

## **SECTION 2: STUDENT CODE OF COMMUNITY STANDARDS AND CITIZENSHIP EDUCATION PROCESS**

### **2A. PREAMBLE**

The University of North Carolina at Asheville, in honor of its rich liberal arts tradition, takes pride in a commitment to learning, creativity, diversity, engaged citizenship, equity, trust and integrity. Students, as integral members of the UNC Asheville community, should conduct themselves in a manner that consistently represents the University in a positive light. To that end, responsible citizenship includes an expectation that members actively participate in behavior that complements and upholds the values and mission of UNC Asheville. Members of the University community are expected to engage in conduct that contributes to the culture of integrity and honor upon which University of North Carolina at Asheville is grounded.

### **2B. STUDENT CODE OF COMMUNITY STANDARDS**

#### **1. JURISDICTION**

The Student Code of Community Standards shall apply to conduct that occurs on University premises, at University sponsored activities, and to off-campus conduct that adversely affects the University community and/or the pursuit of its objectives. Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, before classes begin and after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if relevant conduct is not discovered until after a degree is awarded). The Dean of Students shall decide whether the Student Code shall be applied to conduct occurring off campus, on a case by case basis, in his/her sole discretion.

#### **2. AUTHORITY**

The Code of the University of North Carolina, Section 502 D(3) states: subject to any policies or regulations of the Board of Governors or of the board of trustees, it shall be the duty of the chancellor to exercise full authority in the regulation of student affairs and student conduct and discipline. In the discharge of this duty, delegation of such authority may be made by the chancellor to faculty committees and to administrative or other officers of the institution or to agencies of student government, in such manner and to such extent as may by the chancellor be deemed necessary and expedient. In the discharge of the chancellor's duty with respect to matters of student discipline, it shall be the duty of the chancellor to secure to every student the right to due process.

At UNC Asheville, the Chancellor has designated the Vice Chancellor for Student Affairs as the officer responsible for the policies related to student conduct. The Vice Chancellor for Student Affairs has, in turn, designated the Dean of Students as the person responsible for the administration of this code.

The dean shall determine the composition of committees/boards and appeal bodies and determine which body shall be authorized to hear each case. The dean shall develop policies for the administration of the community standards and citizenship education program and procedural rules for the resolution of cases which are consistent with the provisions of this code.

The Citizenship Education Coordinator is the person designated by the dean to be the primary case manager for all violations of this code.

A citizenship education committee may be designated as arbiter of disputes within the student community in cases which do not involve a violation of this code. All parties must agree to arbitration and to be bound by the decision with no right of appeal.

### 3. SPECIFIC STUDENT COMMUNITY STANDARDS

Any student found to have committed or to have attempted to commit the following misconduct has violated the Student Code of Community Standards and is subject to the Citizenship Education Process:

1. Acts of dishonesty, including but not limited to the following:
  - a. Cheating, plagiarism, or other forms of academic dishonesty. (*Note: Academic dishonesty cases from faculty are normally processed through the Academic Honesty Policy*)
  - b. Furnishing false information to any University official, faculty member, or office.
  - c. Forgery, alteration, or misuse of any University document, record, or instrument of identification.
2. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other University activities, including its public service functions on or off campus, or of other authorized non-University activities when the conduct occurs on University premises.
3. Physical abuse, threats, intimidation, harassment, coercion, and/or other conduct which threatens or endangers the health or safety of any person.
4. Damage to or attempts to damage property of the University, member of the University community or other property owned by other persons. This includes but is not limited to:
  - a. Vandalism
  - b. Theft
  - c. Littering
5. Hazing, defined as an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, or any action taken or situation created, intentionally, to produce mental or physical discomfort, embarrassment, harassment, or ridicule for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization.
6. Failure to comply with directives 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.

