) business days notify the Office of Student Conduct in writing regarding the nature of the charge/offense and the disposition of the charge if applicable. The student does not have to notify the Office of Student Conduct regarding traffic-related misdemeanors unless the traffic-related misdemeanor involves alcohol or drugs (e.g. the students are not required to report a speeding ticket, but are required to report a Driving Under the Influence (DUI) ticket or Driving While Intoxicated (DWI) ticket). The student's failure to do so will be grounds to deny or withdraw the student's admission, or to dismiss the student after enrollment.

6.5 Upon registration, student organizations voluntarily accept the rules and regulations outlined by the university. Student organizations are expected to follow the law as well as the UNCP Code of Student Conduct. In addition to the federal, state, and local laws that pertain to all citizens, a student organization must accept the institutional rules and regulations necessary to accomplish the purposes for which the institution was established.