



**3-2-101 General Policy.** [See also Board Policy Manual, Title 1, Part 4]

**3-2-102 Application and Admission Requirements.**

**3-2-102(1) Definitions and General Rules.** For the purposes of Title 1, Part 4, 1-1-403 the following shall apply. Undergraduate application and admission policies are published annually in the University catalog and are available in the on-line catalog published by Academic Affairs.

- (a) Quarter credit hours shall convert to semester credit hours at a ratio of 3 to 2, e.g., 45 quarter hours shall convert to 30 semester hours.
- (b) References to accredited colleges, universities, high schools, or institutions shall mean accreditation by a regional accrediting agency approved by the U.S. Department of Education.
- (c) Satisfaction of admission requirements shall be determined in the sole discretion of UNC.
- (d) Accredited status must exist at the time the applicant attended a college, university, high school or institution in order to be accepted.

**3-2-102(2) Freshmen.** The academic standards for admission of freshman and transfer students are published in the University Catalog.

**3-2-102(3) Special Students.** Special students are those individuals over 20 years of age at the time of the first day of class and are not enrolled in a degree

program. They are permitted to continue enrolling in courses provided they maintain a “C” average. The students may remain in a special student category as long as the individual can benefit from higher education. These individuals will be counseled into a degree program on an individual basis depending on their academic readiness. This will occur usually between 15 and 30 semester hours. The faculty advisors or staff at the Academic Advising Center will work with these individual students.

**3-2-102(4) Graduate Students.** The academic standards for admission of graduate students are published in the Catalog and in the Graduate School Policies and Procedures manual, Graduate Study (application packet), and Graduate Student Handbook.

**3-2-103 Student Financial Resources.** Application and Financial Aid information is published in the Catalog and in brochures published by the Student Financial Resources Office.

**3-2-104 Registration.** Policies and procedures concerning undergraduate/graduate enrollment and degree requirements are published in the catalog and in the Handbook of Graduate Education.

**3-2-105 Academic Standards.** Policies and procedures related to academics.

**3-2-106 Degree Requirements.** In Catalog.

**3-2-107 Academic Appeal Procedure.** [See also Board Policy Manual, Title 2, Article 1, Part 2.]

**3-2-108 Financial Policies.**

**3-2-108(1) Tuition.** Policies and Procedures related to tuition and fees are published in the Catalog and on the Registrar’s WEB site.

**3-2-108(2) Fees.** Mandatory student fees may not be used to fund ideological, political or religious activities. The allocation and distribution of mandatory student fees shall be made without regard to the viewpoint of the activity that is funded.

**3-2-108(2)(a) Definitions.**

- (I) Ideological and political activities are: partisan political programs or events; political parties; and election campaigns in support of or in opposition to an individual candidate, slate of candidates, or ballot issue in elections outside the University.
- (II) Religious activities are: worship services.

**3-2-108(2)(b) Viewpoint Discrimination.** If mandatory student fees are used to fund activities by student organizations before local, state or national legislative bodies, which (I) advocate or advance viewpoints on particular public policies or positions, or (II) seek to affect public policy decisions by local, state or national legislative, executive or administrative governmental bodies, including the payment of dues or fees to other organizations which fund such viewpoint advancement by those organizations, or (III) advocate, communicate or proselytize a particular religious denomination, sect, or belief, including the payment of dues, fees or contributions to other organizations which engage in such activities, then mandatory student fees funds shall be made equally available to student organizations which seek to advance contrary or competing viewpoints.

**3-2-109 Student Rights and Responsibilities.** Student Rights and Responsibilities are published in the Student Handbook.

**3-2-109(1) Student Conduct.** Policies and Procedures related to conduct are published in the Student Handbook. [See also Board Policy Manual, Title 2, Article 1, Part 5.]

**3-2-109(2) Absence Policy.** Regular attendance in all classes is assumed. Each instructor determines the relationship between class attendance, the objectives of the class and the student's grade. The instructor is responsible for informing students of attendance policies and the effect of attendance on their grade. The student is responsible for knowing the policy of each course in which they enroll.

Only the instructor can approve a student request to be absent from class. The student is responsible for requesting such approval when absence is unavoidable.

Students involved in University-sponsored activities, including intercollegiate athletics, may need to be excused from a class, lab, or studio meeting. In all instances it is the student's responsibility to present a written request for permission for the absence from the instructor. The student must also discuss how the absence will affect their ability to meet the course requirements. Students should do this as early in the semester as possible. While instructors should seek to the greatest extent possible, consistent with course requirements, to make reasonable accommodations for a student involved in University-sponsored activities, students should recognize that not every course can accommodate absences and neither the absence (nor the notification of an absence) relieves them from meeting the course requirements.

In recognition of the diversity of the student body, the University provides that a student may request an excused absence from class for participation in religious observances. In all such instances, it is the student's responsibility to request, in writing, that the instructor permit the absence. The student must also discuss how the absence will affect the student's ability to meet the course requirements. A student should make any such requests before the course drop deadline for the semester.

Attendance during the first two class sessions is required. The instructor has the option to drop a student from class if they do not attend the first two hours during which the class meets, in order to allow other students to enroll. Not all instructors will exercise this option; therefore, a student should not assume that

non-attendance will automatically drop them from class.

**3-2-109(3) Immunizations.** Policies and Procedures related to immunizations are published in the Catalog.

**3-2-109(3)(a) Definition of Non-Traditional Adult Student.** For immunization purposes the following UNC students will be identified as non-traditional adult students and are exempt from the regulation:

- (i) persons born before January 1, 1957
- (ii) persons attending conferences/classes of one week duration or less;
- (iii) conference attendees not registered in course work for academic credit
- (iv) high school students attending university classes (are subject to law/rules/regulations pertaining to high school students in their high school).

**3-2-109(3)(b) Effective Dates.** As of July 1, 1995, in order to register for classes at the University of Northern Colorado, all students born on or after January 1, 1957 who do not meet the definition of "non-traditional adult student" identified in 3-2-109(2)(a) above, are required to complete and submit to the University of Northern Colorado Student Health Center, an official Certificate of Immunization signed by a physician, nurse, or public health official or a Certificate of Exemption signed according to criteria identified below. The Certificate must specify that the individual has immunity to Measles, Mumps, and Rubella or is exempt from Certification according to the criteria identified below.

**3-2-109(3)(c) Certification Requirements.**

- (i) Measles (Rubeola). Two doses of measles administered on or after the first birthday, and at least 30 days apart and after 1967- **OR** - written evidence of a laboratory test showing immunity to measles. (Physician documentation of measles is not acceptable as proof of immunity).
- (ii) Mumps. Two doses of mumps administered on or after the first birthday, and at least 30 days apart and after 1966. (If the second *measles* dose was administered prior to July 1, 1992, then only the mumps dose is required),- **OR** - written evidence of a laboratory test showing immunity to mumps. (Physician documentation of mumps is not acceptable as proof of immunity).
- (iii) Rubella (German Measles). Two doses of rubella administered on or after the first birthday, and at least 30 days apart and after June 1, 1969. (If the second measles dose was administered prior to July 1, 1992, then only one rubella dose is required), - **OR** - written evidence of a laboratory test showing immunity to rubella. (Physician documentation of rubella is not acceptable as proof of immunity).

