

UNIVERSITY OF
NORTHERN COLORADO

BOARD OF TRUSTEES AGENDA ITEM

Meeting Date: June 12, 2020

Action Item Discussion Item Information Item

Name of Item:	Board Policy Manual Amendment – Section 2-1-501 to 504 (Student Conduct)
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Responsible Staff Member: Dan Satriana

Summary of Issue: Recommend approval of the deletion of the student conduct provisions in Board Policy Manual effective August 1, 2020. On that date, the deleted provisions will be replaced by the revised Student Code of Conduct (BEAR Code) approved by President Feinstein that will be contained in the University Regulations. The revised Student Code of Conduct, among other things, clarifies the circumstances in which the Code applies to a "student," clarifies the definition of "misconduct" under the Code, and provides better tracking of instances of "academic misconduct" by students.

Recommended Action by BOT:	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> No Action Needed
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Change to Board Policy Manual:	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> No Action Needed
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If yes, Section: 2-1-501 to 504

Administrative Recommendation (Motion): Approve change to Board Policy Manual


Signature of Vice President

6/4/20
Date


Signature of President

6/4/2020
Date

Part 5 Student Conduct.

2-1-501 University Standards of Conduct. (Section moved to University Regulations and replaced by revised Student Code of Conduct (BEAR Code))

Students and recognized student organizations at the University of Northern Colorado possess certain rights and responsibilities designed to promote a safe and respectful living and learning environment. The University values freedom of expression and the respectful exchange of diverse viewpoints. By choosing to attend the University of Northern Colorado, students agree to uphold standards of conduct that have been developed to guarantee students freedom to learn and to protect the fundamental rights of others. In an effort to foster tolerance, civility, and accountability, the student conduct process aims to serve as a learning experience that can result in growth and personal understanding of one's responsibilities and privileges within both the university community and the greater community.

2-1-501(1) Definitions.

- (a) The term *Advisor* means a person chosen by a Complainant or Respondent to provide personal support through the conduct process. An advisor must have no other role in the hearing, such as a witness, and may not speak or otherwise represent his or her advisees.
- (b) The term *Appeal Reader(s)* means any person or persons authorized by the Dean of Students or designee to consider an appeal from a University Hearing Panel's determination as to whether a student has violated the Student Conduct Code or from the sanctions imposed by the University Hearing Officer.
- (c) The term *Chief Disciplinary Officer* means the Dean of Students of the University of Northern Colorado or a designated University official authorized on a case-by-case basis by the Dean of Students to impose sanctions upon any student(s) found to have violated the Student Code.
- (d) The term *Complainant* means any person who submits a charge alleging that a student violated this Student Code. When a student believes that s/he has been a victim of another student's misconduct, the student who believes s/he has been a victim will have the same rights under this Student Code as are provided to the Complainant, even if another member of the University community submitted the charge itself.
- (e) The term *Faculty Member* means any person hired by the University of Northern Colorado to conduct classroom activities, whether in a classroom, laboratory, field, clinical, or virtual setting or who is otherwise considered by the University to be a member of its faculty.
- (f) The term *May* is used in the permissive sense.
- (g) The term *Member of the University Community* includes any person who is a student, faculty member, University official or any other person employed by the University. A person's status in a particular situation shall be determined by the Dean of Students or designee.
- (h) The term *Organization* means any number of persons who have complied with the formal requirements for University recognition/registration.
- (i) The term *Parent* means a student's parent or legal guardian.
- (j) The term *Policy* means the written regulations of the University as found in, but not limited to, the Student Conduct Code, Residence Life Handbook, the University web page and

computer use policy, Graduate/Undergraduate Catalogs, and University Regulations and Board Policy.

(k) The term *Preponderance of Evidence* means what happened is more likely than not to have happened. This shall be the standard of proof used in all conduct proceedings under this code.

(l) The term *Respondent* means any student accused of violating this Student Code.

(m) The term *Shall* is used in the imperative sense.

