



STUDENT HANDBOOK

2019-2020



**NORTH CAROLINA AGRICULTURAL
AND TECHNICAL STATE UNIVERSITY**

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This Handbook is a source of information on the many services, activities and policies of North Carolina Agricultural and Technical State University (“N.C. A&T”). This Handbook does not constitute a contract, express or implied, between N.C. A&T and its students, parents of students, or any other individual. N.C. A&T reserves the right to alter, amend, or rescind any provision in this Handbook at any time. Changes in this Handbook may be implemented immediately throughout the academic year and these changes will be posted on the N.C. A&T Dean of Students website. Each student is responsible for maintaining current knowledge of regulations at all times. Students will also be notified of any changes to this Handbook via e-mail to their @ncat.edu address.”

North Carolina Agricultural and Technical State University (N.C. A&T) is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award baccalaureate, master’s and doctoral degrees. Contact the Southern Association of Colleges and Schools Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097, or call 404-679-4500 for questions about the accreditation of N.C. A&T.

N.C. A&T does not discriminate against any person on the basis of age, color, disability, gender identity, genetic information, national origin, race, religion, sex, sexual orientation, veteran status, or any other basis protected by law. For inquiries regarding non-discrimination policies, contact Linda Mangum, Director of Employee Relations and Affirmative Action Officer, lmangum@ncat.edu.

N.C. A&T is an AA/EEO- and ADA-compliant institution.

I. ABOUT THE UNIVERSITY

Established in 1891, under the Second Morrill Act of 1890, North Carolina Agricultural and Technical State University is a land-grant, doctoral high research activity, historically black institution. The Second Morrill Act expanded the nation's system of land-grant universities to include a historically black institution in those states where segregation denied minorities access to the land-grant institutions established by the First Morrill Act (1862).

Over the past 128 years, N.C. A&T has maintained a rich tradition in academics, research, discovery and outreach, to become one of the nation's most highly respected institutions of higher education. The university aims to develop and preserve intellectual capital through interdisciplinary learning, discovery and engagement, and is committed to fulfilling its fundamental purposes through exemplary undergraduate and graduate instruction, scholarly and creative research, and effective public service and engagement. The current vision is to be recognized as a preeminent land-grant university and the institution of choice for high-achieving students.

With an enrollment of 12,142 students, A&T is the largest historically black college or university (HBCU) in the nation. A&T awards baccalaureate, master's and doctoral degrees through the College of Agriculture and Environmental Sciences; College of Arts, Humanities and Social Sciences; College of Business and Economics; College of Education; College of Engineering; College of Health and Human Sciences; College of Science and Technology; The Graduate College; and the Joint School of Nanoscience and Nanoengineering.

A&T has adapted its curriculum and teaching methodologies to ensure that students in STEM (science, technology, engineering and mathematics) and other disciplines receive an education that allows them to be competitive in a changing world. Students across the disciplines are afforded opportunities to work and study with renowned scholars, researchers and other professionals who serve on the faculty and are held in high esteem across the nation and abroad. A&T is among the top producers of African-American engineers, agriculture graduates and certified public accountants in the nation, and is one of the top producers of African Americans with baccalaureate degrees in journalism/mass communication and psychology.

A&T has advanced in the area of research and, for more than a decade, has consistently ranked among the UNC System's top three most productive research universities. The strength and potential of the research enterprise at A&T is demonstrated by the university's ability to sustain major programs in nanotechnology, biotechnology, computational science and engineering, energy and environment, information sciences and technology, leadership and community development, logistics and transportation systems, and public health. Notably, the university is home to the prestigious National

Science Foundation Engineering Research Center for Revolutionizing Biometallic Materials, which specializes in biomedical engineering and nano-bio applications research.

Upon graduating, students join the university's more than 55,000 alumni of record who hold (or have held) positions of leadership in industries and communities around the world. Some of A&T's nationally acclaimed alumni include Henry E. Frye '53, former N.C. Supreme Court Chief Justice; Edolphus Towns Jr. '56, retired U.S. Congressman; Clara Adams-Ender '61, author and retired Army brigadier general; Alvin A. "Al" Attles Jr. '60, former NBA player, coach and general manager; Elvin Bethea '68, NFL Hall of Famer; Ezell Blair Jr./Jibreel Khazan '63, the late Franklin E. McCain Sr. '63, Joseph A. McNeil '63 and the late David Richmond '10 (degree awarded posthumously), members of the Greensboro Four/A&T Four; Joe L. Dudley Sr. '62, Dudley Products founder; Rev. Jesse L. Jackson Sr. '63, civil rights activist and former presidential candidate; Alma S. Adams '68, U.S. Congresswoman; and the late Dr. Ronald E. McNair '71, NASA astronaut.

Twelve presidents/chancellors have served the institution since its founding: Dr. John O. Crosby (1892–1896), Dr. James B. Dudley (1896–1925), Dr. Ferdinand D. Bluford (1925–1955), Dr. Warmoth T. Gibbs (1956–1960), Dr. Samuel DeWitt Proctor (1960–1964), Dr. Lewis C. Dowdy (1964–1980), Dr. Cleon Thompson Jr. (interim, 1980–1981), Dr. Edward B. Fort (1981–1999), Dr. James C. Renick (1999–2006), Dr. Lloyd V. Hackley (interim, 2006–2007), Dr. Stanley Battle (2007–2009) and Dr. Harold L. Martin Sr. (2009–present).

II. GOVERNANCE OF NORTH CAROLINA AGRICULTURAL & TECHNICAL STATE UNIVERSITY

N.C. A&T is a constituent institution of the UNC system. It functions under the jurisdiction of a 32-member board of governors elected by the North Carolina General Assembly. The president of the UNC system and his/her staff administer policies of the board of governors, constitute General Administration (GA) and are located in Chapel Hill, N.C.

The N.C. A&T Board of Trustees consists of 13 members. The governor of the state appoints four members, the board of governors appoints eight, and the N.C. A&T Student Government Association (SGA) president serves as an ex officio member. The board of trustees receives its authority by delegation from the board of governors.

The chancellor is the chief administrative officer of the university.

A. Faculty-Student Committees

Students participate in the decision-making process of the university through membership on committees or sub-committees of the university. Generally, students are recommended by SGA to the chancellor or other appropriate

university officials for selection and appointment to faculty committees. The student voice is welcome and contributes to important functions and policies of committees and the university. Students may serve on standing committees:

New Student Orientation
Food Service
Lyceum
Student Fee Allocation
Bookstore Advisory
Commencement
Intramural Council
Homecoming
Who's Who Selection
Honors, Scholarships and Awards

B. Individual Responsibility

Much of the planning, programming and policymaking is done through student groups. This, however, does not preclude the fact that students can participate as active campus citizens. Individuals contribute in many ways:

- Being informed about the education community, of which you are a part;
- Questioning student leaders, faculty and administration about the university;
- Actively participating in student organizations, of which you may be a member;
- Questioning and/or supporting SGA and its officers, affairs and activities; and
- Participating in Student Center programs.

This list is not exhaustive; it includes just a few examples of how students can demonstrate individual responsibility. Above all, individuals must be informed and ask questions, as the list changes and is modified from time to time.

III. STUDENT LIFE

N.C. A&T recognizes the role that student organizations play toward development for self-actualization, involvement through cooperative interaction and enlargement of educational experiences for members of the university community.

A. **OFFICE OF STUDENT DEVELOPMENT**

The Office of Student Development (OSD), a unit within the Division of Student Affairs at N.C. A&T, takes pride in educating, training, mentoring, and developing exceptional individuals who value service. In order to meet these goals, the Office of Student Development leads by example and strives to meet the challenges of an ever-changing global society.

This department provides and partners with the university and neighboring community in creating co-curricular, leadership and community service learning opportunities that enhance undergraduate and graduate degree programs offered at N.C. A&T. Those best practices are enhanced by activities that extend beyond the classroom in areas such as workshops, cultural events, professional development, travel, leadership development, community engagement and service learning. We are committed to support every student's goals and those established by the university-through the strategic plan A&T Preeminence 2020: Embracing Your Past, Creating Our Future-and encourage students to become renowned individuals who are dedicated to excellence.

Whether a student wants to be an academic scholar, student leader, community activist, servant leader, or artistic entrepreneur, the Office of Student Development can and will assist in finding an opportunity to meet these needs and reach goals as a global citizen. That is why our motto is "Students are why we are here."

1. **Leadership Development**

Mission

As a complement to the established mission of the Division of Student Affairs, the unit promotes leadership experiences and processes by which individuals and organizations are empowered to work together synergistically toward a common goal or vision that will create change, transform institutions and, thus, improve their quality of life.

Goals/Objectives

- Providing opportunities for students to explore and address issues that affect them and their environments through social consciousness,

leadership effectiveness, academic awareness, as well as membership development;

- Coordinating and facilitating workshops, seminars, programs, and conferences geared toward capacity building and professional development, human relations and civility;
- Utilizing the entire Aggie community to develop our seven C's of leadership: consciousness of self, congruence, commitment, collaboration, common purpose, controversy with civility, and citizenship in the student body;
- Creating a support mechanism, central location for resources and information, and development opportunities for various constituent groups and programs associated with leadership such as iLEAD-individual Leadership Evolution Across Disciplines, Departments and Divisions and Leadership Synergy Program;
- Fostering an environment where students share ideas freely and work collaboratively with faculty, staff and other students, while promoting themselves as ambassadors to the global community.

2. Civic Engagement

Mission

OSD, through Civic Engagement, has dedicated itself to fostering a just and humane society via community service and civic engagement. The program promotes service-learning as an integral aspect of education, fosters university engagement with the larger community and supports collaborative leadership and appreciation of diversity.

Goal

To support the integration of service-learning and community service into interdisciplinary campus initiatives, by reinforcing an infrastructure built on the foundation of existing community stakeholders. This will facilitate the institutionalization of service-learning and augment the university's role in meeting community-defined needs through university-community partnerships.

Objectives

Introduce an infrastructure for campus-based community service:

1. Introduce procedures and partnerships for communities and the campus to work together to solve key issues;

2. Encourage quality-focused service-learning programs;
3. Engage in positively impact community needs with sustainable focus;
4. Develop mutually beneficial relationships with community-based organizations;

3. Religious and Spiritual Life

Mission

To provide resources for the campus of N.C. A&T that empowers one to allow their spiritual beliefs and values to cultivate positive actions and/or behavior.

Goal

To foster a diverse and inclusive campus community by promoting cultural awareness, collegiality and cultivate respect for diverse people and cultures.

Objectives

- Personal growth and development of one's self;
- Establishing a mutual respect for all matters of life; and
- Promoting healthy interaction internally and externally

4. Student Publications

The A&T Register-official student newspaper

The A&T Student Planner-student academic day planner

The Ayantee-student yearbook

5. Additional Units and Services

Thurgood Marshall College Fund Campus Coordinator and Scholars

North Carolina Campus Compact

SGA Elections Committee

N.C. A&T Fellowship Gospel Choir

Graduate Student Advisory Council

Service-learning Workshops/Forums

Student publications: *Ayantee* Yearbook, *A&T Register* newspaper and

A&T Student Planners

National Society of leadership and Success

iLead

Alternative Breaks

Aggie Source Food Pantry

Voter Registration

B. OFFICE OF STUDENT ACTIVITIES (OSA)

The Office of Student Activities and Campus Involvement complements students' academic experiences by providing services and resources that engage students in creating a campus culture through social, cultural, intellectual, spiritual, athletic, recreational, artistic, political, and service opportunities. Our staff is committed to delivering quality advising, resource materials, leadership development opportunities, and administrative support to impact students' growth and development and enhance the success of each student at N.C. A&T.

The executive director for student activities provides interpretation of the university's policies as they relate to the organizational community. All events must reflect the interest of the university community. Permission to use university facilities may be denied or revoked for non-compliance with guidelines and implementation procedures. (See Guidelines and Implementing Procedures for the use of university Facilities in this handbook.)

Student Organizations and Activities

N.C. A&T, its departments, activities or student organizations do not discriminate against applicants, students or employees. Membership and participation in a group must be open to all students without regard to age, race, color, gender identity, genetic information, national origin, disability, religion, religious status or historic religious affiliation, military/veteran status, political affiliation, or sexual orientation. Group membership and participation must also be open without regard to gender unless exempt under Title IX.

The university provides a well-balanced program of activities for moral, spiritual, cultural, and physical development of students. Along with this office's various committees, departments and organizations of the university sponsor religious, cultural, social, and recreational activities. Outstanding artists, lecturers and dramatic productions are brought to campus through programs and projects sponsored by student organizations, and scheduled and coordinated by the executive director for student activities, with the cooperation and assistance of other service, administrative and academic units. No group has the right to interfere with or disrupt, either in part or whole, the orderly operation of the university or interfere with the rights of its students.

OSA includes the following areas/departments:

- Student Government Association
- Clubs and Organizations/Council of Presidents
- Campus Programming/ Student University Activities Board (SUAB)
- Fraternity, Sororities, Greek-Lettered Organizations/NPHC, GLC and the joint Greek Council
- Major Events (such as homecoming, excursions, Aggie Fest, etc.)