**3-2-109(3)(d) Provisional Enrollment.** A student may be permitted to register and attend classes if a written Provisional Enrollee Plan is signed showing they are "in the process of receiving or obtaining the required immunizations." The provisional enrollment plan should be able to be met within 30-45 days; however 60 days from the enrollment date is the maximum allowable. A completed Certificate of Immunization or Certificate of Exemption must be submitted within the 30-60 days as agreed. No further provisional enrollments are permitted. If the provisional enrollment agreement is not met the student shall not be permitted to register for further classes. For purposes of this regulation the "enrollment date" is the date the student seeks a registration clearance through the Student Health Center and signs a Provisional Enrollee Plan.

**3-2-109(3)(e) Exemption Requirements.** Medical Exemption. In order to qualify for a medical exemption, a licensed physician must sign the medical exemption section of the Certificate of Immunization indicating that the physical condition of the student is such that immunization would endanger life or health or is otherwise medically contra indicated.

Religious or Personal Exemption. In order to qualify for a religious or personal exemption, one parent or guardian, or student of 18 years of age or older, or an emancipated minor must sign the religious or personal exemption section of the Certificate of Immunization indicating that the parent or guardian, or student of 18 years of age or older, or an emancipated minor adheres to a religious or personal belief opposed to immunization.

**3-2-109(3)(f) Suspension From Classes.** Individuals who do not have proof of immunity against measles, mumps and/or rubella may be suspended from classes at the University of Northern Colorado or removed from university housing during an outbreak/epidemic. If a student is removed from university housing, the university will not be responsible for the student's off campus expenses.

**3-2-109(3)(g) Faculty and Staff.** Effective August 1, 1992, all UNC faculty and staff born on or after January 1, 1957 must submit an official Certificate of Immunization or exemption to Human Resources and a copy of the same to their immediate supervisor. Faculty and staff must meet the immunization requirements as outlined in the UNC Measles, Mumps and Rubella Regulation as revised 6/92.

In the event of an outbreak/epidemic the record must be immediately available to UNC's Health Center or State/County Health Department personnel. Individuals with records which do not have proof of immunity against measles, mumps, and/or rubella may be excluded from campus and suspended from duties at UNC during an outbreak/epidemic.

During outbreaks of measles, mumps, or rubella on campus, general public health statute allow the Department of Health to impose an exclusion or quarantine which will affect faculty, staff and other employees.

Academic departments/schools will be responsible for replacing faculty who are quarantined due to not meeting the immunization requirements. Exempt administrators and classified staff will be required to use vacation time if they are suspended or quarantined due to not meeting the immunization requirements. If an employee is required to exhaust all available leave time before returning from a suspension of duties, the employee will be required to take leave without pay.

**3-2-109(4) Eligibility for Health Services.** All students enrolled for one or more credit hours at UNC are eligible for care at the Student Health Center.

Students not enrolled for credit hours for the current academic term, but who attended the previous academic term and who plan to attend the next academic term, will be entitled to purchase services at the Student Health Center for the same Health Fee assessed to full-time students. Currently enrolled students' spouses may elect to pay the full Health Fee and have access to basic services.

Students actively working on a dissertation who have paid the assessed Graduate Student Continuous Registration Fee will be allowed to purchase the health services for the Health Fee assessed full-time students.

**3-2-109(5) Student Organizations.** All student organizations must be chartered annually by the University. Such organizations may request a charter through the Student Representative Council. Upon SRC's recommendation, student organizations are reviewed and chartered by the Vice President for Student Affairs. Recognition of student organizations may be withdrawn by the University at any time for violation of any institutional standards of conduct or for other good cause.



**3-2-109(6) Hazing Regulation.** Rules and procedures related to hazing are published in the Student Rights and Responsibilities Handbook.

**3-2-110 Verifiable Documents.** When the university provides a service for which the recipient is required to provide proof of identification, the university shall not accept, rely upon, or utilize an identification document unless it is a secure and verifiable document. "Secure and verifiable document" means a document issued by a state or federal jurisdiction or recognized by the United States government and that is verifiable by federal or state law enforcement, intelligence, or homeland security agencies. The matricula consular and other identification documents issued by foreign governments are not considered "secure and verifiable" documents.

**3-2-111 Student-Faculty Dispute Resolution Processes.** UNC is committed to creating an inclusive and respectful environment where every member of the University community is afforded the right to speak freely and where freedom of speech and academic freedom are given vigilant protection and respect. Debate and disagreement are integral to the teaching and learning process, and students and faculty members are strongly encouraged to attempt to resolve their disputes through respectful discussion.

As described in 3-2-111(1), UNC has four processes for resolving student-faculty disputes, and the nature of the dispute determines which process is used.

All parties involved in the resolution of a Student-Faculty Dispute should familiarize themselves with the Student-Faculty Dispute Resolution Processes as well as UNC's policies regarding Student Rights and Responsibilities (Board Policy 2-3-301), Teaching Responsibilities (Board Policy Manual 2-3-402), Academic Freedom (Board Policy Manual 2-3-601), and Professional Ethics (Board Policy Manual 2-3- 602).

**3-2-111(1) Determination of Student-Faculty Dispute Resolution Process Used.** When a complaint is received by the Dean of Students (e.g. using the Report a Concern Form ("Form") on the Dean of Students website), the Dean of Students and the Title IX Coordinator will jointly determine which of the following processes the complaint will follow.

- (a) Discrimination Complaint Procedures (3-6-127) are used when a complaint involves potential violations of UNC's Equal Opportunity Policy, which addresses matters of discrimination, harassment, and retaliation. All of the following criteria must be met for a complaint to be routed to the Discrimination Complaint Procedures.
- (I) The complaint is alleged to be based on the protected class status of an individual who is covered by UNC's Discrimination Complaint Procedures.
  - (II) The alleged conduct is related to one's protected class status and has unreasonably interfered with the individual's academic performance, created an intimidating or hostile educational environment or caused adverse consequences on the basis of the complainant's protected class.
- (b) Academic Appeal procedures (2-1-201) are used when a complaint involves an academic decision. All of the following criteria must be met for the complaint to be routed to the Academic Appeals procedures.
- (I) The behavior described in the complaint involves an academic decision made according to standards or practices that are specific to a course (e.g., grades, class policies, exam practices), discipline, program, department, school, or college.
  - (II) The complaint concerns an academic decision that the complainant considers arbitrary, capricious, or contrary to University policy.
- (c) Student Conduct Code procedures (2-1-501) are used when the complaint involves student behavior that is prohibited by the Conduct Code.
- (d) Complaints that are not subject to Discrimination Complaint Procedures, Academic Appeal procedures, or Student Conduct Code procedures follow the procedures for Other Student- Faculty Disputes

in 3-2-111(2).