7. Unauthorized possession, duplication, or use of keys to any University premises or unauthorized entry to or use of University premises.
8. Violation of any University policy, rule, or regulation, including but not limited to:
  - a. Residential Education and Housing Operations policies (see Section 8 and the Residential Education Handbook)
  - b. University Sexual Harassment Policy (see Appendix H)
  - c. University Smoking Policy (see Appendix G)
  - d. University Solicitation Policy (see Section 5 of the UNC Asheville Policy and Procedure Manual)
9. Violation of any federal, state or local law.
10. Use or possession of marijuana, narcotics or other controlled substances, or drug paraphernalia, as set forth in the North Carolina General Statutes, including
  - a. Possession or use of drug paraphernalia
  - b. Possession or use of Schedule I or II controlled substance
  - c. Possession or use of Schedule III – VI controlled substance
  - d. Possession with intent to manufacture, distribute or sell narcotics or other controlled substances.
11. Public intoxication or use, possession, manufacturing, or distribution of alcoholic beverages (except as expressly permitted by law and University regulations or public intoxication. (See Section 8 for UNC Asheville Policy on Drugs and Alcohol)
12. Illegal or unauthorized possession of harmful or dangerous items on university premises, including but not limited to:
  - a. Firearms
  - b. Other weapons
  - c. Fireworks
  - d. Explosives
  - e. Dangerous chemicals or biological agents
13. 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; inciting others to disrupt scheduled and/or normal activities within any campus building or area; or intentional obstruction which interferes with freedom of movement, either pedestrian or vehicular, on campus.
14. Obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University sponsored or supervised functions.
15. 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.
16. Violation of Fire Safety Policy, including but not limited to:
  - a. Failure to properly evacuate during a fire alarm.
  - b. Intentional sounding of a fire alarm without cause.
  - c. Improper use of fire prevention equipment
  - d. Unauthorized setting of fires on university premises.
17. Sexual misconduct, including but not limited to:
  - a. Sexual assault: engaging in vaginal, oral or anal intercourse with, or inflicting other

sexual invasion upon, any person without that person's consent. "Other sexual invasion" is defined as the intentional touching of an unwilling person's genitalia, groin, breast, buttock or clothing covering them, or forcing a person to touch another's intimate parts as listed above. An action is "without that person's consent"

- when it is inflicted upon a person who has not freely and actively given consent. For example, consent is not freely given when it is given in response to force or threat of force, or when a person is incapacitated by the use (voluntary or involuntary) of drugs or alcohol, or when the person is otherwise physically helpless.
- Similarly, the statement that 'consent must be actively given' means that silence does not constitute consent, and that a person is not required to physically resist sexual conduct in order to show law of consent.

b. Sexual exploitation: taking nonconsensual, unjust, or abusive sexual advantage of another for one's own advantage or benefit; or to benefit or advantage anyone other than the one being exploited; even if that behavior does not constitute rape, sexual assault or sexual harassment.

Examples of Sexual Exploitation include but are not limited to prostituting another person, nonconsensual sexually-oriented photographing of another person, video- or audio taping of sexual activity without the participant(s)'s consent, going beyond the boundaries of consent, such as allowing others to observe sexual activity without the consent of a partner; engaging in voyeurism; and inducing incapacitation with the result of inflicting sexual misconduct on another person or with the result of creating opportunity for a third party to inflict sexual misconduct on another person.

18. Any Violation of the Computer Use Policy.

19. Abuse of the Community Standards and Citizenship Education Process, including but not limited to:

- a. Failure to obey the notice from a Citizenship Hearing Board or University official to appear for a meeting or hearing as part of the Citizenship Education Process.
- b. Falsification, distortion, or misrepresentation of information before a committee or other standards body.
- c. Disruption or interference with the orderly conduct of a Community Standards and Citizenship Education proceeding.
- d. Institution of a Community Standards complaint without cause.
- e. Attempting to discourage an individual's proper participating in, or use of, the Community Standards and Citizenship Education Process.
- f. Attempting to improperly influence the Citizenship Education Process, its members, and/or its participants.
- g. Harassment (verbal or physical) and/or intimidation of a member of a Hearing Board prior to, during, and/or after a Citizenship Education proceeding.
- h. Failure to comply with the sanction(s) imposed under the Code.
- i. Influencing or attempting to influence another person to commit an abuse of the student conduct code system.

20. Any violation of the Code by one's non-university guest. "Guest" is defined as any non-student present on University premises at the invitation and/or hosting of the student.

21. Aiding or abetting any prohibited conduct listed above.

## **2C: CITIZENSHIP EDUCATION PROCESS**

The goal of Community Standards is to create an environment which promotes the living and learning environment of the University in support of its mission, vision and values. The Citizenship Education Process exists to address issues of misconduct in an educational and value based format which addresses the behavior and provides for sanctions designed to hold offending students responsible for their conduct, to prevent future recurrence, to provide resources for support of modified behavior, to assist the student(s) in reflective learning, and to restore the community impacted by the misconduct.