(n) The term *Student* includes: all persons taking courses at the University, either full time or part-time, pursuing undergraduate, graduate, or professional studies; those who withdraw after allegedly violating the Student Conduct Code; those who are not officially enrolled for a particular term but who have a continuing relationship with the University; those who have been notified of their acceptance for admission are considered *students* as are persons who are living in University housing, although not enrolled in this institution. The Student Conduct Code applies to all University of Northern Colorado students enrolled through University programs who are studying abroad or at other remote locations.

(o) The terms *University* or *Institution* mean the University of Northern Colorado.

(p) The term *University Hearing Officer/Panel* means any person or persons authorized by the Dean of Students or designee to determine whether a student has violated the Student Conduct Code and to recommend sanctions that may be imposed when a violation has been committed.

(q) The term *University Official* includes any person employed by the University, performing assigned administrative or professional responsibilities. University officials may be full or part-time, or may be student staff members.

(r) The term *University Premises* includes all land, buildings, facilities, and other property in the possession of or owned, leased, used, or controlled by the University of Northern Colorado (including adjacent streets and sidewalks).

(s) The term *University Sponsored Activity* means any activity on or off campus which is initiated, aided, authorized or supervised by the University.

(t) The term *Witness* means any individual who may have information relating to a conduct case.

(u) "Working Days," as used in this Board Policy Manual, means all days other than (a) those designated as "university holiday," "university closed" or "spring break" on the UNC Calendar maintained on the University website, (b) the days following the last day of classes of the fall semester and prior to the first day of classes of the spring semester, (c) the days following the last of classes of the spring semester and prior to the first day of classes of the fall semester of the following academic year, and (d) Saturdays and Sundays.

2-1-501(2) Student Code Authority.

(a) The Dean of Students shall determine the composition of University Hearing Panels and determine which University Hearing Board, University Hearing Officer and Appellate Reader shall be authorized to hear each matter.

(b) The Dean of Students or designee shall develop policies for the administration of the student conduct system and procedural rules for the conduct of University Hearing Panel Hearings that are consistent with provisions of the Student Conduct Code.

(c) Decisions made by a University Hearing Panel and/or University Hearing Officer shall be final, pending the normal appeal process.

2-1-501(3) Student Conduct.

The University of Northern Colorado Student Conduct Code shall apply to conduct that occurs on University premises, at University sponsored activities, and to off-campus conduct that adversely affects the University community, poses a threat to safety of persons or property, or damages the institution's reputation or relationship with the greater community. In addition, University of Northern Colorado, in collaboration with the Greeley community, may respond to student violations of community-based laws and ordinances designed to protect civility and quality of life. The Dean of Students or designee shall decide whether the Student Conduct Code shall be applied to conduct occurring off campus, on a case-by-case basis, at his or her sole discretion.

Each student shall be responsible for his or her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if his or her conduct is not discovered until after a degree is awarded). The Student Code shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending.

Any student found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary sanctions outlined in Article IV:

(I) Acts of dishonesty, including but not limited to the following:

(i) Cheating, plagiarism, or other forms of academic dishonesty.

(i) Furnishing false information to any University official.

(ii) Forgery, alteration, or misuse of any instrument of identification, University document, or record.

(II) Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other University activities, including its public service functions on or off campus, or other authorized non-University activities when the conduct occurs on University premises.

(III) Physical abuse, verbal abuse, threats, intimidation, coercion, and/or other conduct that threatens or endangers the health or safety of any person, including the student.

(IV) Repeated conduct that would cause a reasonable person to fear for his or her safety or to alter his or her activities in response to the repeated conduct. Such repeated conduct may include, but is not limited to, any of the following: following, approaching, contacting, or placing under surveillance a person, a member of that person's family, or close acquaintance, whether or not conversation ensues.

(V) Harassment, which consists of any verbal, visual, written or physical conduct that is sufficiently severe, persistent or pervasive that it adversely affects, or has the purpose or logical consequence of interfering with any student's educational program or creates an intimidating, hostile or offensive environment within the University community.