### **3-2-111(2) Other Student-Faculty Disputes.**

(a) **Submitting a Student-Faculty Dispute complaint.** A complaint about a Student-Faculty Dispute may be submitted by a student involved in the dispute, by a faculty member involved in the dispute, or by both.

Complaints can be submitted in writing using the Report a Concern Form ("Form") on the Dean of Students website. If complaints are received by other means, they will be entered into the Form before the dispute resolution procedures begin.

Complaints should be submitted at the earliest possible date, but no later than seven (7) calendar days after the final grades deadline of the semester in which the event occurred, or seven (7) calendar days after the event in question, whichever occurs later.

(b) **Facilitating resolution of Student-Faculty Dispute complaints not subject to 3-2-111(1)(a), 3-2-111(1)(b), or 3-2-111(1)(c).**

The Dean of Students, Title IX Coordinator, and Department Chair/School Director/Program Area Coordinator or Dean may appoint a designee to fulfill the duties described below.

The Dean of Students will forward the Student-Faculty Dispute Complaint to the Department Chair/School Director/Program Area Coordinator of the Department/School/Program in which the student-faculty interaction occurred (or, if the Department Chair/School Director/Program Area Coordinator is involved in the complaint, to the Dean in the same college). The Department Chair/School Director/Program Area Coordinator will notify the Dean or their designee that a complaint was received.

The Department Chair/School Director/Program Area Coordinator to whom the complaint is assigned will take the following steps to facilitate resolution.

- (I) If the person who filed the complaint ("Complainant") is a student, the Department Chair/School Director/Program Area Coordinator will share the complaint Form submitted with the faculty member(s) named in the complaint. If the Complainant is a faculty member, the Department Chair/School Director/Program Area Coordinator will share the complaint Form submitted with the student(s) named in the complaint.
- (II) The Department Chair/School Director/Program Area Coordinator will meet with the Complainant to discuss the dispute and will advise the Complainant that the person named in the complaint ("Respondent") has been notified, determine if the Complainant has approached the Respondent, and discuss a process for attempting to resolve the dispute. The Complainant may elect at this point whether or not to pursue the complaint further.
- (III) If the dispute is not resolved in the initial meeting between the Department Chair/School Director/Program Area Coordinator and Complainant, the Department Chair/School Director/Program Area Coordinator will meet separately with the Respondent to discuss a process for attempting to resolve the dispute.
- (IV) After meeting separately with the Complainant and Respondent, the Department Chair/School Director/Program Area Coordinator will determine if the dispute is sufficiently serious to warrant further discussion and if so, will invite both to meet to discuss how to resolve the matter. If the Department Chair/School Director/Program Area Coordinator determines that the dispute is not sufficiently serious to warrant further discussion, the complaint will be closed.
- (V) At any point in the process, before or after closure, the Dean of Students staff are available to offer counseling services to either party.

(c) **Closure of complaints and notification of closure.** For each complaint submitted, the Department Chair/School Director/Program Area Coordinator will notify the Dean of Students, the faculty member, and the

student when the complaint is closed and give the reason for closure. A complaint is closed when:

- (I) the student or faculty member who submitted the complaint decides not to pursue the complaint further;
- (II) the dispute has been resolved to the satisfaction of the student or faculty member who submitted the complaint;
- (III) the Department Chair/School Director/Program Area Coordinator determines that the dispute is not sufficiently serious to warrant further discussion; or
- (IV) the student and/or faculty member declines to participate jointly in resolving the dispute.

(d) **Record of complaints.** All complaints, including those determined not sufficiently serious to warrant further discussion after the Department Chair/School Director/Program Area Coordinator meets separately with the student and faculty member, will be kept on file in the Dean of Students Office, for 10 years in order to comply with the Higher Learning Commission (HLC).

**3-2-111(3) Review.** The Chief Academic Officer (or designee) will annually compile a report that lists all Student-Faculty Dispute Complaints that were filed, and those that were closed during the previous academic year, including those directed to the Discrimination Complaint Process, Student Code of Conduct process, Academic Appeals process, and process for other Student-Faculty Disputes. The report will be delivered to the Faculty Senate no later than September 30th each year, beginning fall of 2018. For complaints directed to the Discrimination Complaint Process or process for other Student-Faculty Disputes, the report will include a description of each complaint and its resolution, with names and other identifying characteristics redacted. Upon request of the Faculty Senate Welfare Committee, additional information concerning the details of the report will be made available to the committee and will be kept confidential.

### **3-2-201 Student Code of Conduct ("BEAR Code") – Purpose and Scope**

The University of Northern Colorado ("UNC") values freedom of expression and the

exchange and exploration of diverse viewpoints. UNC's Student Code of Conduct contains Behavioral Expectations And Responsibilities. The "BEAR Code" (or "Code") provides guidance for students so that they can exercise personal and organizational responsibility as members of the UNC community. It is expected that UNC students and registered student organizations act responsibly and consistent with the BEAR Code to promote a safe and respectful learning and living environment within the UNC community.

The Dean of Students Office is responsible to educate Students and Registered Student Organizations ("RSOs") about the BEAR Code and to initiate and conduct proceedings involving alleged Misconduct under the Code. The outcomes of these proceedings are designed to guide Students and RSOs to act responsibly and consistent with the Code's provisions. When they fail to do so, the outcomes may include educational requirements that guide Students' and RSOs' future conduct, but may also result in separation from UNC, either temporarily or permanently, based on the nature and severity of the Misconduct.

UNC does not discriminate based on disability in the course of proceedings under the BEAR Code. A student with a disability who is subject to Code proceedings may request, through the UNC Disability Resource Center ("DRC"), an accommodation for their disability and the DRC will engage with the student in the interactive process upon such a request. All such requests by students during Code proceedings are subject to an individualized process with, and a decision by, the DRC regarding disability-related accommodation(s). Whether such a request is reasonable and/or would be a fundamental alteration of the Code is a matter to be determined on a case-by-case basis after the request has been made.

The BEAR Code is contained in the University Regulations. Any additions or changes to the University Regulations must be approved by UNC's President.

### **3-2-202 Application of the BEAR Code**

The BEAR Code applies to anyone who is a Student who engages in Misconduct as those terms are defined in the Code. In addition, any Registered Student Organization/RSO is subject to the provisions and requirements of the BEAR Code.

- (1) A person is a Student for purposes of the BEAR Code from the time they are issued a Bear Number until the time they are awarded a degree by UNC or until their date of withdrawal from UNC, whichever occurs last. Until a degree

is awarded or a person withdraws from UNC, a person's Student status continues uninterrupted. In addition, a person is a Student for the purposes of the Code when they engage in conduct while a Student that constitutes Misconduct under the Code. Therefore, a person cannot avoid Student status under the Code by withdrawing or by the awarding of a degree if they engaged in the Misconduct while they are a Student.

- (2) The BEAR Code applies to Misconduct by a Student that occurs on UNC Property or off- campus, including but not limited to Misconduct that occurs at UNC Sponsored Activities. It includes Misconduct that occurs between semesters or when classes are not in session.
- (3) The Dean of Students has the authority and discretion to determine, on a case-by-case basis, if the BEAR Code shall be applied to off-campus Misconduct.