1. Any member of the University community may file, with the Citizenship Education Coordinator, a written complaint alleging a violation of this Code; the complaint should include factual information supporting the allegation. A complaint should be submitted as soon as possible after the event takes place, preferably within 30 days of the alleged violation
2. The Citizenship Education Coordinator may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively, such as by mutual consent of the parties involved on a basis acceptable to the Citizenship Education Coordinator. This determination should be made within thirty (30) calendar days after the filing of the complaint. Such disposition shall be final and there shall be no subsequent proceedings. The charged student will receive written confirmation of the administrative disposition of the case and a copy of the correspondence will become part of the student(s) disciplinary file. If the charges are not admitted and/or cannot be disposed of by mutual consent, the Citizenship Education Coordinator may later serve in the same matter as a Committee/Board or a member thereof. If the student admits violating the Code, but does not agree to the sanctions proposed by the Citizenship Education Coordinator, then subsequent process, including a committee/board if necessary, shall be limited to determining the appropriate sanction(s).
3. If there is not mutual consent to resolve the charges administratively, the Citizenship Education Coordinator will discuss the citizenship education process in further detail; inform the student as to the nature of the incident report and the alleged misconduct, and forward copies of the relevant documentation. The Citizenship Education Coordinator will determine, based on the charges, if the case should be forwarded to a Citizenship Hearing Board.
4. No less than five days prior to the hearing, the accused student will receive in writing, the notice of the charges, which shall (a) set out the rule or rules which have been allegedly violated; (b) state the alleged action or behavior; (c) list the names of any persons who have been identified as having pertinent information and will be notified to attend the hearing as witnesses; (d) state the format of the citizenship education proceeding; (e) the date, time and location and membership of the board; advise the student of his or her rights and of the hearing procedure (this can be done with a reference to the Student Code) including the right to request the removal of any board member who is actually biased against an accused student or a student claiming to be a victim of an accused student's actions; (f) inform the student if suspension or expulsion is a possible sanction in the case. A request to remove a board member must be made in writing and must

include the basis for the claim of bias. The Dean of Students shall evaluate the removal request and render a decision within five (5) days of the removal request.

- 5.. A time shall be set for the hearing no less than ten(10) nor more than fifteen (15) class days after the student has been notified. The accused student may request an earlier hearing date, should they want to expedite their hearing. The waiver must be in writing and directed to the Citizenship Education Coordinator. Maximum time limits for scheduling of hearings may be extended at the discretion of the dean of students.
6. The accused student may review, in advance of the hearing, any written documentation that will be used at the Citizenship Education Hearing.
7. Citizenship Hearings shall be conducted by a Citizenship Education Board according to the following guidelines except as provided below:
  - a. Citizenship Hearings are considered closed to the public.
  - b. The complainant and the accused student have the right to be assisted by an advisor they choose, at their own expense. A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the Citizenship Hearing because delays will not normally be allowed due to the scheduling conflicts of an advisor. An advisor plays no active role in the process and is not permitted to address any participants in the process other than their advisee. An attorney may be an advisor, but is required to follow the same guidelines as any other advisor. Representation or assistance by an attorney is neither required nor encouraged.
  - c. The complainant, accused student, the victim student, and their advisors, if any, shall be allowed to attend the entire portion of the Citizenship Hearing at which information is received, but will not be allowed to attend deliberations of the board. Admission of any other person to the Citizenship Hearing shall be at the discretion of the Citizenship Education Coordinator. Should the complainant and/or the accused student choose not to attend the hearing, the process will continue even in their absence.
  - d. In Citizenship Hearings involving more than one accused student, the Citizenship Education Coordinator, in his or her discretion, may permit the Citizenship Hearings concerning each student to be conducted either separately or jointly.
  - e. The complainant, the accused student and the Citizenship Hearing Board may arrange for witnesses to present pertinent information to the case at hand. The University will try to arrange the attendance of possible witnesses who are members of the UNC Asheville community, if reasonably possible, and who are identified by the complainant and/or accused student at least two weekdays prior to the Citizenship Hearing. Witnesses will provide information to and answer questions from the Citizenship Hearing Board. Questions may be suggested by the accused student and/or complainant to be answered by each other or by other witnesses. This questioning will be conducted by the Citizenship Hearing Board, by directing questions to the chairperson, rather than to the witness directly. This method is used to preserve the educational tone of the hearing and to avoid creation of an adversarial environment. Questions of whether potential information will be received shall be resolved in the discretion of the chairperson of the Citizenship Education Hearing Board.