1. Student Government Association (SGA)

SGA, as representative of the student community, must be committed to the goals of higher education in order to justify its existence.

To attain this purpose, SGA must assume the following responsibilities:

- Create an atmosphere of freedom, allowing students to move beyond the limits of traditional interests, and to be creative and contributing individuals;
- Aid in a meaningful interpretation of the concept of the university community. Effective communication between university community members is vital to understanding this concept;
- Provide opportunities for each student to participate in activities that develop and realize potential; and
- Create awareness of national and international affairs and their significance for individuals.

Note: Click to view the [SGA constitution](#)

2. Clubs and Organizations/Council of Presidents

Council of Presidents (COP) serves as a liaison that assists, governs and advocates for the many registered and recognized student organizations at N.C. A&T. COP works in concert with OSA and various other departments/entities to provide opportunities for organizational leadership, growth and development. The council is a participatory body, comprised of student organization presidents and officers, designed to provide an assembly for dialogue, development of ideas and the implementation of plans to keep campus organization life meaningful, wholesome, stimulating, productive, and active.

Categorizations of student organizations include, but are not limited to; national honor societies, academic and departmental groups, hometown clubs, student military, fraternities and sororities, special interests, faith-based, and cultural groups. Other university-sponsored organizations are the University and Gospel choirs, University band, Student University Activities Board (SUAB), Residence Hall Association (RHA), and the Student Government Association (SGA).

Registration of Student Organizations

Student Organization Registration is an annual process. Once an organization is created, registration renewals must be completed every year in order for the organization to operate during the two semesters comprising the academic year. Organizations are not permitted to operate during the summer. Any organization that promotes clandestine relationships, fronts for another agency, entity or organization, or permits the violation of school regulations forfeits its privilege to function on campus. Benefits associated with being a registered student organization include access to university resources at minimal to no cost the ability to advertise on campus as well as the opportunity to request programming support from the Cost of Student Activities (COSA) funds. Groups are encouraged to register early to receive full benefits. **All returning organizations are expected to register by the first day of September** for the academic year via the respective organizational portal through ORGSYNC.

Starting New Organizations

The first step to starting a new campus organization is to explore whether a similar organization already exists. With so many student organizations at N.C. A&T, there are many interest areas already being met. Should you believe there is still a need for an additional organization, submit the New Organization Packet which should include the following information:

- Letter of request and justification why the organization should be created;
- Organization's name, purpose and ideals;
- Organization's proposed constitution and bylaws (include national constitution if affiliated with a national organization);
- Completed student organization registration packet (**registration fee to be paid when approved for establishment**); and
- Any other information requested (proposed calendar of events including meetings, estimated budget, roster of members with contact information and Banner ID numbers). A minimum of 10 N.C. A&T students is required to establish an organization.

Proposals and registration packets for new organizations are accepted during designated windows within and reviewed for processing accordingly. Although proposals and packets are accepted, ***please note that it may take up to 30 working days to review, evaluate and respond to the proposal.*** Review will not begin until the meeting requirements, **completed packet/proposal** has been received. Once the proposal is approved for the establishment of the organization, the requester will be notified via email with further instructions to complete the registration process as outlined under the organization registration guidelines.

Advisors

Each organization must have at least one N.C. A&T full-time faculty or staff member serving as an advisor to the organization. The advisor must:

- Be removed from being a student of the university for at least five years,
- MUST attend and stay for the duration of functions sponsored by the organization (especially those considered as major events, travel, fundraisers, and events with 50 or more attendees), and especially those that require money collection and travel
- and must be approved by the OSA

All prospective advisors must attend training and complete a contract before fulfilling their role.

Faculty and staff are not obligated to serve as advisors; it is a voluntary service. Those who willingly give the time necessary to guide organizations, as well as attend meetings and events, also accept the challenge and earn general and special appreciation of the university community

New Student Club/Organization Process

1. Fill out the **Intent to Register Form (ITR)** and type up a **Justification Letter** and bring it to the Office of Student Activities and Campus Involvement (OSA).
 - a. Once OSA/COP have received both documents, COP will vote on the **approval or denial** for the establishment of the organization.
2. If you are **APPROVED** you will receive an email from a member of the Council of Presidents Executive Board to set up a meeting.
 - a. At this meeting you will discuss your thoughts, ideals, and purpose for the proposed organization, receive helpful tips on writing your own organization constitution, and learn more about what it takes to start, continue, and grow a student organization at NC A&T SU.

- b. You will need to prepare the remainder of the documents (advisor agreement form, proposed events, proposed community service, officer/leadership contact information, and constitution) needed to start your organization.
 3. Once you have completed all the required documents you will turn them in to OSA, to have your completed proposal packet reviewed.
 4. Initial reviews for packet completion will be done by officials from Student Activities and Campus Involvement.
 - a. Packets missing any of the above stated requirements will not be reviewed until all required documents have been submitted
 - b. You will receive an email once all documents have been verified to be reviewed by the COP Executive Board
 5. A meeting between the organization, the advisor, and officials from Student Activities and Campus Involvement may be required to review the proposal.
 - a. This could include several meetings to revise your constitution. These meetings are called NSO Constitution Reviews, and it usually takes a few weeks of reviews to reach a final draft of your constitution.
 6. The final draft of your Constitution will go to the COP Executive Board for full review and to make a recommendation whether to establish the organization.
 - a. Within one week of receiving your final constitution, COP will vote on one of the following options:
 - i. **Approve your constitution**
 - ii. **Approve your constitution with suggestion for minor revisions**
 - iii. **Deny your constitution (major revisions required)**
 - b. You will receive an email notifying you of COP's decision. If you need to make revisions, do so and email the new draft to copeboard@ncat.edu with the subject "NSO (Org name) Constitution Edits"
 7. You will receive an email from COP Executive Board notifying you of your Registered Student Organization status. Follow the instructions in this email to set up an RSO Presentation with a member of the COP Executive Board.
 - a. You will need to pay the registration fee and bring a copy of the receipt to your RSO Presentation.
 - b. The President, Vice President, and Advisor are required to be in attendance for the RSO Presentation.
 - c. RSO Presentations take approximately 60 minutes. They will inform you of all the policies, procedures, and resources that apply to RSO's.
 8. This completes the process of creating a new club.
3. Campus Programming/Student University Activities Board
 Student University Activities Board (SUAB) is the primary organization responsible for planning and implementing many of the co-curricular programs which enhance the cultural, educational, recreational experiences, and varied opportunities for

the N.C. A&T student body. At the center of student life, SUAB specializes in providing social activities designed to enhance moral, intellectual, cultural and political life of individual students. In all its processes, students are encouraged to participate in self-directed activity, giving maximum opportunity for self-realization and growth in individual social competency and group effectiveness.

4. Greek Life

Student organizations, including fraternities and sororities are an integral part of campus life at N.C. A&T because they contribute significantly to the quality of student life in a number of ways:

- a. Providing a mechanism for students to develop leadership skills through involvement in a variety of programs and activities;
- b. Encouraging and fostering team building and group cohesion;
- c. Striving for academic excellence; and
- d. Performing volunteer service on-campus and in the larger Piedmont Triad community.

Because the outcomes are parallel to several university objectives, N.C. A&T welcomes the presence of these groups on campus with the clear expectation they will abide by all university policies and regulations governing their on-campus behavior. To the extent that activities of all student groups conform to university expectations and fulfill the university mission, they will continue to enjoy all privileges and courtesies extended to them as registered and recognized student organizations.

At all times, it is expected that student organizations will adhere to and assist with upholding all university policies and protocols, including the student code of conduct. If a student organization or its members are reported to have violated or are accused of violating the student code of conduct or any other university policy or procedures, the organization will be placed on cease and desist (interim suspension) pending investigation and resolution of the alleged violation.

Regarding campus suspensions of fraternities, sororities and social fellowships, the university makes no distinction between the *chapter* of a fraternity/sorority/social fellowship and the fraternity/sorority/social fellowship as an *entity*. The university further recognizes that chapters are not, in fact, organizations on their own but represent their national fraternity, sorority or social fellowship.

Membership in a Greek organization is limited to undergraduate students who are enrolled full time at A&T. General membership in our fraternities and sororities is restricted to students who are members of the group, in good standing, and enrolled for at least six semester credit hours at N.C. A&T, not including hours at a consortium school. (For additional new membership intake requirements, see academic eligibility.)

C. Standards Governing Fraternities, Sororities and Social Fellowship Organizations

1. National Fraternities and Sororities

Several units collaborate to certify a student's academic, judicial, financial, student engagement, and university attendance before verification of eligibility for membership can be granted. These units include but are not limited to the Office of Student Activities, the Registrar, and Student Conduct.

2. Joint Greek Council

The Joint Greek Council (JGC) was created to connect the two governing councils which support the fraternities and sororities on our campus. Collectively, the JGC Executive Board working in concert with the Office of Student Activities and the Director of Greek Life oversee the management of all Greek chapters at North Carolina A&T State University.

PURPOSE

- Promote Greek Unity between the chapters and councils
- Ease collaboration and communication between both boards since most to all Greek Life events involve both councils
- Streamline communication between chapters and administration

The two categorizations (council affiliations) of Greek organizations are as follows:

a. National Pan-Hellenic Council (NPHC)

The **National Pan-Hellenic Council** is a collaborative organization of nine historically African American, international Greek-lettered fraternities and sororities. N.C. A&T has charters for all nine of the member organizations encompassed under the NPHC umbrella which include, the following:

- Alpha Phi Alpha Fraternity, Inc.
- Alpha Kappa Alpha Sorority, Inc.
- Delta Sigma Theta Sorority, Inc.
- Kappa Alpha Psi Fraternity, Inc.

- Iota Phi Theta Fraternity, Inc.
- Omega Psi Phi Fraternity, Inc.
- Phi Beta Sigma Fraternity, Inc.
- Sigma Gamma Rho Sorority, Inc.
- Zeta Phi Beta Sorority, Inc.

For information regarding the chapter's current status, please visit the OSA-Greek Life website at <http://www.ncat.edu/student-affairs/student-services/student-activities/greek-life/faq.html>

Purpose

NPHC promotes interaction through forums, meetings and other mediums for the exchange of information, and engages in cooperative programming and initiatives through various activities and functions. It is the mission of the NPHC to promote unanimity of thought and action, as much as possible, in the conduct of Greek letter collegiate fraternities and sororities, and to consider problems of mutual interest to its member organizations. The purpose of the NPHC on the campus of N.C. A&T is as follows:

- Maintain a high level of Greek life and inter-fraternal relationships within the university;
- Encourage student leadership and personal development;
- Cooperate with university officials in an effort to maintain high social and scholastic standards throughout the university; and
- Serve as a forum for the discussion of questions of mutual interest and concern to the university, fraternities and sororities. The NPHC has its adopted by-laws.

b. Greek Lettered Council (GLC)

Fraternity and Sorority members who make up the Greek Community, currently function together and work collaboratively under one Joint Greek Council. When necessary, each council can and will address like issues or concerns under its respective council affiliation.

The following national fraternities and social fellowships have active chapters at N.C. A&T:

- Groove Phi Groove Social Fellowship, Inc.
- Kappa Kappa Psi National Honorary Band Fraternity, Inc.
- Phi Mu Alpha Sinfonia Fraternity of America

- Swing Phi Swing Social Fellowship, Inc.
- Tau Beta Sigma National Honorary Band Sorority, Inc.

For information regarding the chapter's current status, please visit the OSA - Greek Life website at <http://www.ncat.edu/student-affairs/student-services/student-activities/greek-life/faq.html>

GLC serves as the governing body of non-Pan-Hellenic fraternities/sororities/social fellowship organizations. The purpose of the GLC is to:

- Act as the governing body of all recognized Non-Pan-Hellenic fraternities/sororities/social fellowships;
- Organize, standardize and regulate recruitment of new member activities;
- Promote positive inter-fraternity/sorority competition in scholarship, service, athletics, and any other events that may be deemed advisable to better participants, the university and the community;
- Encourage cooperation and harmony among member organizations;
- Provide education programs and services for member fraternities/sororities/social fellowships; and
- Serve as the liaison between university authorities and member fraternities/sororities/social fellowships in matters of common interest.

3. Membership Intake Regulations

Recruitment activities can only be scheduled during the period designated by the university and those active organizations approved by members of Greek life as stipulated in this document. **No student may be in a group or organized interest club, pay fees or perform duties or assignments before the new membership intake program and schedule are approved by the university and officially begin.**

It is required that all new membership intake activities be coordinated through the Office of Student Activities. The annual schedule and new membership intake procedures are determined by the Office of Student Activities and provided to **the appropriate person(s)** at the designated time or upon request. Only one list of names will be accepted and any organization that processes ineligible persons will be penalized.

No organization may proceed with membership intake until the Office of Student Activities has received written approval from the regional director or national

office of the organization. Once received the Office of Student Activities will then provide written approval on each individual candidate based on academic and judicial clearance. If transcripts appear to be inaccurate to the candidate, individual candidates should contact the Office of the Registrar to have the matter cleared up; however, **candidates must be eligible at time of clearance (including the resolution of ALL holds on a student's account).**

Once the Membership Intake Period ("MIP") starts there will be no rebate on elapsed time, should an organization's MIP be stopped during the intake window for any reason. If permitted to proceed the organization will only have until the last day of intake as outlined by the university's approved MIP calendar to complete their process. This will apply no matter where the organization is in the process.