### **3-2-203 Definitions**

The following definitions apply to the BEAR Code:

- (1) ***Advisor:*** A person chosen by the Responding Party (if they choose to do so, and at their own expense) to assist them during the Hearing. An Advisor may have no other role in the case, including participation as a Witness, and is not permitted to speak or participate directly in the Hearing. A person who is or may be a Witness may not be an Advisor. The Responding Party's selection of an Advisor may not unduly delay the proceedings, as determined by the Dean of Students, in their discretion.
- (2) ***Code Due Process:*** Receipt of a Notification and the opportunity for a Hearing with the Dean of Students and to respond to the alleged Code violation(s). Code Due Process is not the same as due process in criminal or civil court proceedings.
- (3) ***Dean of Students ("DOS"):*** The UNC employee who is directly responsible for Student disciplinary matters, regardless of the title of the employee's position. The Dean of Students, in their discretion, may designate other UNC employees to perform the duties and responsibilities of the DOS as described in the BEAR Code. All references to the Dean of Students/DOS in

the BEAR Code include any designee of the DOS.

- (4) **Hearing:** A meeting between a Responding Party and the DOS in which the Responding Party has the opportunity to respond to the alleged Misconduct summarized in the Notification.
- (5) **Interim Actions:** A restriction of a Responding Party's privileges, ordered by the DOS prior to the issuance of a Resolution when the DOS has determined that there is reasonable cause to believe the continued presence of the Responding Party on UNC Property or the Responding Party's engagement in specific activities presents an immediate and significant risk of substantial harm to themselves or others, the disruption of UNC operations or activities, or is necessary to provide reasonable protection to any person who may be adversely affected prior to the issuance of a Resolution. Interim Actions include Residence Hall and/or University Suspension, Loss of Recognition, no contact orders, persona non grata ("PNG") orders, and/or an order prohibiting the Responding Party from engaging in specific activities until a Resolution is issued. A Responding Party subject to Interim Actions may be, among other things, prohibited from attending classes, participating in any UNC Sponsored Activity, and/or from being present on UNC Property.
- (6) **Misconduct:** Conduct by a Student and/or RSO that, when considered in the totality of the circumstances, violates the BEAR Code regardless of where the conduct occurs. Students and RSOs are responsible for the Misconduct of their guests or agents.
- (7) **Notification:** A written document from the DOS informing the Responding Party(ies) that Reasonable Cause has been found with regard to their alleged conduct and that Code Due Process has been initiated. The Notification shall be delivered either by BearMail or by personal delivery and will summarize the Misconduct and the Code Due Process. Delivery by BearMail occurs when the Notification is time and date recorded in the inbox of the Responding Party(ies).
- (8) **Outcome:** An action described in a Resolution to be implemented with regard to a Responding Party. Outcomes include but are not limited to:



- (a) **Warning:** Notice to a Responding Party that they have engaged in Misconduct and that further Misconduct may result in further Outcomes.
- (b) **Probation:** A stated period during which a Responding Party is subject to review and during which the Responding party must demonstrate compliance with the BEAR Code.
- (c) **Loss or Restriction of Privileges:** A stated period during which a Responding Party, including an RSO, is not allowed to engage in specific activities.
- (d) **Restitution:** Monetary compensation, replacement or completion of one or more tasks or projects for loss, damage or injury to those adversely affected by Misconduct.
- (e) **Education or Counseling:** Research, education, counseling or completion of one or more projects designed to assist the Responding Party in their appreciation of the impact of their Misconduct upon others including but not limited to a required mental health assessment.
- (f) **Residence Hall and/or University Suspension:** A specified or indefinite period in which stated conditions must be satisfied during which a Responding Party is not allowed (a) in UNC residence halls or other residences, (b) in specific or all areas of UNC property, and/or (c) to participate in specific activities.
- (g) **Residence Hall and/or University Expulsion:** The permanent (a) ban of a Responding Party from UNC residence halls or other residences, (b) ban of a Responding Party from specific areas, or from the entirety, of UNC property, (c) termination of a Responding Party's academic program at UNC, and/or (d) prohibition of a Responding Party from applying for future re-enrollment at UNC.
- (h) **Revocation of Admission and/or Degree:** Revocation of a Responding Party's admission to UNC or the award of a degree due to Misconduct

including but not limited to fraud, misrepresentation, or plagiarism.

- (i) ***Withholding Admission or Degree:*** Admission of or the award of a degree otherwise earned by a Responding Party may be withheld until completion of Outcomes imposed.
- (j) ***Withdrawal Agreement:*** A Responding Party may, with the approval of the DOS, enter into an agreement to withdraw from UNC and not to re-apply for a specified period or permanently as part of the Outcomes imposed.
- (k) ***Loss of Recognition:*** Recognition as an RSO may be revoked and/or denied for a specified or indefinite period in which stated conditions must be satisfied or permanently.

The determination of the Outcome(s) imposed will be informed by the totality of the circumstances regarding the Misconduct including, but not limited to, the nature and severity of the Misconduct, the prior conduct history of the Responding Party, and reasonable and appropriate actions for the safety of adversely affected individual(s) and the UNC community.

- (9) ***Preliminary Inquiry:*** An informal process, during which Code Due Process does not apply, by which the DOS, in their discretion, gathers information about alleged Misconduct that is brought to its attention through information provided by, and/or outreach to, people who may have knowledge of information that is relevant to the issue of whether Misconduct has occurred.
- (10) ***Preponderance of the Evidence:*** Information from which the Dean of Students concludes that it is more likely than not that Misconduct has occurred.
- (11) ***Reasonable Cause:*** Information that, if true, supports the proposition that Misconduct has occurred.
- (12) ***Registered Student Organization ("RSO"):*** A group whose membership is

comprised primarily of, and led by, currently enrolled UNC students, and is formally recognized by UNC and conferred with privileges and benefits not offered to non-recognized groups.

- (13) **Remedy:** An action described in a Resolution to be implemented with regard to specific person(s), organizations (including RSOs) or the UNC community to mitigate the effects of the Misconduct of a Responding Party.
- (14) **Resolution:** The written decision of the DOS in a Code Due Process proceeding that summarizes the matters in issue, states whether a Preponderance of the Evidence supports the proposition that the Responding Party(ies) committed Misconduct and, if so, describes the Outcome(s) imposed on the Responding Party(ies) because of the Misconduct and any Remedies implemented for those who have been adversely affected by the Misconduct. A Resolution will be delivered by either BearMail or personal delivery as is described for a Notification.
- (15) **Responding Party:** Student(s) and/or RSO(s) who have been provided with a Notification.
- (16) **Student:** A person who has applied for admission to UNC (or is otherwise stated specifically to be subject to the BEAR Code) and continuing until that person is awarded a degree from UNC, withdraws from UNC, or until the expiration of any leave of absence or suspension of the person, whichever occurs last. A person continues to be a Student for purposes of the BEAR Code with regard to all Misconduct in which the person is alleged to have engaged while a Student whether or not the person has withdrawn or been awarded a degree. If a Student attempts to avoid a Notification by withdrawal from UNC, a hold will be placed on their transcript and registration, that may remain in effect until a Resolution of the matter is achieved.
- (17) **University ("UNC"):** The University of Northern Colorado.
- (18) **UNC Official:** Any person employed by, or authorized to act on behalf of, the University, who is performing assigned administrative or professional responsibilities in the conduct of University business.