- (i) Sexual Harassment, which includes, but is not limited to non-consensual verbal or physical conduct related to sex which unreasonably interferes with an individual's work, educational, or social performance or creates an intimidating, hostile, or offensive work, educational, or social environment; or is a violation of an individual's privacy, at the University, on University-owned or controlled property, at university sponsored or supervised activities, or at functions of recognized student organizations.
- (ii) Bias-Related Harassment, which includes harassment of a person or group because of factors such as race, ethnicity, religion, gender, sexual orientation, age, creed, national origin, disability, political affiliation or veteran status.

(VI) Sexual Misconduct, which is defined as:

- (i) Sexual contact that is without consent by any party. It is the obligation of any person to obtain active consent from the other person prior to sexual contact. Examples of misconduct include, but are not limited to, touching another's genitals/breasts without consent; having sexual contact with someone whose decision-making ability is compromised (e.g. from alcohol or drug usage); or continuing sexual activity after either party has made it clear, either verbally or by conduct, that they do not wish to have physical contact.
- (ii) Obscene or indecent behavior, which includes, but is not limited to, exposure of one's sexual organs or the display of sexual behavior that would reasonably be offensive to others; deliberate observation of others for sexual purposes without their consent; taking or posting of photographs/images of a sexual nature without consent; possession or distribution of illegal pornography; or viewing or posting pornography in public venues.

(VII) Theft of and/or damage to property of the University or property of a member of the University community or other personal or public property, on or off campus.

(VIII) Hazing, defined as an act which endangers the mental or physical health or safety a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing are not neutral acts; they are violations of this rule.

(IX) Failure to comply with directions of University officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.

(X) Unauthorized possession, duplication or use of keys to any University premises or unauthorized entry to or use of University premises.

(XI) Violation of any University policy, rule, or regulation published in hard copy or available electronically on the University website, including, but not limited to, the Residence Life Handbook, Student Athlete Handbook, UNC Computer, Internet & Electronic Communications Policies and Procedures, or any academic college policies.

(XII) Violations of federal, state, and municipal laws, or any other conduct not included above, which unreasonably interferes with the operations of the University, and the pursuit of its educational purposes and objectives or the rights of others, or which renders a person or organization unfit or unsuitable for continued association or affiliation with the University.

- (XIII) Use, possession, manufacturing, or distribution of marijuana, heroin, narcotics, or other controlled substances except as expressly permitted by law.
- (XIV) Public intoxication, use, possession, manufacturing, or distribution of alcoholic beverages except as expressly permitted by University regulations or by law. Alcoholic beverages may not, in any circumstance, be used by, possessed by or distributed to any person under twenty-one (21) years of age.
- (XV) Possession of firearms, ammunition, explosives, other weapons, or dangerous chemicals on University premises or use of any object in a way that harms, threatens, or causes fear to others on or off campus. Weapons include, but are not limited to, any but not limited to, all firearms, pellet guns, switchblade knives, or instruments designed to look like any of the above. Concealed weapons may only be carried by sworn law enforcement officers. All other concealed weapons, whether carrying with a lawful permit or otherwise, are strictly prohibited on all campus premises.
- (XVI) Participating in an on-campus or off-campus demonstration, riot or activity that disrupts the normal operations of the University and/or infringes on the rights of other members of the University community, leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area.
- (XVII) Obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University sponsored or supervised functions.
- (XVIII) Conduct that is disorderly, lewd, or indecent; breach of peace or aiding, abetting, or procuring another person to breach the peace on University premises or at functions sponsored by, or participated in by, the University or members of the academic community. Disorderly conduct also includes, but is not limited to, any unauthorized use of electronic or other devices to make an audio or video record of any person without his or her prior knowledge, or without his or her effective consent when such a recording is likely to cause injury or distress.
- (XIX) Abuse of the Student Conduct System, including but not limited to:
- (i) Failure to obey the notice from a Student Conduct Board or University official to appear for a meeting or hearing as part of the Student Conduct System.
 - (ii) Falsification, distortion, or misrepresentation of information before a Student Conduct Board.
 - (iii) Disruption or interference with the orderly conduct of a Student conduct Board proceeding.
 - (iv) Institution of a student conduct code proceeding in bad faith.
 - (v) Attempting to discourage an individual's proper participating in, or use of, the student conduct system.
 - (vi) Attempting to influence the impartiality of a member of a Student Conduct Board prior to, and/or during the course of, the Student Conduct Board proceeding.
 - (vii) Harassment (verbal or physical) and/or intimidation of a member of a Student Conduct Board prior to, during, and/or after a student conduct code proceeding.
 - (viii) Failure to comply with the sanction(s) imposed under the Student Conduct Code.