Effective July 1, 2016, there is a 45 new member limit for organizations participating in the membership intake process. The university reserves the right to grant approval to accept an additional 10% of the restricted number.

Organizations that are in good standing but ineligible to conduct intake due to a national moratorium or other organizational mandate/directive are eligible to accept up to 150% of the university limit the first year and up to 200% of the university limit if the involuntary restriction lasts two years or more when they are next eligible and approved to conduct intake.

Organizations that voluntarily opt out of conducting intake while in good standing; or are/were under sanction from the university, their region, or the national headquarters, are ineligible to utilize the percentage increase. Organizations that did not have intake because they were NOT in good standing are unable to utilize the 150%/200% rule upon their reinstatement.

4. Membership Intake Restrictions

Prospective Members: To be eligible or considered for membership into any Greek organization, the university requires that a student meet the following criteria:

- a. Completed a total of 12 credit hours during the academic semester **prior** to the intake semester at N.C. A&T. For those having been enrolled in a cooperative education experience, a letter of verification must be submitted to the Office of Student Activities prior to application for membership;
- b. Received a cumulative grade point average at N.C. A&T of 2.5 during the academic semester prior to the intake semester;

- c. Be currently enrolled in a total of 12 credit hours during the academic semester (at N.C. A&T) in which intake is being held;
- d. Be in good **financial, academic and judicial standing** (meaning clear judicial record defined as not currently on probation, suspended or expelled; no case pending; no history of major violations, i.e., drugs, assault, harassment, or possession/use of a weapon; no financial holds such as outstanding parking tickets, library fees, unpaid balances on accounts, or any unresolved academic issues such as incompletes on transcripts, etc.) with the university per the Office of the Dean of Students.

Compliance with university minimum requirements for application eligibility does not guarantee that a student will be selected or voted on for membership in an organization. Some organizations require a higher cumulative average, giving the option to a chapter to use the university's minimum requirement. Beyond minimum requirements, organizations have the right to select their members by criteria approved by the national governing body of the organization and accepted by the university as a fair policy. These criteria must be documented in the Office of Student Activities.

5. New Member Presentations

- a. all new member presentations must receive written approval by the organizations' chapter advisor with a written verification of approval submitted to the Office of Student Activities as designated by the university intake schedule;
- b. All new member presentations once approved by the advisor/s of record, must take place on campus within the new member presentation period as designated by the university intake schedule and as approved at the time of petition hearings (There will be NO EXCEPTIONS to any other time periods or forms of expression (before, during or after the intake period));
- c. All new member presentations also known as coming out shows, reveals or probates must be in compliance with all university new member presentation guidelines and membership intake policies;
- d. Pre and Post shows are prohibited both on and off-campus

These and all other Greek Life policies, procedures and guidelines can be found on the [OSA](#) website.

Failure to comply with the provisions outlined in section 6 are grounds for sanctions as determined by the Office of Student Activities which may be influenced by the organization's current status and written record of previous sanctions with said office.

6. University Policy on Hazing

Hazing (North Carolina General Statutes, Chapter 14 (Article 9))

14-35 Hazing definition and punishment. *It is unlawful for any student in attendance at any university, college or school in this State to engage in hazing or to aid or abet any other student in the commission of this offense. For the purposes of this section, hazing is subjecting another student to physical injury as part of an initiation, or as a prerequisite to membership, into any organized school group, including any society, athletic team, fraternity or sorority, or other similar group. Any violation of this section shall constitute a Class 2 misdemeanor.*

Preamble

Student organizations, including fraternities and sororities, are an integral part of campus life at N.C. A&T because they contribute significantly to the quality of student life in a number of ways:

- a. Providing a mechanism for students to develop leadership skills through involvement in a variety of programs and activities;
- b. Encouraging and fostering team building and group cohesion;
- c. Striving for academic excellence; and
- d. Performing volunteer service on-campus and in the larger Piedmont Triad community.

Because the outcomes are parallel to several university objectives, N.C. A&T welcomes the presence of these groups on campus with the clear expectation they will abide by all university policies and regulations governing their on-campus behavior. To the extent that activities of fraternities and sororities conform to university expectations and fulfill the university mission, they will continue to enjoy all privileges and courtesies extended to them as registered student organizations. Each chapter exists on campus as a courtesy to their respective national organizations. At all times, it is expected that the chapters conform to and assist with upholding all university policies and protocols. Regarding campus suspensions of fraternities, sororities and social fellowships, the university makes no distinction between the **chapter** of a fraternity/ sorority/social fellowship and the fraternity/sorority/social fellowship as an **entity**. The university further recognizes

that chapters are not, in fact, organizations on their own but represent their national fraternity, sorority or social fellowship.

University Definitions of Hazing

The university stands against hazing of any kind and against any student or other individuals who shall commit such acts. We will aggressively pursue any and all violators of the hazing policy and shall be intolerant of any aberrant behavior that threatens the well-being of our students. The university shall, at all times, remain an environment for academic achievement and success, and shall not allow its students to be subjected to any type(s) of behavior that interfere with the integrity of the academic process. For purposes of N.C. A&T, **'hazing'** shall be defined in the following manner and shall not be differentiated with respect to university findings:

Subtle Hazing: This type of hazing is often thought of as harmless or insignificant. The behavior usually involves activities or attitudes that cross the line of mutual respect, appropriate standards, and places the individual on the receiving end of the ridicule and/or humiliation practices or emphasize a power imbalance between new members/initiates and other members of the group or team. Examples include, but are not limited to, the following:

- Deception
- Assigning demerits
- Silence periods with implied threats for violation
- Deprivation of privileges granted to other members
- Requiring new members/initiates to perform duties not assigned to other members
- Socially/Actually isolating new members/initiates
- Line-ups and drills/tests on meaningless information
- Name calling
- Requiring new members/initiates to address other members with titles, so as to suggest subordination, inferiority or second-class status
- Expecting certain items to always be in one's possession or taking possession of one's items without asking or permission
- Expecting or requesting new members/initiates to be deprived of maintaining their normal class or study schedule

Harassment Hazing: Behaviors that cause emotional anguish or physical, mental or psychological discomfort in order to feel like part of the group. It can be viewed as confusing, frustrating and/or causing undue stress for new members/initiates and **may lead to mental or psychological trauma**. Examples include, but are not limited to, the following:

- Verbal abuse, including berating of individuals, new members/initiates
- Threats or implied threats
- Asking new members to wear embarrassing or humiliating attire
- Stunt or skit nights with degrading, crude or humiliating acts
- Expecting, requesting or demanding new members/initiates to perform personal service(s) to other members, such as carrying books, running errands, washing cars, cooking, cleaning, etc.
- Sleep deprivation
- Sexual simulations or stimulations
- Expecting new members/initiates to be deprived of maintaining a normal schedule of bodily cleanliness
- Demanding or expecting new members/initiates to harass others

Cyber-Bullying: This form of hazing that exposes an individual to communications made through emails, cell phones, unauthorized posted pictures on websites and/or other social media, internet chat rooms, other telecommunications by seeking to intimidate, control, manipulate, stalk, torment, harass, ridicule, put down, falsely discredit, and/or humiliate the recipient of cyber-bullying.

Violent Hazing: Behaviors that have the potential to cause physical and/or emotional or psychological harm or trauma. Examples include, but are not limited to, the following:

- Action that recklessly or intentionally endangers the physical safety of students
- Forced or coerced alcohol, or any other drug consumption
- Beating, paddling or other forms of assault or blunt-force trauma including striking with fists or any other objects
- Branding
- Forced or coerced ingestion of vile substances or concoctions

- Burning
- Water intoxication or over-consumption of food or other substance
- Expecting abuse or mistreatment of animals
- Public nudity
- Expecting or demanding or assignment of activities that would be illegal (e.g., shoplifting) or unlawful or might be morally offensive to new members/initiates
- Forced or required conduct that could embarrass or adversely affect the dignity of the individual
- The intentional creation of clean-up work or labor for new members/initiates by other members
- Bondage
- Abductions/kidnappings/holding against one's will
- Forced exposure to cold weather or extreme heat, regardless of appropriate protection
- Forced or required participation in physical activities such as calisthenics, exercises or other so-called games

For the purposes of this policy, violations include observation or knowledge of hazing activities by individuals in a position to intervene but who fail to do so.

It is also a violation of this policy to retaliate or take adverse action towards any person for reporting an alleged violation of this policy or for cooperating with a university investigation related to this policy. Retaliation includes, but is not limited to, verbal or implied threats, physical or psychological abuse, intimidation, harassment (verbal or written), isolation, or any other action intended to create a hostile environment for the intended target of the retaliation.

Sanctions and Outcomes upon Findings of Hazing

Due to past incidents of destructive activities inapposite to the university's mission, committed by several fraternities and/or sororities during the membership intake process that threatened the safety and security of students and/or prospective members, the university has set forth the following penalties and restrictions applicable to any findings of hazing. These guidelines govern the membership intake process and shall be operative throughout the entire academic year, to be applicable to any and all findings of hazing, no matter the organization type, time of discovery, finding, or final resolution.

The severity of each offense shall be taken into account for purposes of determining outcomes and/or levying sanctions against an organization found to have violated the university's hazing policy. The university shall always have the right and sole discretion to sever the relationship with a national organization and its on-campus chapter when considering the best interests of students, staff and the university's mission.

Final outcomes/sanctions levied against an organization shall be managed by the Office of Student Activities and shall be dictated by its disciplinary status policy (outlined below). Sanctions for an organization's offenses include, but are not limited to, the following:

- a. **Reprimand:** An official notice of censure
- b. **Social Probation:** A specified period during which an organization may register but may not take part in social activities or social fundraising events.
- c. **Disciplinary Probation:** A specified period during which an organization must register but may not be recognized as an active student organization, and undergo extensive anti-hazing training and/or complete other prescribed activities and trainings, as well as perform extensive community service.
- d. **Charter/Chapter Restriction/Suspension:** Removal of recognition of an organization by the university, which shall be no less than one year and no more than two years. Under this sanction, a chapter will not be recognized as a registered student organization, cannot take part in the intake process or hold any organization-sponsored events on campus.
 - i. First Offense: one-year suspension, one-year disciplinary probation, one-year social probation
 - ii. Second Offense: two-year suspension, two-year disciplinary probation, two-year disciplinary probation, one-year social probation
 - iii. Third Offense: Revocation of chapter's charter
- e. **Charter/Chapter Revocation:** Permanent removal of recognition of an organization by, and its affiliation with, the university.
- f. Outcomes/sanctions may also include the following should any and all apply:
 - i. Criminal prosecution at the local, state and/or federal level for any individual student(s) accused of and found to be in the commission of hazing;

- ii. university disciplinary action for individual students, up to and including probation, suspension and/or expulsion, through the Office of the Dean of Students.

Any offenses currently part of the university record for any organization(s) found in violation of the university's previous or current hazing policies shall remain in effect and apply to the guidelines set forth above.

IV. **STUDENT CONDUCT REGULATIONS**

Section 502 D of the Code of the Board of Governors of the University of North Carolina gives the Chancellor of each constituent institution, or his or her delegate, the authority and the duty to regulate student affairs and student conduct and discipline. At North Carolina Agricultural and Technical State University, the Chancellor has delegated the regulation of student conduct and discipline to the Vice Chancellor for Student Affairs. Pursuant to this authority, and consistent with Chapter 700 of the UNC Policy Manual, the following Student Conduct Regulations and Procedures have been developed.

A. Statement of Purpose

As an academic community, N.C. A&T has an interest in the safety, welfare and education of its community members and in the promotion of an environment consistent with the educational mission, purpose and operation of the university.

Through orientation activities and student-faculty interaction, the university encourages and promotes organized student life. Additionally, individual and group counseling are made available through Counseling Services, the Student Health Center, Office of Accessibility Resources.

B. Statement of Policy

Students voluntarily enter N.C. A&T and are obligated to perform and behave in a manner relevant to the university's lawful mission, process and function. Expectations of students in an academic community are higher than those of citizens in a non-academic community.

The process by which the university community educates students who violate community standards of the Student Conduct Regulations is through voluntary

referrals to Counseling Services and the imposition of sanctions, including possible separation from the university. Goals of the educational process are as follows:

1. To educate the student by explaining the reasons for community standards;
2. To bring the student's behavior into compliance with community standards;
3. To have the student maturely accept accountability for the student's behavior;
4. To help clarify the student's values as they concern behaviors in question;
5. To assist the student in making future choices which enable the student to assume major adult roles of responsibility;
6. To help students consider, in advance, consequences of his/her behavior;
7. To determine, with the student, the reason(s) for misconduct; and
8. To protect the safety and welfare of the university community.

Procedures and processes set forth in the Student Conduct Regulations are not intended to be equivalent to the process of federal or state criminal law. Criminal processes and procedures are designed for circumstances unrelated to the academic mission of the university.