- (19) **UNC Property:** All land, buildings and other facilities owned, leased, used, controlled, or in the possession of the University, including adjacent streets, sidewalks and paths.
- (20) **UNC Sponsored Activity:** Any activity or event, either on University Premises or elsewhere, which is initiated, aided, authorized or supervised by the University.
- (21) **Witness:** A person who has information relevant to the alleged Misconduct.
- (22) **Working Day:** Monday through Friday of each week, other than those days designated as “university holiday,” “university closed” or “university closed” on the UNC Calendar.

### 3-2-204 Misconduct

Any of the following conduct constitutes Misconduct under the BEAR Code:

- (1) **Physical Injury/Endangerment.** Conduct that has the purpose and/or effect of causing physical injury to another person, creating a substantial risk of physical injury to another person, or placing or attempting to place another person in fear of physical injury including but not limited to the creation or maintenance of health and/or safety hazards.
- (2) **Discrimination/Harassment/Retaliation.** Conduct that constitutes “Discrimination,” “Harassment,” and/or “Retaliation” as those terms are defined in the UNC Discrimination Complaint Procedures (“DCP”).
- (3) **Threatening Behaviors.** Any written or verbal expression, or physical or electronic act or gesture, or a pattern thereof, that, for any reason, is intended to coerce, intimidate, or cause any physical, mental, or emotional harm to any person, including but not limited to any such behavior that is directed toward a Student on the basis of their academic performance or against whom federal and state laws prohibit “Discrimination” as that term is defined in the DCP.

- (4) **Hazing.** Conduct, including but not limited to forced and prolonged physical activity; forced consumption of any food, beverage, medication or controlled substance, whether or not prescribed, in excess of the usual amounts for human consumption or forced consumption of any substance not generally intended for human consumption; prolonged deprivation of sleep, food, or drink, that has the purpose and/or effect of endangering the health or safety of, or causing a risk of bodily injury to another person, or that destroys or removes public or private property, for the purpose of initiation, admission into, and/or affiliation with an RSO or a group or organization that engages in activities on UNC's campus; except that "hazing" does not include customary athletic events or other similar contests or competitions, or authorized training activities conducted by members of the armed forces of the State of Colorado or the United States.
- (5) **Stalking.** A threat, physical action or repeated conduct made by one person to a second person that would cause a reasonable person to fear for their safety and, in connection with such threat, action or conduct, the first person follows, approaches, contacts (either face-to-face or by mail or electronic means), places under surveillance, makes an audio or video recording of, or communicates with the second person or a third person with whom the second person has had a continuing relationship, for the purpose and/or effect of causing serious emotional distress in the second person.
- (6) **Disorderly Conduct.** Making a coarse and obviously offensive utterance, gesture, or display in a public place that tends to incite an immediate breach of the peace.
- (7) **Rioting.** Engaging in, attempting, soliciting others, or conspiring with others to commit a public disturbance involving three or more persons that has the purpose and/or effect, by tumultuous and violent conduct of creating grave danger of damage or injury to property or persons or substantially obstructs the performance of any governmental function.
- (8) **Deadly Weapons Violations.** Unlawfully carrying, bringing, being in possession of, or leaving unattended for any period, a deadly weapon (including a firearm whether loaded or unloaded, a knife, bludgeon or any

other weapon, device, instrument, material, or substance, whether animate or inanimate, that, in the manner it is used or intended to be used, can produce death or serious bodily injury) on UNC Property.

- (9) **Theft.** Obtaining, retaining or exercising control over property of another without authorization, or by threat or deception, with the purpose and/or effect of depriving the person(s) to whom the property belongs of its use or benefit.
- (10) **Damage/Destruction of Property.** Conduct that has the purpose and/or effect of damaging or destroying UNC Property or the property of another person.
- (11) **Fire Safety Violations.** Conduct that violates federal, state, local, or campus fire policies including but not limited to causing a fire that damages UNC Property and/or causes physical injury to another person, failure to evacuate UNC Property during a fire alarm, improper use of UNC fire safety equipment, or tampering with or improperly engaging a fire alarm or fire detection/control equipment while on UNC Property.
- (12) **Trespass.** Entering or remaining on UNC Property or the property or the motor vehicle of another, without legal authorization to do so, or using a motor vehicle, camper, trailer, or other equipment or structure as a residence or dwelling on UNC Property.
- (13) **Unauthorized Access and Entry.** Unauthorized possession, duplication or use of keys to any UNC Property, unauthorized entry to any UNC Property, and/or unauthorized propping or use of alarmed or locked doors to any UNC Property.
- (14) **Controlled Substances Violations.** Actual or attempted possession, use, distribution, manufacturing, dispensing or sale of any controlled substance prohibited by federal, state and/or local law.
- (15) **Alcoholic Beverages Violations.** Actual or attempted possession, use, distribution, manufacturing, dispensing or sale of alcoholic beverages prohibited by applicable federal, state and/or local law or by UNC policy or

regulation including but not limited to consumption or possession of alcoholic beverages by students under the age of 21 and provision of alcoholic beverages to minors by students 21 years of age or older.

- (16) ***Smoking, Vaping and Tobacco Violations.*** Use of tobacco (or other substances including but not limited to cloves) by smoking, e-cigarettes, vape pens, or any other device used to consume tobacco products or other solid or liquid substances where use of tobacco is prohibited and/or, in the case tobacco or tobacco products, use by chewing or dipping.
- (17) ***Dishonesty.*** Conduct constituting:
- (a) ***Academic Misconduct.*** Cheating (the use, or attempt to use, academic work, material, information or study aids that are not permitted by the instructor), plagiarism (the use of another person's work or reuse of your own work without giving proper credit to the original source), fabrication (the creation of material or a source that does not exist to use as authority in academic work), or other acts of academic dishonesty;
  - (b) Providing false information to a UNC Official or other person in connection with a UNC matter;
  - (c) Initiating or circulating a false report, warning or threat that relates to any facet of UNC operations; or
  - (d) Forgery (with intent to defraud, falsely creating, completing, altering and/or utilizing a written instrument, which purports to be an authentic creation of the person identified as the creator, in connection with educational activities and/or matters related to the conduct of UNC business).
  - (e) Unauthorized use of UNC organizational names and images.
- (18) ***Interference with UNC Operations.*** Conduct, or directing or inciting others to engage in conduct (either face-to-face or by other methods including but not limited to electronic means) that has the purpose and/or effect of

impeding the staff or faculty of UNC in the performance of their lawful duties or of impeding a Student in the lawful pursuit of educational activities (including but not limited to access to instruction, research, administrative functions, meetings, public events, facilities, or proceedings under any UNC policy, regulation, procedure or rule).