- f. Pertinent records, materials, and written statements may be accepted as information for consideration by a Citizenship Hearing Board at the discretion of the chairperson. Victim impact statements can be presented to the Chairperson but will not be considered until the sanctioning phase of the hearing process.
- g. All procedural questions are subject to the final decision of the chairperson of the Citizenship Hearing Board.
- h. At the conclusion of the portion of the Citizenship Hearing in which all pertinent information has been received, the Board will go into closed deliberations, and all individuals who are not part of the board will be excused. The Board shall then determine (by majority vote if the Hearing Board consists of more than one person) whether the Accused Student has violated each section of the Student Code of Community Standards which the student is charged with violating.
- i. The Citizenship Hearing Board's determination shall be made on the basis of whether it is more likely than not that the Accused Student violated the Student Code.
- j. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Student Code proceedings.
- k. There shall be a single verbatim record, such as a tape recording, of all Citizenship Hearings excluding the period of the Board's deliberations. The record shall be the property of the University.
- l. The Citizenship Hearing Board may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complainant, accused student, and/or other witness during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videotape, audio tape, written statement, or other means, where and as determined in the sole judgment of the Dean of Students to be appropriate.
- m. The findings of the Citizenship Hearing Board shall be provided to the accused student in writing within ten (10) business days of the decision and shall include the final administrative decision, as well as the assigned sanctions (if any) and the process for appeal (may be done with a reference to the appropriate section in the Citizenship Education process).
- n. If the Citizenship Education Board or hearing officer should determine that expulsion is the appropriate sanction, that finding must be in the form of a written recommendation to the Vice Chancellor for Student Affairs, who makes the final administrative decision in all expulsion cases. The final administrative decision must be made within forty-five (45) calendar days, and transmitted in writing to the student within ten (10) calendar days of the decision.

## 8. Sanctions

- a. The following sanctions may be imposed upon any student found to have violated the Student Code of Community Standards:
  - 1. Warning—A notice in writing to the student that the student is violating or has violated institutional regulations.
  - 2. Probation—A written reprimand for violation of specified regulations, along with a designated period of time during which more severe disciplinary sanctions are possible if the student is found to violate any institutional regulation(s).
  - 3. Loss of Privileges—Denial of specified privileges for a designated period

of time.

4. Educational Outreach Assessments—previously established and published financial sanctions which may be imposed.
  5. Restitution—Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
  6. Educational Activity Sanctions—Work assignments, essays, service to the University, or other related discretionary assignments.
  7. Residence Hall Relocation – Relocation of the student from his or her current assigned residential space to a new assignment to be determined by the Citizenship Education Coordinator.
  8. 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.
  9. Residence Hall Expulsion—Permanent separation of the student from the residence halls.
  10. University Suspension – Separation of the student from The University of North Carolina, and each of its constituent institutions, for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. All University Suspensions shall be added to The University of North Carolina Suspension and Expulsion Database. A student may not earn credit for transfer to UNC Asheville during his or her period of suspension.
  11. University Expulsion – Permanent separation of the student from The University of North Carolina, and each of its constituent institutions. All University Suspensions shall be added to The University of North Carolina Suspension and Expulsion Database.
  12. Revocation of Admission and/or Degree
- b. More than one of the sanctions listed above may be imposed for any single violation, in addition to sanctions that may be imposed upon individual students for taking part in the group's misconduct.
  - c. The following sanctions may be imposed upon groups or organizations:
    1. Those sanctions listed above.
    2. Loss of selected rights and privileges for a specified period of time.
    3. Deactivation. Loss of all privileges, including University recognition, for a specified period of time.
  - d. Other than University expulsion or revocation or withholding of a degree, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's disciplinary record. Upon graduation, the student's disciplinary record may be expunged of disciplinary actions other than residence hall suspension, residence hall expulsion, University suspension, University expulsion, or revocation or withholding of a degree, upon application to the Dean of Students. Cases involving the imposition of sanctions other than residence hall suspension, residence hall expulsion, University suspension, University expulsion or revocation or withholding of a degree shall be expunged from the student's record in compliance with office records destruction policy.
  - e. In situations involving both an accused student(s) (or group or organization) and a

student(s) claiming to be the victim of another student's conduct, the records of the process and of the sanctions imposed, if any, shall be considered to be the education records of both the accused student(s) and the student(s) claiming to be the victim because the educational career and chances of success in the academic community of each may be impacted.