In exercising its disciplinary authority, the university is committed to the principle of equal treatment, including a like sanction for a like violation without regard to age, color, disability, gender identity, genetic information, national origin, race, religion, sex, sexual orientation, veteran status, or any other basis protected by law.

The university embraces and strives to uphold the freedoms of expression and speech guaranteed by the First Amendment of the U.S. Constitution and the North Carolina Constitution. The university has the right, under appropriate circumstances, to regulate the time, place and manner of exercising these and other constitutionally-protected rights.

It is the prerogative of the vice chancellor for student affairs and the chancellor to interpret and apply the provisions of the Student Conduct Regulations. In making decisions, the rights of students and needs of the university in accomplishing its educational goals and mission will be considered.

The university has jurisdiction over all behavioral infractions that occur in facilities on property owned, controlled or used by the university. The university reserves the right to consider the off-campus behavior of students when it is determined

the behavior interferes with or impacts the university and its educational mission. The vice chancellor for student affairs shall make this judgment on a case-by-case basis and determine when the university's educational interests are adversely affected.

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

Violations of campus or university policies, rules or regulations, or federal, state or local laws may result in a violation of the student code of conduct and imposition of student discipline.

Instances of student misconduct may or may not constitute offenses against the larger community. The fact that a student is or has been prosecuted in criminal court for a violation of law does not preclude university jurisdiction over the misconduct. The university may pursue disciplinary action against a student at the same time the student is facing criminal charges for the same offense, even if the criminal prosecution is pending, has been dismissed or the charges have been reduced. Governmental authorities are not precluded from taking action against students for on-campus violations of public laws.

University police are law enforcement officers commissioned by the State of North Carolina and have full enforcement and arrest powers. University police officers are empowered to arrest students and other persons who violate state, local and/or campus laws while on the campus of N.C. A&T or within the extraterritorial jurisdiction near the campus as agreed upon by N.C. A&T and the City of Greensboro.

There are two formal processes that govern student conduct regulations- Misconduct Prohibited by the university and the Academic Dishonesty Policy (see IV. for guidelines regarding violations). Ethical or professional standards may also be found in an academic department, school or college. All violations of conduct prohibited by the university are reported to the Office of the Vice Chancellor for Student Affairs, which has the authority to delegate enforcement to certain persons and bodies for the purpose of implementing approved policies and procedures. By action of the UNC Board of Governors, the chancellor has ultimate authority in the regulation of student conduct. Consistent with the delegation of this authority from the chancellor, the dean of students may change or suspend

any student conduct processes, as necessary, in furtherance of the welfare of the university or its students.

C. Definition of Student

Persons covered under the Student Conduct Regulations are identified as students:

“Student(s)” includes all persons enrolled in courses delivered in any manner by the university, either full or part-time, for credit or non-credit, undergraduate or graduate. Student(s) also include those who have been notified of their acceptance for admission, persons who withdraw after allegedly violating the Student Conduct Regulations, persons who are not enrolled for a particular term (but who have not officially withdrawn from the university), but who enroll in courses from time to time, and those who have a continuing relationship with the university (e.g., on academic suspension or academic dismissal, disciplinary suspension or studying abroad).

Note: A person is no longer a student upon graduation, official withdrawal, expulsion, or death.

D. Student Rights and Responsibilities

Students have certain rights and responsibilities. Included in this objective are guaranteed rights, but also the responsibility of students to be aware of the standards of appropriate behavior and the willingness to exercise the degree of order necessary to promote and preserve higher standards in a learning environment.

Students have the right to:

- Receive accurate and consistent information;
- Enjoy confidentiality of education records pursuant to the Family Educational Rights and Privacy Act (FERPA) of 1974;
- Gain access despite any disabilities and fully participate in any chosen university student activity;
- Seek counsel and advice;
- Be respected, heard and receive courteous delivery of services;
- Be afforded equality of opportunity to receive the best education; and
- Receive due process in all disciplinary procedures (due process is defined as written notification of charges, the opportunity to be heard and date, time and place of hearing).

Students have the responsibility to:

- Exercise sound judgment in their choices and assume the consequences of their own actions at all times;
- Become acquainted and fully compliant with all university regulations and policies;
- Conduct themselves with civility (respect and courtesy) toward others at all times;
- Share in building and maintaining a safe and sound campus community; and
- Maintain high academic, social, moral, and civic character.

E. Conduct Prohibited by the University

The university reserves the right to examine misconduct and make a determination as to whether the misconduct is serious enough to warrant suspension or expulsion. To make the determination, the following example guidelines are used:

- Does the conduct present a danger to members of the university community?
- Does the conduct violate community standards of behavior to the degree that it jeopardizes the integrity of the university?
- Does the conduct interfere with the university's educational interests?
- Does the conduct infringe upon the rights of others in pursuit of an education?

Violations that place a student in peril of suspension or expulsion include, but are not limited to, possession of a weapon on university property; assault or threat of violence; sexual misconduct; commission of felonies; hazing; disruption of university-sponsored activities; falsely reporting a fire or setting off a fire alarm; sale, delivery or possession of illegal drugs; violating terms of disciplinary probation; and repeated violations of the rules and regulations of the university.

Prohibited conduct, to include any behavior that interferes with the safety and/or well-being of members of the university, and/or the mission, purposes, functions, and/or processes of the university, will be subject to disciplinary action. The following examples of misconduct are illustrative and not limiting:

1. A first offense of possessing or carrying, whether openly or concealed, any gun, rifle, pistol, dynamite cartridge, powerful explosive (as defined in North Carolina General Statute 14-284.1), bowie knife, dirk, dagger,

- leaded cane, switchblade knife, blackjack, metallic knuckles, or any other weapon of like kind, not used solely for instructional or school sanctioned ceremonial purposes, on any property owned, used or operated by the university; (also see section on firearms or other weapons and university policy and procedures concerning weapons on campus);
2. Possession on campus of firearms, ammunition, explosives, fireworks, or other dangerous weapons; (also see section on firearms or other weapons and university policy and procedures concerning weapons on campus);
 3. Threats of violence directed toward an individual or group;
 4. Any violation of the Student-on-Student Sexual Misconduct Policy;
 5. Felonies: the commission of an act that is classified under North Carolina General Statutes as a felony;
 6. Hazing, harassment and/or intimidation- see definition of 'hazing' herein. Generally defined as the intentional commission of an act, by an individual or group, of physically abusing or harassing another person or creating a situation which produces physical hurt or discomfort, severe emotional distress, embarrassment, or ridicule;
 7. Threaten, coerce, harass, or intimidate another person or identifiable group of persons, in a manner that is unlawful or in violation of a constitutionally valid university policy while on university premises or at university-sponsored activities based in whole or in part upon the person's age, color, disability, gender identity, genetic information, national origin, race, religion, sex, sexual orientation, veteran status, political affiliation, or any other basis protected by law;
 8. Engaging in unlawful harassment leading to a hostile environment, which includes conduct meeting the following criteria: a) directed toward a particular person or persons; b) based in whole or in part upon the person's age, color, disability, gender identity, genetic information, national origin, race, religion, sex, sexual orientation, veteran status, political affiliation, or any other basis protected by law; c) unwelcome; d) severe or pervasive; e) objectively offensive; and f) so unreasonably interferes with the targeted person's employment, academic pursuits or participation in university-sponsored activities as to effectively deny equal access to the university's resources and opportunities. However, this sub-section shall not be read to

- deprive an accused student of his/her First Amendment rights to free speech;
9. Obstruction or disruption of any university-sponsored or co-sponsored athletic event, either on- or off-campus, or at any other authorized university activity;
 10. Obstruction, disruption or interference with teaching, research or the general operation of university business;
 11. Falsely reporting the presence of an unlawful explosive or incendiary device;
 12. Falsely reporting a fire or other emergency; falsely setting off a fire alarm;
 13. The illegal manufacture, sale or delivery, or possession with the intent to manufacture, sell or deliver any controlled substance identified in any of Schedules I through VI, General Statutes 90-89 through 90-94. These include, but are not limited to, heroin, mescaline, opium, cocaine, amphetamines, methaqualone, marijuana, and or other prohibited cannabinoids, phenobarbital, codeine;
 14. Possession of any controlled substance identified in any of Schedules I through VI, N.C. General Statutes 90-89 through 90-94, (including, but not limited to, marijuana, phenobarbital, codeine, etc.);
 15. The usage (including but not limited to consumption, injection, smoking/inhalation, etc.), manufacture, possession, or distribution of illegal drugs or significantly mind-altering substances, pharmaceutical and/or otherwise, (including salvia divinorum, medical marijuana, and synthetic forms of banned substances including, but not limited to, K2, Spice, Black Magic, etc.); inappropriate/illegal use or distribution of any pharmaceutical product; being in the presence of others while the above mentioned drug use is occurring; or possession of drug paraphernalia including, but not limited to, smoking pipes and bongs;
 16. Use of marijuana and/or possession of marijuana paraphernalia;
 17. Assault with a deadly weapon- defined as the intentional infliction of injury to another with the use of a weapon or dangerous object intentionally used as a weapon;
 18. Assault and/or battery- defined as the use of physical force against another person that places the person in danger of or in apprehension of bodily harm;
 19. Fighting;
 20. Any act of arson;
 21. Lewd, indecent or obscene conduct;

22. Trespassing- defined as the unlawful or unwarranted entrance to any university building or property or facility;
23. Unauthorized use of university property or facilities;
24. Rioting, inciting to riot, assembling to riot, raiding, inciting to raid, and assembling to raid university units;
25. Vandalism, malicious destruction, damage, misuse, or abuse of public or private property, including library materials;
26. Forgery, alteration or misuse of university documents, records or identification cards; furnishing false information to the university with intent to deceive or mislead;
27. Theft, larceny, shoplifting, embezzlement, or the unauthorized possession of the property of another;
28. Failure to comply with the official regulation or order of a duly designated authority, agency or agent of the university;
29. Knowingly furnishing false information to a judicial board or to a judicial hearing officer, or to any other university official;
30. Knowingly making, in public, a false oral statement with the intent to deceive and/or mislead or knowingly publishing and/or distributing a false written or printed statement with the intent to deceive and/or mislead;
31. Disorderly or disruptive conduct- defined as the intentional creation of a disturbance on university property or at university-sponsored events including, but not limited to, fighting, committing a nuisance, endangering one's own physical well-being, or disrupting, disturbing or interfering with the academic atmosphere of a living or learning environment or social activity;
32. Possession or misuse of alcoholic beverages or intoxicating liquors containing more than one-half of one percent (.5%) alcohol by volume by any student under the age of 21, or providing alcoholic beverages to any student under the age of 21 (see Policy on Alcohol Use);
33. Excessive or disruptive noise or the use of unapproved amplified sound that disrupts or disturbs normal functioning of the university, including residence life;
34. Unauthorized solicitation or fundraising of any type;
35. Commission of an act, or an attempt to commit an act, at the university that would be in violation of a general statute of the State of North Carolina or any federal law;

36. Tampering with, or removing from its proper location, any fire extinguisher, hose or other fire or emergency equipment, except when done with reasonable belief of a real need for such equipment;
37. Intentionally delaying, obstructing or resisting a person who identifies himself/herself as a member of the faculty, administration, campus police, or other law enforcement officer, fire person or other university employee in the performance of his/her duty;
38. Violating the terms of probation or failure to comply with university-imposed sanctions, or failure to present himself/herself for adjudication of a charge;
39. Engaging in behavior on- or off-campus that jeopardizes the integrity of the university (including misconduct in both domestic (USA) and international countries);
40. Use of Aggie OneCard by anyone other than the person to whom it was issued is illegal;
41. Being an accessory to the commission of misconduct;
42. Disruption in a residence hall, campus or classroom building through vandalism, excessive noise, practical jokes, and/or the flagrant violation of other rules and regulations established by a department or building representative;
43. Possession of pets of any kind in any university hall or property, with the exception of fish maintained in a 10-gallon or less fish tank. This subsection does not apply to service animals or to emotional support animals (also known as therapy animals or companion animals) that have been approved by the Office of Accessibility Resources;
44. Failure to control the conduct of one's non-N.C. A&T guest(s), whose behavior violates provisions of conduct regulations, including use of abusive language;
45. Disruptive and destructive behavior in the dining facility, such as fighting, throwing food, damaging property, vandalism, abusive language, breaking in line, and leaving trays on tables and floors;
46. Theft or removal of equipment, utensils or trays from the dining facility and/or flagrant violations of rules and regulations established by food service administration;
47. Spamming, i.e. sending unauthorized mass mailings through university computers or servers, or any violation of university computer usage policies;
48. Engaging in criminal behavior on another campus;