(19) ***Failure to Comply with Directives of UNC Officials.*** Failure to identify oneself to, or comply with, reasonable directives of UNC Officials, faculty or law enforcement officers in the performance of their duties and responsibilities.

(20) ***Abuse of BEAR Code Procedures.*** Conduct, by a student/RSO or a person acting on behalf of the student/RSO, that has the purpose and/or effect of interfering with compliance with BEAR Code procedures including but not limited to:

- (a) Falsifying, altering or misrepresenting information submitted during BEAR Code proceedings.
- (b) Destroying or concealing information or physical evidence during BEAR Code proceedings.
- (c) Threatening, coercing or otherwise preventing, or attempting to threaten, coerce or otherwise preventing, a person's good faith participation in, or use of, BEAR Code proceedings.
- (d) Instituting or participating in BEAR Code proceedings in bad faith.
- (e) Soliciting or aiding, or attempting to solicit or aid, another person to commit an abuse of BEAR Code procedures.

(21) ***UNC Policy Violations.*** Conduct that violates:

- (a) The UNC Housing & Residential Education Handbook. and/or



- (b) Any UNC policy, rule, procedure or regulation published in hard copy and/or available electronically on the UNC website including but not limited to the Board Policy Manual, University Regulations, and all other such documents relating to student, academic, residence, information technology, athletic and/or safety matters.
- (22) ***Violation of Statute.*** Conduct that violates any Federal, State of Colorado, or local statute, ordinance and/or regulation.

### **3-2-205 Submission of Information About Misconduct**

Any person may submit information or inquiries about Misconduct under the BEAR Code using any of the following methods:

- (1) Call the Dean of Students Office - (970) 351-2001
- (2) Call the UNC Police Department (UNCPD) - (970) 351-2245 (non-emergency) or 911 (emergency)

Submit an online incident report through the Dean of Students Office

<https://www.unco.edu/dean-of-students/share-concern-complaint/>  
<https://www.unco.edu/dean-of-students/share-concern.aspx>

- (3) Submit an online incident report through UNC Safe Campus  
<http://www.unco.edu/mysafecampus>.

Anonymous reports of Misconduct will be investigated to the extent allowed by the information provided, but anonymity may limit UNC's ability to investigate the matter effectively.

### **3-2-206 Time Limitations for Submission of Information About Misconduct**

- (1) If the Misconduct occurred during a period in which the BEAR Code applied to the Student and/or RSO alleged to have committed the Misconduct, there is no time limit within which the Misconduct must be reported.

- (2) UNC's ability to investigate Misconduct may be improved if information about the Misconduct is submitted when it is first observed. For that reason, UNC urges people with information (or questions) about Misconduct to submit the information or questions when they arise using one of the methods described above.

### **3-2-207 Preliminary Inquiry After Information About Misconduct is Received**

Once information about alleged Misconduct is received from any source, the DOS may proceed with a Preliminary Inquiry of the matter and may request that Student(s) and/or RSO(s) representatives and others who may have relevant information meet with the DOS to gather information about the Misconduct. As a result of the Preliminary Inquiry, the following actions may occur, any of which may be implemented in the discretion of the DOS:

- (1) That there is insufficient information to support a determination of Reasonable Cause and that no further proceedings will occur at this time;
- (2) That additional information should be gathered through a continuing Preliminary Inquiry into the matter;
- (3) That, as a result of the information gathered, one or more persons who have been contacted in the course of the Preliminary Inquiry do not contest that they have engaged in Misconduct and that a Resolution is issued about the matter or that additional discussions may occur to attempt to issue a Resolution; or
- (4) That the DOS has determined that Reasonable Cause exists, that Responding Party(ies) have been identified and that the Code Due Process should begin.

### **3-2-208 Reasonable Cause and Code Due Process**

If, either with or without a Preliminary Inquiry, the DOS determines that Reasonable Cause exists, it may begin Code Due Process as follows:

- (1) The DOS will deliver a Notification to the Responding Party and to any UNC Official with a "need to know" in the performance of their responsibilities

to UNC.

- (2) A Hearing will be set by the DOS no sooner than three (3) Working Days following delivery of the Notification to the Responding Party.
- (3) At the discretion of the DOS, Responding Parties who have been delivered Notifications that arise out of the same transaction, occurrence or relevant facts may be scheduled for a joint Hearing, rather than separate Hearings.
- (4) If a joint Hearing is set, the DOS will conduct the Hearing in a manner such that each Responding Party will hear the evidence related to their alleged Misconduct and be permitted to present evidence separately in response.
- (5) The Responding Party is requested to submit to the DOS a list of any witnesses and/or evidence for review prior to the scheduled Hearing.
- (6) The Hearing is not public and people other than the DOS, the Responding Party, and the Responding Party's Advisor may only be allowed by mutual consent of the DOS and the Responding Party.
- (7) The DOS will conduct the Hearing, at which Hearing the Responding Party is responsible for presenting their own evidence but may be assisted by an Advisor within the limitation of the Advisor's role as described in Section 3-2-203(1), above.
- (8) If the Responding Party's Advisor at the Hearing is legal counsel, then the DOS may also decide to have legal counsel present at the Hearing.
- (9) The DOS will present evidence that supports the proposition that the Responding Party committed Misconduct.
- (10) The DOS may impose limits upon the number of witnesses or amount of evidence that may be submitted if the evidence is repetitive or not relevant to the Misconduct alleged.

- (11) Rules of evidence or procedure used in court proceedings do not apply in the Hearing and general considerations of relevancy and fairness will be used by the DOS during the Hearing.
- (12) After all the evidence is presented at the Hearing, the DOS must decide whether the Preponderance of the Evidence supports a determination that the Responding Party has committed Misconduct.
- (13) A Resolution that Misconduct has occurred must be supported by a Preponderance of the Evidence and the burden is on UNC to do so.
- (14) After the Hearing is completed, the Dean of Students will issue a written Resolution of the matter and will provide a copy of the Resolution to the Responding Party and to any UNC Official with a “need to know” in the performance of their responsibilities to UNC;
- (15) If the Responding Party is found to have engaged in Misconduct, the Resolution will describe the Outcome(s) imposed, including any Remedy(ies) implemented with respect to people adversely affected by the Misconduct, and provide information about how the Responding Party may file a written appeal of the Resolution’s determination of Misconduct and/or the Outcome(s) imposed, if they choose to do so.
- (16) People who have been affected adversely by the Misconduct that was the subject of the Hearing may be informed of the Resolution to the extent reasonable and necessary and to allow effective imposition of Outcome(s) and effective implementation of Remedy(ies).
- (17) Other than described above, the Resolution will not be a public document and will not be provided to others unless required by applicable law or a subpoena issued by a court of competent jurisdiction.