## **2D. INTERIM SUSPENSION**

In certain circumstances, the Dean of Students, or a designee, may impose a University or residence hall suspension prior to the Citizenship Hearing.

1. Interim suspension may be imposed only:
  - a) to ensure the safety and well-being of members of the University community or preservation of University property;
  - b) to ensure the student's own physical or emotional safety and well-being; or
  - c) if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the University.
2. During the interim suspension, a student shall be denied access to the residence halls and/or to the campus (including classes) and/or all other University activities or privileges for which the student might otherwise be eligible, as the Dean of Students, or a designee may determine to be appropriate.
3. The interim suspension does not replace the regular process, which shall proceed on the normal schedule, up to and through a Citizenship Hearing, if required.

## **2E. VIOLATION OF CRIMINAL OR CIVIL LAW AND UNIVERSITY CODE**

1. University disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal or civil law as well as this Code (that is, if violations of civil or criminal law, as well as violations of this code, are alleged to result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Code may, at the discretion of the Citizenship Education Coordinator, be carried out prior to, simultaneously with, or following civil or criminal proceedings that are conducted off-campus. Determinations made or sanctions imposed under this Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant, or because of any particular result of civil actions arising from the same factual situation.
2. When a student is charged by federal, state, or local authorities with a violation of law, the University will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also being processed under this Code, the University may advise off-campus authorities of the existence of this Code and of how such matters are typically handled within the University community. The University will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators (provided that the conditions do not conflict with campus rules or sanctions). Individual students and other members of the University

community, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

## **2F. APPEALS**

1. Appeals for cases where the sanction does not include University Suspension or Expulsion
  - a. A decision reached by the Citizenship Hearing Board may be appealed by the accused student(s) to the Dean of Students within five (5) school days of the decision. Such appeals shall be in writing and shall be delivered to the Dean of Students or his or her designee.
  - b. Except as required to explain the basis of new information, an appeal shall be limited to a review of the verbatim record of the Citizenship Hearing and supporting documents for one or more of the following purposes:
    1. To determine whether the Citizenship Hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures giving the Accused Student a reasonable opportunity to prepare and to present a response to those allegations. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
    2. To determine whether the decision reached regarding the Accused Student was based on substantial information, that is, whether there were facts in the case that, if believed by the fact finder, were sufficient.
    3. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code of Community Standards which the student was found to have committed.
    4. To consider new information, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original Citizenship Hearing.
  - c. The Dean of Students will respond in writing to the appeal within ten (10) days of receipt. If an appeal is granted by the Dean of Students, the matter may be addressed in one of the following ways: modification of the sanctions; remand of the case to the original Citizenship Hearing Board for re-opening of the case to allow reconsideration of the original determination and/or sanction(s); return of the case to the Citizenship Education Coordinator for a new hearing. If the appeal is denied, the sanctions are active and the accused student must abide by their terms.
  - d. Should the accused student wish to appeal the Dean's decision, the appeal must be made in writing to the Vice Chancellor for Student Affairs, and must be received by the Vice Chancellor within five (5) days of the student's receipt of the Dean's decision. If an appeal is granted by the Vice Chancellor, the matter may be addressed in one of the following ways: modification of the sanctions; remand of the case to the original Citizenship Hearing Board for re-opening of the case to allow reconsideration of the original determination and/or sanction(s); return of

the case to the Citizenship Education Coordinator for a new hearing. The Vice Chancellor is the final level of appeal.