49. Possession of or giving a person any drug, narcotic, pill, or drink, which would render them unable to care for himself/herself or incapable of making informed decisions;
50. Sexual exploitation including, but not limited to, prostituting another student, non-consensual video or audio taping of sexual activity, going beyond the boundaries of consent (such as allowing others to surreptitiously watch you having consensual sex), engaging in voyeurism, knowingly transmitting a STD or HIV to another student, or plotting to engage others in sex acts without their knowledge or consent. (In addition, see the Zero Tolerance Policies on Drugs and Aggressive Behavior in the university Policy and Excepts section.);
51. Relationship Violence- Engaging, attempting to engage, or assisting to engage in misconduct toward a person from past and/or present personal, intimate relationships that inflicts physical injury upon another person; or places another person in fear of, or at risk of physical injury or danger; or creating a situation which produces discomfort, severe emotional distress, embarrassment or ridicule;
52. Stalking- Behavior directed to a specific person that would cause a reasonable person to feel fear for their safety of others; or to suffer emotional distress. Stalking may include, but is not limited to non-consensual communication, direct or indirect through or by a third party or by person to person electronic messaging, posting a picture(s), written letters, gifting, or other communications (by any action, method, device, or means) follows, monitors, observes, surveils, threatens or communicates to or about a person, or interferes with a person's property, that are unwelcomed and/or places another person in fear;
53. Off-Campus Safety or Health Housing Violations- Engaging in behavior that violates the safety or health related housing rules or regulations of non-university owned property, including but not limited to: overcapacity (including at parties), serving alcohol to underage persons, or illegal or inappropriate activity prohibited under the property's rules or regulations.
54. Unauthorized peer-to-peer file sharing, or other unauthorized distribution of copyrighted materials. [See Peer-To-Peer \(P2P\) Policy.](#)

F. Academic Dishonesty Policy

Academic dishonesty includes, but is not limited to, the following:

1. Cheating or knowingly assisting another student in committing an act of cheating or other academic dishonesty;
2. Plagiarism (unauthorized use of another's words or ideas, as one's own), which includes, but is not limited to, submitting exams, theses, reports, drawings, laboratory notes, or other materials as one's own work when such work has been prepared by or copied from another person;
3.
 - a. Unauthorized possession of exams or reserved library materials; destroying or hiding source, library or laboratory materials or experiments or any other similar actions;
 - b. Unauthorized changing of grades, or marking on an exam or in an instructor's grade book or such change of any grade record;
4. Aiding or abetting in the infraction of any of the provisions anticipated under the general standards of student conduct;
5. Hacking into a computer and gaining access to a test or answer key prior to the test being given. N.C. A&T reserves the right to search the emails and computers of any student suspected of such computer hacking if a police report of the suspected hacking was submitted prior to the search; and
6. Assisting another student in violating any of the above rules.

A student who has committed an act of academic dishonesty has failed to meet a basic requirement of satisfactory academic performance. Thus, academic dishonesty is not only a basis for disciplinary action, but may also affect the evaluation of a student's level of performance. Any student who commits an act of academic dishonesty is subject to disciplinary action as defined below.

In instances where a student has clearly been identified as having committed an act of academic dishonesty, an instructor may take appropriate disciplinary action, including a loss of credit for an assignment, exam or project; or awarding a grade of "F" for the course, subject to review and endorsement by the chairperson and dean. The instructor should check with the Office of the Provost/Vice Chancellor for Academic Affairs for the current academic dishonesty reporting form, if required, for the instructor's school/college. An offense will remain on file for eight (8) years. Repeated offenses can lead to dismissal from the university.

Student Appeals of Academic Dishonesty Charges

A student who feels unfairly treated as a result of an academic dishonesty matter may appeal the action, in writing, to the university Conduct Tribunal. The written notice of appeal must be submitted by the student within one week (seven calendar days) of the decision date to the tribunal chairperson (contact the Office of the Provost for the current chairperson). An appeal submitted by any third party, including an attorney or parent, will not be accepted.

V. STUDENT CONDUCT PROCEDURES

A. Allegations of Misconduct and Filing of Charges

Any member of the university community may initiate a complaint against a student or student organization for an alleged violation of the Student Conduct Regulations. Complaints must be filed within six months of the date of the misconduct alleged in the complaint; except that alleged sexual misconduct complaints may be filed at any time after the date of the alleged misconduct. The university member may personally submit a written report or inform a faculty or staff member, or university police officer, who will submit a written report to the vice chancellor for student affairs or, in cases of academic dishonesty, to the provost/vice chancellor for academic affairs, or his/her designee. The person reporting the violation is expected to appear and present evidence at any resulting conduct proceeding(s). This requirement may be waived in exceptional cases where the identity of the person reporting the violation needs to be protected. For allegations of sexual misconduct (including, but not limited to, rape, sexual assault, sexual harassment, and sexual violence), the university's Title IX coordinator and law enforcement will be notified of the complaint. See the Student Sexual Misconduct Policy for filing and hearing procedures when the alleged misconduct is by a student and the Sexual Misconduct Policy for filing and hearing procedures when the alleged misconduct is by an employee, faculty member or other university guest.

B. Review by the Vice Chancellor for Student Affairs/Designee

All misconduct is reported to the vice chancellor for student affairs to review the charges. There are several options for resolution of disciplinary matters, and it is the prerogative of the vice chancellor for student affairs, or their designee, to determine which conduct board considers charges based on the type of violation(s), caseload of the conduct boards or other factors as follows:

1. The vice chancellor for student affairs may refer the reported violation to the Office of the Dean of Students to conduct a preliminary investigation and bring closure, or determine if evidence of the offense warrants further action;
2. In instances of minor offenses in either student affairs or residential jurisdictions, sanctions can be assigned at the discretion of the dean of students, without resorting to a hearing. In others, the student will be notified, in writing (warning letter), that an infraction has been reported and the student's behavior is being monitored for a specified period of time;
3. The vice chancellor for student affairs or the dean of students may assign a case to an administrative hearing or to the Student Conduct Council. The University Judicial Tribunal hears all cases referred by the chancellor, vice chancellor for student affairs or Office of the Dean of Students regarding violations of academic dishonesty; and
4. In certain circumstances, the vice chancellor for student affairs may suspend a student charged with violating the Student Conduct Regulations for an interim period prior to the outcome of a full disciplinary hearing based on merit(s) of the charge.

Limited expansion of off-campus jurisdiction: The university reserves the right to consider the behavior of students off campus if it is determined to have interfered with the university and its educational mission. Students are asked to voluntarily self-disclose any off-campus offenses during their current enrollment period.

C. Rights of the Accused

Students and organizations accused of violating the Student Conduct Regulations are guaranteed the following rights:

1. Due process, including a fair and timely hearing;
2. The opportunity to secure full knowledge of the accusation(s), the opportunity to review any written evidence, the opportunity to question evidence presented, and the opportunity to obtain witnesses prior to the hearing. In cases alleging sexual misconduct, the complainant shall have the right to participate by teleconference or other available manner;
3. Receive notification at least five days prior to a hearing for a minor violation or at least ten days prior to a hearing for a Serious Violation in order to prepare a defense;
4. Have a pre-hearing conference with the director of student conduct in order to preview evidence to be presented at the hearing, and to get

answers to procedural questions. The pre-hearing will not be used to settle the issue of whether or not the violation was committed or to challenge any recommended sanctions;

5. Offer defense evidence and witnesses to question the complainant and all witnesses through the hearing panel, except in cases where the accuser may be justifiably unable to appear for a hearing;
6. Seek counsel and have an adviser of student's choice present at the hearing;
7. Receive, in writing, the case disposition;
8. Appeal; and
9. Waive any of these rights. A guilty plea represents a waiver of all hearing rights of the accused.

D. Rights of Persons Bringing Charges

A student, university administrator or other person bringing charges has the following rights:

1. To appear and present at any resulting conduct proceeding(s), although this may be waived in exceptional cases where the identity of the person reporting the violation needs to be protected;
2. To file criminal charges or seek civil action in court, in addition to any action taken by the university conduct system; and
3. To review any statements submitted by the student accused of misconduct or academic dishonesty in order to help focus the issue for the hearing and permit the hearing to be conducted more efficiently.

E. Waiver of Rights to a Hearing

Individual student conduct violations (see Conduct Prohibited by the University under Student Conduct Regulations) are administered by the Office of the Dean of Students while violations by student organizations of university and/or student organizational rules, regulations and policies are administered by the Office of Student Development and/or the Greek Life office.

In the case of Student Conduct Regulations or violations of organization rules, regulations and/or policies, after being informed of the charges and the student's rights, including the right to a hearing, a student or organization may decide to voluntarily waive the rights and request that a resolution of the individual conduct charges be made by the dean of students or, in the case of student organizations,

the Office of Student Development or the Greek Life office for fraternities and sororities.

In cases of misconduct prohibited by the university, to request that charges be settled without a formal hearing before a conduct committee, the student or organization shall do the following:

1. Schedule a meeting with the Dean of Students or an office representative to discuss the charges (in the case of violations by student organizations of the university and/or student organizational rules, regulations and policies, the organization should meet with the Office of Student Development or the Greek Life office for fraternities and sororities);
2. Accept responsibility for the charge(s) of misconduct under the regulations;
3. Agree to accept the imposed sanction; and
4. Agree to a waiver of right to a hearing. The waiver and acceptance must be in writing and signed by the student and designated university official.

The dean of students, Office of Student Development or Greek Life Office for fraternities and sororities may decline a student's or organization's request for a hearing waiver. If the student's or organization's request is declined, the student or organization will be referred to a conduct board within the respective office. If the director of the respective office agrees to the request for a waiver of hearing, any sanction(s) imposed will be governed by the principle of "like sanction for like violation."

F. Records

1. Records shall be created for all reported cases of student misconduct;
2. Disciplinary records are confidential and shall not be released without a student's or organization's written consent, except to such persons functioning in their official university capacity on a need-to-know basis;
3. All disciplinary records are the property of the university. Records of conduct violations are maintained in the Office of the Dean of Students, whereas violations of the Academic Dishonesty Policy are maintained in the Division of Academic Affairs. The university reserves the right to maintain records for any length of time, depending on the severity of infractions. Records of minor offenses are destroyed after eight years, while major offenses involving criminal charges or suspensions and expulsions can be maintained indefinitely;
4. A tape recording or transcript, which are property of the university, is made of every conduct board hearing and kept for one year before being erased. Neither

the complainant nor the accused is allowed to make separate recordings of any type. Under no circumstances will a copy of the recording be released except in the case of an appeal of a conduct decision, wherein an attorney issues a court-ordered subpoena (see the section on Appellate Procedures: Filing Appeal and Timing).

G. Referral to a Conduct Board

Student or organization conduct that contradicts basic interests and policies of the university community will be addressed under hearing procedures designed to facilitate fair and impartial resolution. Hearing panels, unlike courts, engage in full discussion of charges and circumstances. In cases of violation of the Student Conduct Regulations, N.C. A&T has three formal hearing bodies: Administrative Hearing Panel, University Tribunal and Student Conduct Council. The vice chancellor for student affairs and/or the dean of students determines to which hearing body a particular case will be assigned based on the type of violation(s), caseload of conduct boards and other factors. The dean of students, or his/her designee, presides over the hearing, and a majority of three members (see administrative hearing description) is required to decide any issue of fact or sanction. Regarding violations of academic dishonesty, hearing panels may vary within a school or college.

1. Administrative Hearing Panel - consists of the dean of students, or his/her designee, and two other university administrators designated by the vice chancellor for student affairs and/or the dean of students.
2. Student Conduct Council - described under Article XIII of the SGA Constitution.
3. University Tribunal - consists of a pool of ten members evenly divided between students and faculty, and selected by the chancellor. The chairperson has faculty rank, presides over hearings and is a non-voting member, except in the case of a tie vote. A majority of members, including the chairperson, must be present to constitute a quorum and decide any issue of fact or sanction.

NOTE: In some incidents involving two or more people in conflict with each other, mediation, an alternative method of dispute resolution, may be employed with the voluntary consent of those involved and a university mediator, who serves as a neutral facilitator of the problem-solving process.

Hearing Notification

All charges of misconduct referred to a hearing body are heard as promptly as circumstances permit. Conduct proceedings will be initiated as follows:

1. A student or organization shall be informed of charges, in writing, by mail or hand-delivery by a university official and notified of the time, date and place to appear before a specific conduct board. Notifications for conduct hearings are delivered at least five days prior to the hearing for a minor violation and at least ten days prior to the hearing for a serious violation, except in certain cases when time is of the essence or extenuating circumstances prevail. For serious violations, notice must include the possible sanctions and a brief recitation of factual allegations supporting the charge. If expulsion is being contemplated for any violation, a notice that expulsion precludes matriculation at any UNC constituent institution must be included. A student may choose to waive the student's right to a hearing by the method described under Waiver of Rights to a Hearing.
2. In the case of the Student Conduct Regulations, based on the type of charge(s) and information available, the vice chancellor for student affairs or dean of students may decide to have a pre-hearing conference, in which case the student would be notified by telephone or a hand-delivered letter.
3. In the case of serious violations, the student must be given the opportunity to review any written evidence to be used at the hearing and to obtain a list of the witnesses before the hearing. Further, a student facing a serious violation must be given the opportunity to challenge a committee member or hearing official on the grounds of conflict, bias or interest in the case.

VI. CONDUCT OF ALL HEARINGS AND APPEALS

Conduct hearings shall be conducted according to the following form:

1. Introductions;
2. Reading of regulatory statements that govern process and behavior during a hearing (see student handbook sections on Presence of Advisor and Observers at Hearings through Decision);
3. Reading of charge(s) and pleading thereto;
4. Presentation of incident by the University bringing charges (complainant);
5. Statement of witness(es) for complainant*;
6. Presentation of incident by student or organization charged (accused);
7. Statement of witness(es) for accused*;
8. Questions by members of hearing body to any participant, to include witnesses; and
9. Opportunity for final statement by complainant and accused.