### **3-2-209 Interim Actions**

- (1) The DOS has the authority to order Interim Actions including suspension, no contact orders, persona non grata (“PNG”) orders, and/or an order

prohibiting the Responding Party from engaging in specific activities (including but not limited to participating in any UNC Sponsored Activity, classes in-person or in a virtual format, or being present on UNC Property) until a Resolution is issued. These orders are issued to mitigate immediate and significant risks of substantial harm, or provide protection, to a Responding Party or others, or prevent disruption of UNC operations or activities.

### **3-2-210 Appeal Procedures**

If a Responding Party is determined to have committed Misconduct, the Responding Party may file a written appeal of the Resolution's determination of Misconduct and/or the Outcome(s) imposed as follows:

- (1) A Responding Party may appeal the Resolution on one or more of the following bases:
  - (a) Denial of Code Due Process (that is, a claim that Code Due Process provided in the Code was not provided to the Responding Party in one or more respects); or
  - (b) Existence of additional evidence (that is, a claim that the Responding Party is aware of additional evidence (other than evidence or written statements about the character of the Responding Party) that was not available at the time of the Hearing and that additional evidence is sufficiently substantial to change the outcome of the Hearing as determined in the Resolution in a significant manner); or
  - (c) The Outcome(s) were inappropriate given the nature of the Misconduct that was committed (but only as to those Outcomes described in Section 3-2-203(8)(f), (g), (h), (i), and (k))
- (2) If evidence or written statements about the character of the Responding Party are submitted in an appeal, all such information will be removed from the appeal record, and not provided to the appeal reader(s).
- (3) A Responding Party may only appeal a Resolution once on the basis described in subsection (1)(c), above.

- (4) The appeal does not involve a new Hearing in the case.
- (5) The appeal is based on the Hearing record and the Resolution issued in the Hearing (and, if the appeal is based on “additional evidence,” under subsection (1)(b), above, the additional evidence that is claimed was not available and would have been sufficiently substantial to change the outcome of the Hearing.)
- (6) In order to appeal, the Responding Party must submit a Statement of Appeal Form to the DOS within five (5) Working Days following delivery of the Resolution to the Responding Party.
- (7) If the Statement of Appeal Form is not filed within the five (5) Working Day period, the appeal is untimely and will not be considered.
- (8) An appeal on one or more of the bases described above, and submitted by the deadline stated above, will be reviewed by one or more appeal readers, who will be appointed by the DOS.
- (9) The appeal readers, after reviewing the record and the Statement of Appeal, will issue a written decision that addresses each basis under subsection (1), above, on which the Resolution is appealed.
  - (a) If the Resolution is appealed on the basis of subsection (1)(a), above, the written decision of the appeal reader(s) must either (i) affirm the Resolution or (ii) reverse the Resolution, describe the Code Due Process that was not provided in the case, and remand the case to the DOS for further proceedings beginning at the earliest point at which the Code Due Process was not provided and to proceed forward until all Code Due Process is provided to decide whether the Preponderance of the Evidence supports a determination that the Responding Party has committed Misconduct, at which time the DOS will issue a Resolution on remand.
  - (b) If the Resolution is appealed on the basis of subsection (1)(b), above, the written decision of the appeal reader(s) must either (i) affirm the Resolution or (ii) reverse the Resolution, describe the “additional

evidence” that should be considered in the case, and remand the case to the DOS for further proceedings in which the “additional evidence” is introduced in the Hearing and considered to decide whether the Preponderance of the Evidence supports a determination that the Responding Party has committed Misconduct, at which time the DOS will issue a Resolution on remand.

- (c) If the Resolution is appealed on the basis of subsection (1)(c), above, the written decision of the appeal reader(s) must either (i) affirm the Resolution or (ii) provide a nonbinding recommendation to the DOS that the Outcome(s) in the Resolution be modified, describe why, in the opinion of the appeal reader(s), the Outcome(s) are inappropriate given the nature of the Misconduct that was committed, and remand the case to the DOS for their consideration of the nonbinding recommendations of the appeal reader(s), provided however, that the DOS, in their sole discretion, may accept all, some, none of the nonbinding recommendations of the appeal reader(s) when issuing the final Resolution on remand.
- (10) A Responding Party who appeals the Resolution or a Witness, and/or any person(s) acting on behalf of the Responding Party or a Witness, may not have contact with the appeal reader(s) while the appeal is pending or after written decision of the appeal reader(s) is issued regarding the subject matter of the Code Due Process proceeding, including but not limited to, the Hearing, the Resolution or the appeal of the Resolution.
- (11) After the DOS issues the Resolution, such Resolution and its Outcomes(s), once issued, remain in force and effect unless and until, if applicable:
  - (a) The Resolution is reversed under subsection 9(a)(ii) and/or 9(b)(ii); or
  - (b) Following a remand to the DOS under subsection 9(c)(ii), the DOS issues a final Resolution that modifies the original Resolution.

### **3-2-211 Academic Integrity and the BEAR Code**

- (1) Academic integrity is a foundation of UNC, and it is expected that Students will conduct themselves in a manner that demonstrates care and excellence in their academic pursuits. Learning how to express original ideas, cite sources, work independently, and share results accurately and honestly are transferrable skills for students beyond their academic career.
- (2) Behavior that violates academic integrity is commonly referred to as academic misconduct and is included in the definition of "Misconduct," above. Thus, the BEAR Code applies to issues of Academic Misconduct.
- (3) A Student who has been found to have committed multiple Academic Misconduct violations may also be subject to other additional Outcomes under the BEAR Code that may be imposed by the Dean of Students.
- (4) Any person may submit information or inquiries about Academic Misconduct by using the methods outlined as described in Section 3-2-205, above. A faculty member who is concerned that a Student may have committed Academic Misconduct may, in their discretion, deliver a Notification to the Student and/or meet with the Student to discuss the matter and provide evidence of Academic Misconduct. In either case, the faculty member must submit a report to the Dean of Students describing the alleged Academic Misconduct.
- (5) The purpose of a meeting between the faculty member and the Student is:
  - (a) for the faculty member to explain and present evidence to the Student about the Academic Misconduct allegation and
  - (b) to allow the Student an opportunity to provide information in response to the alleged Academic Misconduct. At any stage in the process of the faculty member's contact with the Student, the faculty member may consult with their program chair, college Dean's office, the student's advisor, or Dean of Students.
- (6) After the meeting with the Student:



- (iii) If the faculty member determines that Academic Misconduct did not occur, the matter will be closed.
- (iv) If the faculty member determines that Academic Misconduct did occur the faculty member will also determine an outcome that is appropriate and consistent with UNC policy and the course syllabus, and that may include one or more of the following:
  - (i) A grade reduction on the assignment or exam in which the Academic Misconduct occurred;
  - (ii) A grade of "F" on the assignment or exam in which the Academic Misconduct occurred;
  - (iii) A grade reduction in the course in which the Academic Misconduct occurred; or
  - (iv) A grade of "F" in the course in which the Academic Misconduct occurred.
- (v) If the faculty member determines that other educational outcomes are appropriate, they may consider:
  - (i) Requiring an additional assignment(s);
  - (ii) Assignment of a reflection essay related to the Academic Misconduct; and/or
  - (iii) Other educational outcome(s) as assigned.
- (7) The faculty member will deliver a Resolution to the Student and will also provide the Resolution to the DOS.