- e. If an appeal is denied, the student must comply with the original sanctions. If the imposed deadlines for sanctions need modifications in light of the duration of the appeal process, the student must make the request for an extension in writing to the Citizenship Education Coordinator within two (2) business days of the appeal findings.
2. Appeals for cases where the sanction includes University Suspension or Expulsion
- a. A decision reached by the Citizenship Hearing Board or a sanction imposed by the Citizenship Education Coordinator may be appealed by the accused student(s) to the Dean of Students within five (5) school days of the decision. Such appeals shall be in writing and shall be delivered to the Dean of Students or his or her designee. Also, the accused student MUST deliver to the Dean of Students a written intent to appeal within forty-eight hours of receipt of the Board's decision.
  - b. Appeals shall be limited to a review of the verbatim record of the citizenship education hearing and supporting documents for one or more of the following purposes:
    - 1. To determine a violation of due process
    - 2. To determine whether there was a material deviation from Substantive and Procedural Standards adopted by the Board of Governors. (can be found at:  
[http://www.northcarolina.edu/content.php/legal/policymanual/uncpolicymanual\\_700\\_4\\_1.htm](http://www.northcarolina.edu/content.php/legal/policymanual/uncpolicymanual_700_4_1.htm)).
  - c. The Dean of Students will respond in writing to the appeal within ten (10) days of receipt of the written appeal. If an appeal is granted by the Dean of Students, the matter may be addressed in one of the following ways: remand of the case to the original Citizenship Hearing Board for re-opening of the case or return of the case to the Citizenship Education Coordinator for a new hearing.
  - d. Should the accused student wish to appeal the Dean's decision, the appeal must be made in writing to the Vice Chancellor for Student Affairs, and must be received by the Vice Chancellor within five (5) days of the student's receipt of the Dean's decision. If an appeal is granted by the Vice Chancellor, the matter may be addressed in one of the following ways: modification of the sanctions; remand of the case to the original Citizenship Hearing Board for re-opening of the case or to return of the case to the Citizenship Education Coordinator for a new hearing.
  - e. Should the accused student wish to appeal the Vice Chancellor's decision, the appeal must be in writing to the UNC Asheville Board of Trustees, and must be received by the Board within five (5) days of the student's receipt of the Vice Chancellor's decision. If an appeal is granted by the Board of Trustees, the matter may be addressed in one of the following ways: remand of the case to the original Citizenship Hearing Board for re-opening of the case or return of the case to the Citizenship Education Coordinator for a new hearing.
  - f. If an appeal is denied, the student must comply with the original sanctions. If the imposed deadlines for sanctions need modifications in light of the duration of the appeal process, the student must make the request for an extension in writing to

the Citizenship Education Coordinator within two (2) business days of the appeal findings.

## **2G: INTERPRETATION AND REVISION**

1. Any question of interpretation or application of the Student Code of Community Standards shall be referred to the Dean of Students or his or her designee for final determination.
2. The Student Code shall be reviewed every 2 years under the direction of the Citizenship Education Coordinator.

## **2H: DEFINITIONS**

1. The term “University” means the University of North Carolina at Asheville.
2. The term “student” includes all persons taking courses at the University, either full-time or part-time, pursuing undergraduate, graduate, or professional studies. A student who violates the Student Code, who is not officially enrolled for a particular term but has a continuing relationship with the University or has been notified of their acceptance for admission is considered a “student” as are persons who are living in University residence halls, although not enrolled in this institution.
3. The term “University official” includes any person employed by the University, performing assigned administrative or professional responsibilities.
4. 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.
5. The term “University premises” includes all land, buildings, facilities, and other property in the possession of, owned, used, or controlled by the University (including adjacent streets and sidewalks).
6. The term “code” refers to the University of North Carolina at Asheville Code of Community Standards.
7. The term “organization” means any number of persons who have complied with the formal requirements for University recognition/registration.
8. The term “Citizenship Administrator” means any person or persons authorized by the dean to determine whether a student has violated the Student Code and to recommend and/or impose sanctions that may be imposed when a rules violation has been committed.
9. The term “Citizenship Education Coordinator” refers to the university official designated with case management or his/her designee.
10. The term “Committee/Board” refers to the formal administrative hearing proceedings to resolve cases of alleged misconduct, whose compliment may be composed of faculty, staff and students.
11. The term “vice chancellor” means the Vice Chancellor for Student Affairs and any designee.
12. The term “dean” means the Dean of Students or any designee.
13. The term “appellate body” means any person or persons authorized by the Dean of Students to consider an appeal from a committee/board determination as to whether a student has violated the Code or from the sanctions imposed by the Citizenship Hearing Board.