*Up to three material witnesses may offer evidential information relative to the incident, whereas there may also be up to three character witnesses or signed written character letters. Character witnesses are used only for sanctioning purposes and not for finding of responsibility.

A. Presence of Advisors and Observers at Hearings

Students or organizations charged with misconduct, or those bringing charges, have the right to appear alone or with any other person of their choice to advise and assist them. A transcriber, whose purpose is to transcribe the hearing for the university, may be present at the hearing.

**INTERPRETIVE GUIDANCE FOR NORTH CAROLINA GENERAL STATUTES
SECTION 116-40.11: DISCIPLINARY PROCEEDINGS; RIGHT TO COUNSEL FOR
STUDENTS AND ORGANIZATIONS
(apply to all offenses committed on or after August 23, 2013)**

1. Purpose

The Interpretive Guidance regards the participation of counsel and non-attorney advocates on behalf of students and student organizations in disciplinary proceedings.

2. Definitions

As used within the guidance document, the following terms have the meanings provided below.

a. **Accused of a Violation** - occurs when a designated university official brings a formal charge against a student or student organization to initiate a disciplinary procedure as described in paragraph V.A. and VI.A. of Section 700.4.1. ("Policy on Minimum Substantive and Procedural Standards for Student Disciplinary Proceedings") located in the Appendix of the student handbook.

3. Disciplinary or Conduct Rules - The Code of Student Conduct of a constituent institution described in paragraph IV. of Section 700.4.1. of the UNC Policy Manual.

4. Disciplinary Procedure(s) - A hearing or other procedure during which a designated university official, board or panel considers information and/or documentation in order to make a determination regarding whether a student or student organization has violated Disciplinary or Conduct Rules.

5. Student Honor Court - A disciplinary procedure board or panel that is composed entirely of students who make the determination regarding whether a student or student organization has violated a UNC constituent institution's disciplinary or conduct rules.
6. Student Organization(s) - A student group that has been officially recognized or sponsored by a UNC constituent institution.

GUIDANCE

1. Background Information Regarding Disciplinary Procedures at UNC Constituent Institutions

Disciplinary procedures at UNC constituent institutions are designed to address violations of disciplinary or conduct rules in a manner that prioritizes student development and education. While disciplinary procedures may result in the imposition of sanctions in appropriate cases, the primary objectives of disciplinary procedures are to uphold honor, integrity and personal responsibility, and to promote student learning, safety, health, and well-being.

The emphasis on student education and growth, as primary objectives of disciplinary procedures, distinguish these processes from criminal or civil legal proceedings. Consistent with student learning and development objectives, disciplinary procedures at UNC constituent institutions remain non-adversarial; reflect community values, university policies and board of governors' standards; and provide for the respect and consideration of all participants.

2. Disciplinary Procedures in which Licensed Attorneys and Non-Attorney Advocates May Fully Participate

In accordance with G.S. § 116-40.11, students and student organizations at UNC constituent institutions who have been accused of a violation of an institution's disciplinary or conduct rules may be represented by a licensed attorney or a non-attorney advocate during any disciplinary procedure except when the violation:

- a. will be heard by a student honor court, or
- b. is an allegation of academic dishonesty, as defined by the UNC-constituent institution.

The right to have a licensed attorney or non-attorney advocate represent a student or student organization applies when a student or student organization was accused of a violation on or after August 23, 2013.

When scheduling disciplinary procedures, UNC-constituent institutions will make reasonable efforts to accommodate a licensed attorney or non-attorney advocate; however, the availability of students or student organization members; witnesses; the designated administrator, panel members or board members assigned to the matter; and other necessary participants may take priority when determining the date and time for a disciplinary procedure.

3. Requirements to Serve as a Licensed Attorney or Non-Attorney Advocate During a UNC Constituent Institution's Disciplinary Procedure

In order for a licensed attorney or non-attorney advocate to represent a student or student organization in a disciplinary procedure, the student or student organization must provide to the office of the UNC constituent institution administering the disciplinary procedure with the three (3) documents described below. The documents must be submitted **no later than three days before the date of the hearing.**

a. Notice of Representation

Students and student organizations that plan to have a licensed attorney or non-attorney advocate represent them during a disciplinary procedure must notify the office of the UNC constituent institution that administers the disciplinary procedure, in writing, of the attorney's or advocate's planned participation in a disciplinary procedure. This notice must specify:

- The identity of the licensed attorney or non-attorney advocate;
- Whether the individual is a licensed attorney or non-attorney advocate; and
- An address, telephone number and e-mail address where the licensed attorney or non-attorney advocate can be reached.

b. FERPA Authorization

In order for a licensed attorney or non-attorney advocate to represent a student or student organization during a disciplinary procedure, or to speak with an official of a UNC constituent institution regarding the student or members of a student organization, the student must complete and submit a written authorization that meets the requirements of a valid consent as specified by the Family Educational Rights and Privacy Act (FERPA). Even if a student executes a valid FERPA consent authorizing the licensed attorney or non-attorney advocate to receive information or documents regarding the student, N.C. A&T will, at all times,

correspond directly with the student or student organization. It is the student's or student organization's responsibility to communicate and share information with the student or organization's licensed attorney or non-attorney advocate.

- c. Certification by Licensed Attorney or Non-Attorney Advocate
Students or student organizations that plan to have a licensed attorney or non-attorney advocate represent them during a disciplinary procedure must submit a certification form, signed by the licensed attorney or non-attorney advocate, stating that the licensed attorney or non-attorney advocate has read, in its entirety, and understands the following documents:
- The applicable disciplinary or conduct rules;
 - Any additional rules, policies, or guidelines that a UNC constituent institution has enacted for its disciplinary procedure consistent with this interpretive guidance; and
 - Section 700.4.1 of the UNC Policy Manual.
- d. Participation of Licensed Attorneys or Non-Attorney Advocates in Disciplinary Procedures
Consistent with the interpretive guidance and the rules, policies or guidelines governing a UNC constituent institution's disciplinary procedure, licensed attorneys or non-attorney advocates may fully participate in disciplinary procedures only to the extent afforded to the student or student organization they represent. Additionally, licensed attorneys and non-attorney advocates may not delay, disrupt or otherwise interfere with a disciplinary procedure.

An attorney or other individual representing the UNC constituent institution may participate in disciplinary procedures in which a licensed attorney or non-attorney advocate represents a student or a student organization.

Effective Date: This policy applies to all offenses committed on or after August 23, 2013.

B. Evidence and Burden of Proof

Rules of evidence and procedures may differ from proceedings before civil and criminal court judges. Unlike courts, university hearing officers engage in full discussion of charges and circumstances. Irrelevant or unduly repetitious evidence shall be excluded by the chairperson. A decision is reached on the basis of the preponderance of evidence (more likely than not that the event occurred), with the burden of proof on the person bringing charges (complainant).

C. Confidentiality of Deliberations

Information generated in the course of disciplinary proceedings will be given the full extent of confidentiality accorded by law to a student's educational record. Any person who, without authorization, reveals such information will be subject to disciplinary action.

D. Deliberations

Panel members will assemble and make a determination of the responsibility of the accused/respondent, based solely on evidence presented at the hearing. If responsibility of the accused is determined, the hearing panel will determine appropriate sanction(s). The determination may be final or it may be a recommendation for final decision by the dean of students or his/her designee. In cases of academic dishonesty, the panel's recommended decision will be sent to the provost/vice chancellor for academic affairs.

E. Decision

In cases of alleged violations of Conduct Prohibited by the university, the hearing officer (dean of students or designee) makes decisions on sanctions except when the panel recommends expulsion or suspension. In cases where suspension is recommended, the hearing officer forwards panel recommendations to the vice chancellor for student affairs for review, evaluation and decision. In cases of academic dishonesty, the chairperson of the University Tribunal forwards all recommendations (up to and including suspension or expulsion) to the Office of the Provost/Vice Chancellor for Academic Affairs for review, evaluation and decision. Whenever expulsion is recommended regarding any violation of any form of student conduct, the recommendation is forwarded to the chancellor for a decision.

The focus of inquiry in a university hearing will be the determination of whether a violation of university rules occurred, and such decision will be totally unrelated to any criminal or civil decisions for or against the student(s)/ organization arising from the same incident.

F. Decision Deferred

In cases where a panel or hearing officer believes additional information is needed prior to decision or sanction, the case may be referred for assessment or evaluation by internal or external agencies. In such cases, the final decision shall be

deferred until the requested assessment or evaluative information can be obtained.

G. Notice of Decision

The final administrative decision must be reached within 45 calendar days after the hearing is completed. Within 10 calendar days of the decision date, the decision must be transmitted in writing to the student and must contain a brief summary of the evidence upon which the decision was made.

H. Parental Notification

Pursuant to the 1974 FERPA law, parents or guardians/sponsors are sent written notification, without a student's consent, regarding students under the age of 18 who are in violation of campus and/or state alcohol and drug policies or if there is an indication of imminent danger to one's well-being or that of the university community (for further information on FERPA visit www.ed.gov).

I. Sanctions

The primary purpose of sanctions in the university setting is to provide incentive and opportunity for re-dedication of the offender. Except in the case of serious offenses, such as those involving intentional infliction of injury, drug violations, etc., sanctions imposed through conduct proceedings may be tailored to suit circumstances of each offense.

Sanctions of expulsion and suspension affect a student's academic status at the university. In order that students under suspension or expulsion not contravene the terms of penalty, the Offices of Admissions, Cashier, Financial Aid, Graduate School, Registrar, Residence Life, and University Police (as well as other university officials) will be notified in writing. During the suspension period, records remain flagged until students are readmitted to the university. Transcripts are held until students have complied with university-imposed sanctions until the period ends. In addition, a suspension or expulsion precludes matriculation at any UNC constituent institution. No credit earned at another institution during the suspension period shall be transferred to N.C. A&T. A student under expulsion or suspension is subject to arrest for trespassing if found on university property. **Students suspended or expelled from the university, for disciplinary reasons, are not eligible for refunds and forfeit any funds previously paid.**

Students who lose on-campus housing privileges for disciplinary reasons, and have concerns about financial ramifications, should contact the Office of Housing and Residence Life for guidelines and shall be governed by them.

Failure of accused to appear at a hearing

Scheduled university conduct hearings will be held in absentia if a student or organization fails to present himself/herself. The administrative hearing body will convene and make a decision based on evidence at the hearing.

Should sanctions result from a student's failure to present himself/herself, or an organization's failure to present for adjudication of a charge, the Offices of Admissions, Cashier, Financial Aid, Graduate School, Registrar, Residence Life, and University Police (as well as other university officials) will be notified in writing and the student's and/or organization's records will be flagged. In addition, transcripts will not be released to persons outside the university until the student answers the charges.

Any one of the following sanctions, or combinations, may be imposed upon students and/or organizations:

1. **Expulsion** permanently severs the relationship of a student with the university. With recommendation of a hearing panel, it will be imposed and can only be rescinded by the chancellor. This penalty will likely prevent a student's admission to any other institution of higher education;
2. **Indefinite suspension** severs the relationship of a student or organization with the university with no date established for the student or organization to return. A date at which time the student or organization may request reinstatement can be established or may be contingent on a student or organization fulfilling one or more stipulations (e.g., resolution of criminal matters pending in the courts, psychological evaluation);
3. **Interim suspension** (cease and desist) calls for the immediate removal of a student or organization from the university when there is reasonable cause to believe that alleged misconduct is of such a serious nature that his/her or its continued presence at the university is potentially dangerous to the health and safety of the university community, its property or educational mission. (In cases of violations of the Student Conduct Regulations, to invoke interim suspension, the vice chancellor for student affairs, or his/her designee, conducts a preliminary investigation and hearing with the student or organization, if possible. In cases of academic dishonesty, the

provost/vice chancellor for academic affairs, or his/her designee, conducts an investigation. At that time, the student is informed of charges and given an opportunity to explain the circumstances.);

4. **Suspension** severs the relationship of a student or organization with the university for a finite period, the terminal date of which coincides with the official ending of an academic semester or summer session;
5. **Disciplinary probation** is a period of close scrutiny of a student or organization by the university during which his/her conduct is under review. Disciplinary probation is imposed for a specified period of time, the terminal date of which coincides with the official ending of an academic semester or summer session. Failure to meet probation requirements or further infractions of university policies may result in more severe sanctions, including suspension or expulsion from the university. Individuals on disciplinary probation are not eligible to hold office or membership in any student group or organization, and may not be eligible for certain employment positions or participation in other campus programs;
6. **Warning** is an official reprimand which, by formal written communication, gives official notice to a student or organization that any subsequent offense against the Student Conduct Regulations will likely result in more serious consequences. In cases involving violations of the Student Conduct Regulations, a copy of the letter is retained in files in the Division of Student Affairs or, in the case of academic dishonesty, with the provost/vice chancellor for academic affairs and will be available as evidence of relevant past behavior to hearing panels;
7. In addition to the above, any one or combination of the following may be recommended by a conduct hearing board and/or imposed by the vice chancellor for student affairs or dean of students in the Student Conduct Regulations or, in cases of academic dishonesty, the provost/vice chancellor for academic affairs:
 - a. Requirement of participation in community service
 - b. Restitution, where applicable
 - c. Loss of campus housing
 - d. Official notice that conviction of any other violation of the Student Conduct Regulations will result in suspension
 - e. Prohibited from participating in organized groups or activities
 - f. Recovery program offered by counseling services
 - g. Conflict management training

The sanctions listed above are examples only and do not limit the discretion of conduct officers. Students placed on suspensions or expulsions are placed in the UNC statewide database, per state requirements.