(ix) Influencing or attempting to influence another person to commit an abuse of the student conduct code system.

(XX) Intentional initiation or circulation of any false report, warning, or threat of fire, bombs, or explosives on University-owned or controlled property, at University-sponsored or supervised functions or at functions or facilities of recognized student organizations.

(XXI) Retaliation against any individual. Retaliation is defined as any conduct which serves as a reprisal with the intent of causing physical or psychological pain. Retaliation includes, but is not limited to, unwelcome or repeated contacts by telephone, by letter, in person, or by third party; damaging or vandalizing personal property; offensive acts/gestures; overt threats, whether or not they were actually carried out; or any conduct that would instill fear and trepidation in the victim.

(XXII) Students may be held independently accountable to both civic authorities and to the University for acts which constitute violations of law and/or violations of University policies, regulations, or procedures. Disciplinary action will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed, reduced, or are in process. A Colorado law states that if a person is convicted of a riot offense (inciting, arming, or engaging) he/she must be immediately suspended from a Colorado state-supported institution of higher education for a period of twelve months and will be unable to attend any other Colorado state-supported institution of higher education for that time period.

2-1-502 Academic Expectations Related to Student Conduct.

In order to encourage and foster academic excellence, the University expects students to conduct themselves in accordance with certain generally accepted norms of scholarship and professional behaviors. Because of this expectation, the University does not condone any form of academic misconduct. Academic misconduct includes but is not limited to plagiarism, cheating, fabrication, and knowingly or recklessly encouraging or making possible any act of plagiarism, cheating, or fabrication. Academic misconduct is an unacceptable activity in scholarship and is in conflict with academic and professional ethics and morals.

Consequently, students who are judged to have engaged in some form of academic misconduct may be subject to (1) a zero or an "F" on the work in question, (2) an "F" in the course, (3) other academic penalties as outlined in the professor's course requirements and expectations, (4) disciplinary action as specified in the Sanctions for Misconduct section below, or (5) any combination thereof. When an instructor reports an incident of academic misconduct and related academic consequences to the Dean of Students Office, a student found responsible for such misconduct may still receive a failing grade even if he/she has withdrawn from or dropped the course. Procedural due process, including the right to appeal, is to be followed in making a determination of whether academic misconduct has occurred.

Generally, a student's intentions will not be the primary consideration in the determination of whether academic misconduct has occurred. A student's intentions will usually be considered only during the process of deciding on the appropriate sanctions or penalties.

Plagiarism is the act of appropriating the written, artistic, or musical composition of another, or portions thereof; or the ideas, language, or symbols of same and passing them off as the product of one's own mind. Plagiarism includes not only the exact duplication of another's work, but also the lifting of a substantial or essential portion thereof.

Regarding written work in particular, direct quotations, statements which are the result of paraphrasing or summarizing the work of another, and other information which is not considered common knowledge must be cited or acknowledged, usually in the form of a footnote. Quotation marks or a proper form of indentation shall be used to indicate all direct quotations.