- (8) If a Student is found to have committed Academic Misconduct, they may file an appeal if allowed under the Academic Appeal Procedure found at Section 2-1-201 of the UNC Board Policy Manual.

### **3-2-201 BEAR Code**

#### **3-2-301 Behavioral Intervention Team (“BIT”) Purpose and Scope**

The University of Northern Colorado (“UNC”) values safety and security for all members of its campus community.

UNC shall maintain a BIT that is charged with determining a coordinated course of action to identify, assess, and respond to Behavior of Concern (as defined below) by a UNC Student (as defined below, and regardless of whether the Behavior of Concern violates the BEAR Code.) The BIT shall meet regularly and on an as-needed basis to fulfill its charge described in the immediately preceding sentence.

UNC recognizes and upholds the rights of individuals with disabilities and does not discriminate based on disability in the course of BIT proceedings. A Student with a disability whose Behavior of Concern is subject to BIT proceedings may request, through the UNC Disability Resource Center (“DRC”), an accommodation for their disability and the DRC shall engage with the Student in the interactive process upon such a request and all such requests are subject to an individualized process with, and a decision by, the DRC regarding disability-related accommodation(s). Whether such a request is reasonable and/or would be a fundamental alteration to BIT proceedings is a matter to be determined on a case-by-case basis after the request has been made.

#### **3-2-302 Definitions**

The following definitions apply to Sections 3-2-301 through 309:

- (1) Behavior of Concern: One or more behaviors of a Student that poses a risk to the health or safety of the Student or other person(s), or of disruption to the UNC community.
- (2) Direct Threat: A determination based on an individualized assessment of the available medical, mental health and/or other objective information that the following impacts have occurred or there is a probability that they will occur:
  - a. Substantial harm to the Student and/or other person(s);
  - b. Substantial damage to UNC property;

- c. Substantial impediment to UNC education processes and/or the operation of UNC.
- (3) Involuntary Withdrawal: A withdrawal of the Student from UNC implemented by the BIT that may include requirements that must be completed prior to readmission of the Student including, but not limited to, submission of medical and/or mental health documentation, results of a threat assessment, and/or confirmation of the Student's compliance with any recommendations from a healthcare provider and/or qualified threat assessment professional.
- (4) Student: A person who:
  - a. Is registered for courses at UNC; and/or
  - b. Has completed the immediately preceding semester or term and is eligible to, but is not presently, registered for courses in the succeeding semester or term; and/or
  - c. Is temporarily absent from courses at UNC.

### **3-2-303 BIT Membership**

The BIT Chair is the UNC employee who is directly responsible for leadership and oversight of behavioral intervention related to Behavior of Concern regardless of the title of the employee's position. BIT membership includes, but is not limited to, representatives from UNC student conduct, case management, mental health services, police, student housing, legal counsel, and/or UNC representative(s) who perform substantially similar functions irrespective of department or area title.

### **3-2-304 BIT Authority**

Under the leadership of the Chair, the BIT shall work to achieve informed decisions, recommendations, and design individualized action plans in response to Behavior of Concern. In so doing, the BIT may implement/require any one or more of the following measures:

- (1) Meeting(s) of the Student with BIT member(s) or their designee(s);
- (2) Contact(s) with the Student's family, legal guardian, and/or emergency contact;
- (3) Mandatory medical or psychological assessment and/or treatment of the Student;
- (4) Participation by the Student in an off-campus risk assessment with a qualified professional of the BIT's choice;

- (5) Authorize the release and/or exchange of information about the Student among qualified healthcare provider(s) and the BIT;
- (6) Initiate Involuntary Withdrawal Procedures regarding the Student (see 3-2-305);
- (7) Referral(s) of the Student to campus or community resources;
- (8) Order interim actions restricting the Student's privileges including, but not limited to, residence hall and/or University suspension, no contact orders, persona non grata ("PNG") orders, and/or an order prohibiting the Student from engaging in specific activities (including but not limited to participation in any UNC Sponsored Activity, class attendance in-person or in a virtual format, or presence on UNC property);
- (9) Placement of registration and/or transcript hold(s) or transcript notation(s) regarding the Student.

### **3-2-305 Involuntary Withdrawal Purpose**

In response to Behavior of Concern, the BIT may determine that it is necessary for a Student to be Involuntarily Withdrawn from UNC for the protection of the Student and/or the UNC community. An Involuntary Withdrawal of a Student (as defined above) shall be implemented by the BIT when it is determined that (i) a Direct Threat (as defined above) exists with respect to the Student and (ii) an offer of voluntary withdrawal is refused by the Student or a voluntary withdrawal is determined by the BIT to be an inadequate measure to mitigate the Direct Threat.

### **3-2-306 Involuntary Withdrawal Notice**

Implementation of an Involuntary Withdrawal shall include written Notice to the Student as soon as is practicable under the circumstances. The Notice shall describe the reasons that the Involuntary Withdrawal was implemented and any requirements for readmission of the student, including the appropriate point of contact regarding consideration for readmission (see 3-2-404).

### **3-2-307 Involuntary Withdrawal Appeal**

The Student may appeal the decision to implement an Involuntary Withdrawal if they contend that the conditions precedent in Section 3-2-305 were not satisfied with respect to the implementation of the Involuntary Withdrawal. To do so, the Student must submit a written appeal statement and all supporting documentation to the Vice President of Student and Enrollment Services (VP SAES)

or the UNC employee who is directly responsible for leadership and oversight of student affairs regardless of the title of the employee's position. The written appeal statement and all supporting documentation must be submitted no later than fourteen (14) calendar days after receiving Notice of the Involuntary Withdrawal. The VP SAES may affirm, reverse, or modify the Involuntary Withdrawal decision. If the Involuntary Withdrawal is reversed or modified, the VP SAES may, in their discretion, implement requirements they deem reasonable and necessary to mitigate the Direct Threat. The decision of the VP SAES regarding the Student's appeal shall be final and binding on UNC and the Student.

### **3-2-308 Financial Implications**

As with voluntary withdrawals, a Student who is Involuntarily Withdrawn shall be subject to applicable UNC policies and Federal and State law regarding financial obligations for tuition, fees, student housing costs, and for financial aid and/or scholarships that the Student received.

### **3-2-309 Readmission**

A Student who is Involuntarily Withdrawn and who wants to be considered for readmission shall contact the point of contact identified in the Student's Involuntary Withdrawal Notice. The BIT shall consult with other UNC administrative offices and employees, as necessary, to determine if all requirements of readmission have been met by the Student prior to deciding if the Student shall be readmitted.

### **Policy History**

#### **3-2-111 STUDENT-FACULTY DISPUTE RESOLUTION PROCESSES.**

3-2-111 Section added (May 2017)

#### **3-2-201 STUDENT CODE OF CONDUCT ("BEAR Code").**

3-2-201 Section amended (Jan 2022)

3-2-201 Section added (Aug 2020)

3-2-301 Section added (Oct 2022)