Note: *Students enrolled in Collegiate Recovery Programs may be allowed to participate in other programs when on probation. Our goal is the help students reenter college and to learn healthy strategies for coping with life challenges related to drugs, alcohol or other addictive disorders.*

Sanctions against an organization for hazing shall be those penalties described in Section III of this handbook.

Students who are suspended must apply for re-admission. After proper review of submission of all items specified in the sanction letter, the student will be notified when to contact the Office of Admissions about the process if he/she desires to return to N.C. A&T. Readmission rules, regulations and decisions are governed by the Office of Admissions; neither the Division of Student Affairs nor the Office of the Dean of Students readmits students.

VII. APPELLATE PROCEDURES

At N.C. A&T there are three appellate boards, as described below:

- **Vice Chancellor for Student Affairs** - hears all appeals of Misconduct Prohibited by the university;
- **University Tribunal** - hears all appeals involving academic dishonesty. The tribunal consists of a pool of 10 members evenly divided between students and faculty, and selected by the chancellor. Chairperson of the tribunal is of faculty rank and presides over the hearing. He/she is a non-voting member, except in the case of a tie vote. A majority vote of the panel is required to decide any issue of fact or sanction. A majority of tribunal members, including the chairperson, must be present to constitute a quorum;
- **Student Supreme Court** - hears all appeals from the Student Conduct Council involving infractions within residence halls (see Article XIII, SGA Constitution, Section 3).

A. Basis for Appeal

A student or organization may appeal the outcome of a hearing to the vice chancellor for student affairs and/or chancellor, as set out below, if the student or organization can provide evidence that procedural due process was violated or that there was a material deviation from the Student Conduct Procedures outlined in Section V and VI. Written notification of charges, rights of the student or organization (including the right to be heard), and date, time and place of the hearing constitutes procedural due process. If an appeal is upheld in cases involving appeals by students who have violated the Student Code of Conduct (Misconduct Prohibited by the university), the chancellor, in cases involving suspension or expulsion, or the vice chancellor for student affairs, in cases other than suspensions or expulsions, may either:

- Reduce, change or dismiss sanctions of the original hearing body; or
- Remand the case back to the original hearing body.

B. Filing the Appeal and Timing

A student or organization should provide a signed statement (**hard copy, not electronic**), clearly outlining specific grounds and all supporting facts on which an appeal is based. When a student group makes an appeal, the president or chief officer's signature will be required. In cases of violations of the Student Conduct Regulations, an appeal should be addressed and delivered to the vice chancellor for student affairs within one week (seven calendar days) after notification from the original hearing committee. **Appeals to the Board of Trustees concerning a decision from the chancellor (suspension or expulsion) must be submitted to the Chancellor's office within one week (seven calendar days) after notification of the chancellor's decision.** Academic dishonesty appeals are made to the chairperson of the University Tribunal.

An appeal submitted by any third party, including an attorney or parent, will not be accepted.

C. Process of Appeal

The vice chancellor for student affairs receives and reviews all initial appeals regarding conduct prohibited by the university. The University Tribunal receives all initial appeals of academic dishonesty. In cases that do not involve suspension or expulsion, the appeals process concludes with the vice chancellor for student affairs regarding misconduct prohibited by the university and, in cases of academic dishonesty violations, with the provost/vice chancellor academic affairs (based on

a recommendation from the tribunal). The vice chancellor for student affairs, or the provost/vice chancellor for academic affairs, may call in appropriate parties necessary to assist in making a final decision.

In appeal cases involving suspension or expulsion, the vice chancellor for student affairs (for violations of misconduct prohibited by the university), or the provost/vice chancellor for academic affairs (for academic dishonesty violations) will forward the appeal to the chancellor, who may call in appropriate parties necessary to assist in making a final decision.

Where the sanction is suspension or expulsion, an appeal may be made to the board of trustees. No appeal to the president or Board of Governors is permitted.

Important Note: It is at the discretion of the vice chancellor for student affairs and the chancellor as to whether, or not, a student remains under suspension pending the appeal outcome. Factors to be considered include the nature of the violation, interference with the university's education mission and the safety and welfare of other members of the university community.

VIII. ADDITIONAL IMPORTANT POLICIES AND NORTH CAROLINA GENERAL STATUTES

A. Sexual Misconduct Policy Statement

N.C. A&T is committed to providing a learning, working and living environment that reflects and promotes personal integrity, civility and mutual respect. Members of the university community have the right to be free from all forms of abuse, assault, harassment, and coercive conduct, including sexual misconduct, as defined in the [Student-on-Student Sexual Misconduct Policy](#). N.C. A&T considers sexual misconduct to be one of the most serious violations of the values and standards of the university. Unwelcome sexual contact of any form is a violation of students' personal integrity and their right to a safe environment (see Appendix G).

In North Carolina, penalty for first-degree sexual offense and first-degree rape may be life imprisonment. For offenses in the second degree, the maximum penalty is 20 years imprisonment.

In North Carolina, rape is legally defined in the first and second degrees (N.C.G.S. Sections 14-27.2 through 14-27.3). A person is guilty of rape in the first degree if the person engages in vaginal intercourse:

1. With a victim who is a child under the age of 13 years and the defendant is at least 12 years old and is at least four years older than the victim; or
2. With another person by force and against the other person's will; and
 - a. Employs or displays a dangerous or deadly weapon, or an article which the other person reasonably believes to be a dangerous or deadly weapon;
 - b. Inflicts serious personal injury upon the victim or another person; or
 - c. Commits the offense aided and abetted by one or more other persons.

Any person who commits an offense defined in this section is guilty of a Class B1 felony.

A person is guilty of rape in the second degree if the person engages in vaginal intercourse with another person:

- a. By force and against the will of the other person; or
- b. Who is mentally disabled, mentally incapacitated or physically helpless and the person performing the act knows or should reasonably know the other person is mentally disabled, mentally incapacitated or physically helpless.

Any person who commits the offense defined in this section is guilty of a Class C felony.

Actual emission of semen is not required to constitute vaginal intercourse. Rape is defined as sexual penetration, no matter how slight.

Statutory rape also occurs:

- a. If the defendant engages in vaginal intercourse or a sexual act with another person who is 13, 14 or 15 years old and the defendant is at least six years older than the person, except when the defendant is lawfully married to the person;
- b. If the defendant engages in vaginal intercourse or a sexual act with another person who is 13, 14 or 15 years old and the defendant is more than four years but less than six years older than the person, except when the defendant is lawfully married to the person.

Each of these offenses is a felony.

The “force” necessary to convict for rape may be other than physical. It may be “constructive force,” such as fear, fright or coercion. Those who aid or abet a rape may be equally guilty of the crime. Forced sexual intercourse with a person who is physically helpless, as from overuse of alcohol, drugs or chemicals, constitutes rape under North Carolina law.

“Acquaintance rape” and “date rape” are terms commonly used to describe forced intercourse by a person on another who he/she knows. However, a social relationship with an individual does not make “forced” sexual activity legal.

A sexual offense is a forced sexual act by a person of either gender where the act is against the will of the victim (N.C.G.S. 14-27.4 through 14-27.10). This crime may not involve intercourse but does involve other sexual acts.

Sexual offenses/assaults include rape, attempted rape, corruption of a minor, sexual battery, attempted sexual battery, and public indecency. Sexual battery is defined as intentionally touching the victim’s intimate parts (primary genital area including, but not limited to, the groin, inner thigh, buttock, or breast) without or against the victim’s consent. This touching is either directly on the body or on the clothing covering that body part. It is also sexual battery if the victim is forced to touch the intimate parts of the perpetrator.

Sexual assault occurs when the act is intentional and is committed either by a) physical force, violence, threat, or intimidation; b) ignoring the objections of another person; c) causing another’s intoxication or impairment through the use of drugs, chemicals or alcohol; or d) taking advantage of another person’s incapacitation, state of intimidation, helplessness, or other inability to consent.

What to know about consent:

Consent must be communicated verbally. In whatever way consent is communicated, it must be *mutually understandable*.

Consent is *mutually understandable when a reasonable person would consider the words that you and your partner(s) have expressed demonstrate a desire to do the same thing, at the same time, in the same way, with one another.*

Don't make assumptions about consent, someone's sexual availability, whether they are attracted to you, how far you can go, or whether they are physically and/or mentally able to consent. If there are any questions or ambiguity, then you **do not** have consent.

The university supports the idea that all students and employees must be able to learn and work in an environment free of rape and sexual offenses (including assault and battery). Sexual assault is broadly defined to include oral, anal or vaginal penetration or touching of an unwilling party by any body part or object. This includes parties who are physically helpless, such as unconscious, asleep, unable to communicate their unwillingness, or to whom alcohol, narcotics or other drug or chemical has/have been administered, rendering the person unable to give consent. Sexual assault does not include procedures done for bona fide medical purposes.

Moreover, the university views rape and sexual offenses/assault/battery as an extremely serious matter and will respond in accordance with the guidelines established in the Student Sexual Misconduct Policy and the Sexual Misconduct Policy for incidents involving faculty and staff (see Appendices). In each case, the potential for subsequent harm to the victim or community at large weigh heavily in sanctions for violators.

University policies include sanctions as serious as expulsion and termination from employment.

1. **Expulsion** permanently severs the relationship of the student with the university.
2. **Indefinite suspension** severs the relationship of the student with the university with no date established for the student to return.
3. **Interim suspension** calls for the immediate removal of a student from the university when there is reasonable cause to believe that the alleged misconduct is of such a serious nature that his or her continued presence at the university is dangerous to the health and safety of the university community, its property or the educational mission.
4. **Suspension** severs the relationship of the student with the university for a finite period, the terminal date of which coincides with the official ending of an academic semester or summer session.
5. **Probation** is a period of close scrutiny of a student by the university during which his or her conduct is under review.

6. **Warning** is an official reprimand, which by formal written communication, gives official notice to a student that any subsequent offense against the student conducts regulations will likely result in more serious consequences.
7. In addition to the above, any one or a combination of the following may be recommended by a judicial hearing board and/or imposed by the vice chancellor for student affairs or the dean of students.
 - a. Requirement of participation in community service
 - b. Restitution where applicable
 - c. Exclusion from university residence halls or houses
 - d. Official notice that conviction of any other violation of the **Student Conduct Regulations** could result in suspension from the university
 - e. Prohibited from participating in organized groups or activities, and,
 - f. Counseling, if necessary.

B. Complaint Procedure for Sexual Misconduct

For the full procedures for student-on-student sexual misconduct, see the Student-on-Student Sexual Misconduct Policy. For the full procedures for sexual misconduct involving faculty or staff, see the Sexual Misconduct Policy. Both policies are found in Appendices G and H.

IMPORTANT: Any student, faculty or staff member who believes he/she has been the victim of rape, sexual assault/battery or other sexual offense is encouraged to call the University Police Department (UPD) (336-334-7675). To assist victims of such violent, aggressive and hostile crimes, the police department requests that you do the following:

- In the call to the police department, give as much detail as possible concerning your location, injuries and suspect information;
- Remain dressed in the same clothing. Important evidence linking the suspect to the crime can be found on clothing;
- Do not bathe or destroy any evidence;
- Seek medical treatment for your own protection and the collection of evidence; and
- Secure the area (dormitory room, vehicle, office, etc.), when possible, and do not let anyone interfere with evidence.

Rape and sexual assault can be physically and emotionally damaging; thus, university police have the victim's well-being as a primary concern and have been trained to treat the victim with respect, dignity and sensitivity. Counseling and

Student Health Services professionals are available to help victims of sexual assault. These departments are especially well-prepared to assist individuals with their medical and/or emotional needs. See the university's Student Misconduct Policy for specific guidance.

C. Minimal Procedures for On-campus Disciplinary Action in Cases of Alleged Student-to-Student Sexual Assault (see the Student-on-Student Sexual Misconduct Policy for Full Procedure and Policy)

N.C. A&T adheres to the Campus Sexual Assault Victim's Bill of Rights, which is a part of the Higher Education Amendments of 1992, as outlined below:

1. The accuser and accused must have the same opportunity to have others present at campus judicial hearings;
2. Both parties shall be simultaneously informed of the outcome of a disciplinary proceeding;
3. Survivors or victims shall be notified of their options to notify law enforcement;
4. Survivors or victims shall be notified of counseling services;
5. Survivors or victims shall be notified of options for changing academic and living situations.