As long as a student adequately acknowledges his or her sources and as long as there is no reason to believe that the student has attempted to pose as the originator, the student will not be charged with plagiarism even though the form of the acknowledgment may be unacceptable. However, students should be aware that most professors require certain forms of acknowledgment and some may evaluate a project on the basis of form.

Cheating is the act of using or attempting to use, in examination or other academic work, material, information, or study aids which are not permitted by the instructor. Cheating includes, but is not limited to: Using books, notes, or calculators or copying from or conversing with others during an examination (unless such external aids are permitted by the instructor); having someone else do research, write papers, or take examinations; doing research, writing papers, or taking examinations for someone else. Prior approval of the instructor(s) is required before submission of all or part of the same work as part of the academic work for more than one course.

Fabrication is the invention of material or its source and its use as an authority in academic work. Fabrication includes, but is not limited to: inventing the data for a scientific experiment; inventing the title and author of a publication in order to use the invented publication as a source; or knowingly attributing material to an incorrect source.

2-1-503 Sanctions for Misconduct.

The University seeks to ensure equal treatment of students and recognized student organizations that are subject to disciplinary or academic sanctions and to impose similar sanctions under similar circumstances. The prior conduct record, if any, will be taken into consideration in determining sanctions. Any sanctions imposed by the University shall be confirmed in writing. Sanctions for violations of University standards by individuals or recognized student groups include:

- (1) **Warning**—An official notice to a student or recognized student organization that the conduct is in violation of the Student Rules and Regulations. The continuation of such conduct or actions may result in further disciplinary action.
- (2) **Probation**—Disciplinary probation is a period of observation and review of conduct during which the student or recognized student organization must demonstrate compliance with the Student Rules and Regulations. Terms of this probationary period will be determined at the time probation is imposed.
- (3) **Loss of Privileges**—Denial of specified privileges for a designated period of time.
- (4) **Restitution**—Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- (5) **Discretionary Sanctions**—These include, but are not limited to, recommendation for counseling, required mental health assessment, restriction of privileges, or a special educational project designed to assist the student in better understanding the overall impact of his or her behavioral infraction.
- (6) **Residence Hall Suspension**—Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
- (7) **Residence Hall Expulsion**—Permanent separation of the student from the residence halls.
- (8) **Interim Suspension**—Interim suspension is taken in extreme or unusual cases when there is reasonable cause to believe the continued presence of the accused student on campus presents an immediate and definite danger to himself/herself or other members of the campus.

community, or threatens disruption of University operations or activities. Interim suspension is immediate suspension of a student's privilege to attend the University and all of its related functions. A student who has been placed on interim suspension may not attend classes, may not participate in any University activities, and may be excluded from University property. The authority for interim suspension is vested in the Chief Disciplinary Officer. The Chief Disciplinary Officer may impose an interim suspension for a student before a hearing is held.

(9) **University Suspension**—The suspension may be for a specified period of time or for an indefinite period of time until stated conditions are met. The student may be prevented from returning to University premises. When a student is suspended, a notation will be made on the student's academic record (transcript) as follows: "SUSPENDED (date) FOR CONDUCT." This notation will remain on the record until the terms of the suspension have been satisfied.

(10) **Expulsion**—Expulsion is the act of terminating a student's academic program and his or her right to future enrollment. The student may also be prevented from returning to University premises. When this action is finalized, a notation will be made on the student's academic record (transcript) as follows: "EXPELLED (date) FOR CONDUCT." If cause sufficient to the University is shown, this notation may be removed from the academic record at the direction of the University after five academic years have passed.

(11) **Revocation of Admission and/or Degree**—Admission to or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.

(12) **Withholding Degree**—The University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Conduct Code, including the completion of all sanctions imposed, if any.

(13) **Withdrawal Agreement**. In certain cases where a student's behavior or mental or emotional health may render him/her unfit for continued participation within the University community, the Chief Disciplinary Officer may recommend the student withdraw from the University. Conditions for re-admittance to the University will accompany this withdrawal agreement.

(14) **Loss of Recognition**. Recognized student organizations may lose recognition after an informal hearing before the Chief Disciplinary Officer. This action deprives the organization of the use of campus resources, the use of the University's name, and the right to participate in campus sponsored activities. This loss of recognition may be for a specific period of time or for an indefinite period of time until stated conditions are met. Loss of recognition is subject to a formal hearing by the Vice President for Academic Affairs.

2-1-504 Disciplinary Actions and Procedures.

Students who violate University Standards of Conduct are subject to disciplinary action. The University has designed hearing procedures that aim to engage students and recognized student organizations in a fair, educational, and developmental process.

The Chief Disciplinary Officer of the University, located in the Dean of Student's Office, has the primary administrative responsibility for University-wide coordination, investigation, and enforcement of student conduct standards. Based on the nature and location of the violation of University standards of conduct, student conduct cases may be acted upon by appropriate University officials as authorized by the Chief Disciplinary Officer. When a student is suspended or expelled, the decision is subject to a formal hearing before the University Hearing Officer/Panel. When a recognized student organization loses recognition, the decision is subject to formal hearing before the Vice President for Academic Affairs. The University Hearing Officer shall be a person with expertise in administrative hearing and academic issues.

appointed by the Vice President for Academic Affairs from a panel of qualified individuals. The responsibilities of this person shall be to conduct formal disciplinary hearings.

2-1-504(1) Informal Procedures.

The procedures for informal hearings shall be as follows:

- (a) When a disciplinary case is referred to or acted upon by the Chief Disciplinary Officer or designee, the procedure will normally be conducted in an informal manner. Discussion, counseling, persuasion, and other existing informal procedures will normally be used. The student or recognized student organization subject to disciplinary action will be informed at least three (3) days prior to the informal hearing of a summary of the alleged behavior and code of conduct violation and the time and place of the hearing. Pending such action, the student or recognized student organization has the right to be present on campus, attend classes, or conduct organizational business except in cases of interim suspension.
- (b) The student or recognized student organization has the right to be assisted by an advisor if they choose, at their own expense. This advisor can be a faculty member, student, legal counsel or other individual, but can have no other role in the hearing, such as a witness. The student is responsible for presenting his or her own information, and therefore, advisors are not permitted to speak or participate directly in any hearing. Should the student elect to be accompanied by legal counsel, the University reserves the same right to have legal counsel present. A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the informal hearing because delays will not normally be allowed due to the scheduling conflicts of an advisor.
- (c) Decisions made at an informal hearing may be heard by the University Hearing Officer/Panel, or in the case of a recognized student organization, by the Vice President for Academic Affairs, if the sanction results in *suspension, expulsion, or loss of recognition*. A formal hearing must be requested by the student or recognized student organization in writing within 10 calendar days after receipt of the Chief Disciplinary Officer's decision. Such request shall be directed to the Vice President for Academic Affairs. (See Formal Hearing Procedures.)
- (d) If sanctions are imposed as a result of the informal hearing, *other than suspension, expulsion, or loss of recognition*, students have the right to appeal the decision and/or sanctions.
 - (I) Students may choose to appeal the decision based on one or more of the following:
 - (i) Due process was denied (you believe the Hearing Officer violated your student rights/ responsibilities or did not follow the written conduct process/procedures).
 - (ii) Presence of new evidence. The presentation of the — new evidence must be considered sufficiently substantial to change the outcome in a significant manner.
 - (iii) The sanctions given were inappropriate given the nature of the violation.
 - (II) The appeal will be based on the hearing record and the facts of the case. The appeal process will not be a rehearing of the case.
 - (III) Students wishing to appeal must complete and submit the Statement of Appeal Form to the Dean of Students Office within (5) business days following the receipt

of the decision letter. The written appeal is reviewed by an appeal reader, appointed by the Dean of Students and he or she may affirm or reverse the decision, or remand the case to another Hearing Officer for further deliberation.



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.

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 and is not permitted to speak or participate directly in the Hearing. 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 Dean of Students 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 Dean of Students prior to the issuance of a Resolution when the Dean of Students 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 suspension, 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 activities, 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 Dean of Students 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 Dean of Students, 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 Dean of Students, 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 Dean of Students in a Code Due Process proceeding, 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 Outcomes 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 “spring break” 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 or being in possession of 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 the premises of UNC Property or the property of another person, or the motor vehicle of another person, without legal authorization to do so.
- (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.** Possession, use, distribution, manufacturing, dispensing or sale of any controlled substance prohibited by federal, state and/or local law.
- (15) **Alcoholic Beverages Violations.** 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 (Creating, completing or altering a written instrument for the purpose and/or effect of using or submitting the instrument, directly or indirectly, 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 that has the purpose and/or effect of interfering with or failure to comply with BEAR Code procedures including but not limited to:

- (a) Falsifying, distorting 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 discouraging, or attempting to threaten, coerce or otherwise discourage, 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 student, academic, residence, information technology, athletic and/or safety handbooks.

(22) **Violation of Statute.** Conduct that violates any applicable 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
911 - emergency

Submit an online incident report through the Dean of Students Office –
<https://www.unco.edu/dean-of-students/share-concern.aspx>

- (3) Submit an online incident report through MySafeCampus -
<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 Dean of Students 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 Dean of Students 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 Dean of Students:

- (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 CSCR 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 Dean of Students determines that Reasonable Cause exists, it may begin Code Due Process as follows:

- (1) The Dean of Students 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 Dean of Students no sooner than three (3) Working Days following delivery of the Notification to the Responding Party.
- (3) At the discretion of the Dean of Students, 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 Dean of Students 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 must submit to the Dean of Students a list of any witnesses and/or information for review 24 hours prior to the scheduled Hearing.
- (6) The Hearing is not public and people other than the Dean of Students, the Responding Party, and the Responding Party's Advisor may only be allowed by mutual consent of the Dean of Students and the Responding Party.
- (7) The Dean of Students 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 scope of the Advisor's role as described above.
- (8) If the Responding Party's Advisor at the Hearing is legal counsel, then the Dean of Students may also decide to have legal counsel present at the Hearing.
- (9) The Dean of Students will present evidence that supports the proposition that the Responding Party committed Misconduct.
- (10) The Dean of Students 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 Dean of Students during the course of the Hearing.
- (12) After all the evidence is presented at the Hearing, the Dean of Students 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 and any Remedy(ies) implemented with respect to people adversely affected by the Misconduct.
- (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 Dean of Students 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 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.
- (2) A Responding Party who has been Interim Suspended may be prohibited from attending classes, participating in any UNC activities, and/or from being present on UNC Property.

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 new evidence (that is, a claim that the Responding Party is aware of additional evidence that was not available at the time of the Hearing and that new 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 to the extent that the Responding Party is suspended or expelled from the University.)
- (2) The appeal does not involve a new Hearing in the case.
 - (3) The appeal is based on the Hearing record and the Resolution issued in the Hearing (and, if the appeal is based on "new evidence," the evidence that is claimed was not available and would have been sufficient to change the outcome of the Hearing.)
 - (4) In order to appeal, the Responding Party must submit a Statement of Appeal Form to the Dean of Students within five (5) Working Days following delivery of the Resolution to the Responding Party.
 - (5) 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.
 - (6) 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 Dean of Students.
 - (7) The appeal readers, after reviewing the record and the Statement of Appeal, will issue a written decision in which they may affirm or reverse the Resolution or may remand the matter to the Dean of Students for further consideration.
 - (8) A Responding Party who appeals the Resolution may not have contact with the appeal reader(s) while the appeal is pending.

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:
 - (a) If the faculty member determines that Academic Misconduct did not occur, the matter will be closed.
 - (b) 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.

- (c) 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 Dean of Students.
- (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.