NOTE: Compliance with this statement does not constitute a violation of FERPA. For purposes of this sentence, the outcome of a disciplinary proceeding means only the institution's final determination, with respect to an alleged offense and any sanction imposed against the accused.

Section 304 of the Violence Against Women Reauthorization Act of 2013 also requires that both the accuser and the accused shall be simultaneously informed, in writing, of:

- The outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking;
- The institution's procedures for the accused **and** the victim to appeal results of the institutional disciplinary proceeding;
- Of any change to results that occur prior to the time that such results become final; and
- When such results "become final."

D. Firearms or Other Weapons (Excerpts)
(*North Carolina General Statute Section 14-269.2*)

“It shall be a Class G felony for any person to possess or carry, whether openly or concealed, any dynamite cartridge, bomb, grenade, mine, or powerful explosive, as defined in General Statute 14-284.1., on educational property or to a curricular or extracurricular activity sponsored by a school. This subsection shall not apply to fireworks.”

“It shall be a Class I felony for any person to possess or carry, whether openly or concealed, any gun, rifle, pistol, or other firearm of any kind on educational property or to a curricular or extracurricular activity sponsored by a school. However, this subsection does not apply to BB gun, stun gun, air rifle, or air pistol.”

“It shall be a Class I misdemeanor for any person to possess or carry, whether openly or concealed, any BB gun, stun gun, air rifle, air pistol, bowie knife, dirk, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors, and razor blades (except solely for personal shaving), fireworks, or any sharp-pointed or edged instrument, except instructional supplies, unaltered nail files and clips, and tools used solely for preparation of food, instruction and maintenance on educational property.

In this section, a self-opening or switchblade knife is defined as a knife containing a blade or blades that open automatically by the release of a spring or a similar contrivance.

This section does not apply to the following: officers and enlisted personnel of the armed forces of the United States (U.S.) when in discharge of their official duties and acting under orders requiring them to carry arms or weapons; civil officers of the U.S. while in the discharge of their official duties; officers and soldiers of the militia and national guard when called into actual service; officers of the state, or of any country, city or town, charged with the execution of state laws when acting in the discharge of official duties; any pupils who are members of the Reserve Officer Training Corps and required to carry arms or weapons in the discharge of their official class duties, and law enforcement officers of the university.

E. University Policies and Procedures Concerning Weapons on Campus

Illegal possession or use of a weapon on university-owned or leased property is in violation of the student code of conduct and North Carolina General Statute 14-269.2 pertaining to weapons on-campus or other educational property. This policy does not contravene with any part of North Carolina general statutes. A student-violator is

subject to both prosecution and punishment in accordance with state criminal law and procedures, and to disciplinary proceedings by the university.

The following penalties apply to the particular offense described:

- Students who illegally possess (openly or concealed) or use a gun, rifle, pistol, or other firearms (Class I felony - weapons) of any kind or powerful explosive (as defined in N.C.G. S. § 14-284.1) on-campus, or at a campus-related activity sponsored by the university will be suspended from enrollment for a period of not less than one year. For a second offense, a student will be expelled.
- Students who possess (openly or concealed) or use any weapons as described above in N.C.G.S § 14-269.2 (Class I misdemeanor – weapons) will be suspended from enrollment for a minimum period of at least one semester. For a second offense, a student will be expelled.

Concealed Handgun Permit Exception

On July 29, 2013, House Bill 937 was signed into law by Governor Pat McCrory (Session Law 2013-369). This measure took effect on October 1, 2013.

Though N.C. A&T strongly opposes weapons of any kind of kind on campus, we do, however, recognize the legislative changes.

Previously, under N.C.G.S. § 14-269.2, it was a Class I felony for any student or employee of N.C. A&T to knowingly possess or carry, whether openly or concealed, any gun, rifle, pistol, or other firearm of any kind on educational property or to a curricular or extracurricular activity sponsored by a school.

The new amendment, subsection (k) to N.C.G.S. §14-269.2 allows CHP (Concealed Handgun Permit) holders to transport their personal handguns in their locked motor vehicle in a closed compartment/container while on educational property, as well as allow them to store those handguns in their locked vehicle in a closed compartment/container while parked on educational property.

However, it still remains a Class I felony if the handgun is removed from the vehicle for any reason and/or if the handgun is transported or locked inside of a vehicle on educational (N.C. A&T) property by someone not in possession of a CHP. Anyone in violation of this law will be charged accordingly by the University Police Department.

Frequently asked Questions

Q: Must I have a concealed carry permit to store my gun in my vehicle?

A: Yes. You must possess a concealed carry permit.

Q: Will I be allowed to carry my gun on campus?

A: No. Those who possess a concealed carry permit are not permitted to carry their gun on their person.

Q: Do I have to notify anyone on-campus that I'm transporting/storing a gun in my vehicle?

A: No, but if your vehicle is stopped by a police officer, you must inform the officer that you're transporting a gun inside of your vehicle.

Q: If attending a football game, does the law apply to the stadium as well?

A: Yes. The stadium is a part of the university. As such, it's considered educational property and, within the confines of the stadium, the gun can be secured inside of a vehicle.

Q: Where should I store my gun while it's in my vehicle?

A: The gun can be stored inside a locked container, inside the glove compartment or in the trunk of a vehicle.

Q: Who has the authority to ask an employee or student, who has a gun in their vehicle, if he or she has the appropriate permit?

A: Anyone is permitted to ask, but the individual asked is not required to reply unless asked by a police officer.

Q: Are there any circumstances that would permit me to take my gun outside of my vehicle?

A: No. Under N.C. law, there are no circumstances that would allow the gun to be taken out of the vehicle.

Q: If I remove my gun from my vehicle, can I be charged with a crime?

A: Yes. If a gun is in your possession outside of your vehicle, you will be charged with a crime.

F. Drug and Alcohol Education Policy

N.C. A&T strives to provide an educational environment that enhances and supports the intellectual process. Academic communities, including students, faculty and staff, have the collective responsibility to ensure that the environment is conducive to healthy, intellectual growth. Illegal use of harmful and addictive chemical substances poses a threat to the educational environment. Each member

of the university family is reminded that, in addition to being subject to university regulations and sanctions regarding illegal drugs and chemicals, they are also subject to state and national laws. This policy has been developed in accordance with the UNC Policy on Illegal Drugs, adopted by the board of governors on January 15, 1988. It established the framework for programs designed to educate the campus community on the harmful effects of illegal substances and assist persons in their efforts to become rehabilitated. It also provided guidance for punishing violators. Refer to the university's [Drug and Alcohol Education Policy](#) for more information.

1. Zero Tolerance for Drugs

Any student who is found responsible, as a first offense, with the possession of marijuana (or any other illegal drug) on campus may immediately lose campus housing privileges. A second offense may result in **immediate suspension** from the university. Felony possession of marijuana (or any other illegal drug) will result in **immediate suspension** from the university. Any student convicted of possession or sale of controlled substance under federal or state law will lose eligibility for Student Financial Aid assistance.

The following minimum penalties, to be imposed by the university, shall be:

a. Trafficking Illegal Drugs

- (i) For the illegal manufacture, sale, delivery, or possession, with intent to manufacture, sell or deliver, of any controlled substance identified in Schedule I, N.C.G.S. § 90-89 or Schedule II, N.C.G.S. § 90-90 (including, but not limited to, heroin, mescaline, lysergic acid, diethylamide, opium, cocaine, amphetamine, methaqualone), any student shall be expelled.
- (ii) For a first offense involving the illegal manufacture, sale or delivery, or possession with intent to manufacture, sell or deliver, of any controlled substance identified in Schedules III through VI, N.C.G. S. § § 90-91 through 90-94 (including, but not limited to marijuana, phenobarbital, codeine), the minimum penalty shall be suspension from enrollment or employment for a period of at least one semester or its equivalent. For a second offense, any student shall be expelled.

- b. Illegal Possession of Drugs
- (i) For a first offense involving the illegal possession of any controlled substance identified in Schedule I, N.C.G. S. § 90-89 or Schedule II, N.C.G. S. § 90-90, the minimum penalty shall be suspension from enrollment for a period of at least one semester or its equivalent.
 - (ii) For a first offense involving the illegal possession of any controlled substance identified in Schedules III through VI, N.C.G. S. §§ 90-91 through 90-94, the minimum penalty shall be probation for a period to be determined on a case-by-case basis. A person on probation must agree to participate in a drug education program, and accept such other conditions and restrictions, including a program of community service as the chancellor or the chancellor's designee deems appropriate. Refusal or failure to abide by the terms of probation shall result in suspension from enrollment.
 - (iii) For second or other subsequent offenses involving illegal possession of controlled substances, progressively more severe penalties shall be imposed, including ultimately expulsion of students. A second offense will result in immediate suspension from the university.
 - (iv) Felony possession of marijuana (or any illegal drug or chemical) will result in immediate suspension from the university.

- c. Parental Notification(2)
- Pursuant to the 1974 FERPA law, parents or guardians/ sponsors are sent written notification, without the student's consent regarding students under the age of 18 who are in violation of campus and/or state alcohol and drug policies.

- d. Educational and Rehabilitation Programs
- The university shall establish and maintain a program of education designed to help all members of the university community avoid involvement with illegal drugs. This program shall emphasize these subjects:

- (i) The incompatibility of the use or sale of illegal drugs with the goals of the university;
- (ii) The legal consequences of involvement with illegal drugs;
- (iii) The medical implications of the use of illegal drugs;
- (iv) The ways in which illegal drugs jeopardize an individual's present accomplishments and future opportunities.

The university shall provide information about drug counseling and rehabilitative services (campus- or community-based) available to students and employees. Persons who voluntarily avail themselves of these university services or programs are assured that applicable professional standards of confidentiality will be observed.

2. Drug Use and Ineligibility for Federal Financial Aid

Any student convicted of possession or sale of a controlled substance under federal or state law may lose eligibility for student financial aid assistance.

Be advised that a student who is convicted of an offense under any federal or state law involving the possession or sale of a controlled substance, where the conduct occurred while the student was enrolled in an institution of higher education and receiving any federal financial aid (e.g., grant, loan or work assistance), will lose his/her eligibility for such federal financial aid from the date of the conviction for the period of time given in the following schedule:

If convicted of an offense involving the **possession** of a controlled substance, the ineligibility period is:

First Offense	1 year
Second Offense	2 years
Third Offense	Indefinite

If convicted of an offense involving the **sale** of a controlled substance, the ineligibility period is:

First Offense	2 years
Second Offense	Indefinite

G. Cell Phone Usage Classrooms

Cell phone use inside classrooms during class periods is prohibited. Be advised that placing or receiving calls, as well as conversing on cell phones during class, shall be considered as disruptive behavior for students and may be subject to the procedures on Disruptive Students in the Classroom (see page 73).

H. Endangering One's Own Physical Well-being

Students who endanger their own physical well-being, or disrupt the campus community, including threatening or attempting suicide, may be issued an interim suspension from residence halls and/or the university. To be considered for reinstatement to residence halls and/or the university, students may be asked to provide the Office of the Dean of Students with a psychiatric evaluation form completed and signed by a licensed mental health professional indicating that a student is not a threat to himself/herself or the campus community. Additionally, parents, legal guardians and/or students are advised that threatening and/or attempting suicide is a violation of the misconduct prohibited by the university and may result in disciplinary action.

I. Disruptive Conduct Statement

N.C. A&T has long honored the right of free discussion and expression, peaceful picketing and demonstrations, and the right to petition and peaceful assembly. Without question, these rights are a part of the fabric of the university and they must remain secure. However, in a community of learning, willful disruption of the educational process, destruction of property and interference with the rights of other members of the community cannot be tolerated. Accordingly, it shall be the practice of the university to deal with any such disruption, destruction or interference expediently without regard to age, color, disability, gender identity, genetic information, national origin, race, religion, sex, sexual orientation, veteran status, or any other basis protected by law.

Any member of the university community who attempts to obstruct or disrupt normal operations or functions of the university, engage or incite others to engage individual or collective conduct, which destroys or significantly damages any university property, or which impairs or threatens impairment of the physical well-being of any member of the university community, of which, because of its violent, forceful, threatening, or intimidating nature, or because it restrains freedom of lawful movement or otherwise prevents any member of the university community from conducting his/her normal activities, shall be subject to prompt and

appropriate disciplinary action, which may include suspension or expulsion from the university.

The following illustrations of disruptive conduct are not intended to be exclusive:

1. Occupation of any university building, or part thereof, with the intent to deprive others of its normal use;
2. Blocking the entrance or exit of any university building or corridor or room therein, with intent to deprive others of lawful use;
3. Setting fire to or by any other means of destroying or substantially damaging any university building or property, or the property of others on university premises;
4. Any possession or display of, or attempt or threat to use, for any unlawful purpose, any weapon, dangerous instrument, explosive, or inflammable material in any university building or on any university campus;
5. Prevention of, or attempt to prevent by physical act, attending, convening, continuation, or orderly conduct of any class or activity, or any lawful meeting or assembly in any university building or on any university campus;
and
6. Blocking normal pedestrian or vehicular traffic on or into any university campus.

J. Disruptive Students in the Classroom

During instances when students exhibit disruptive behavior in the classroom, a faculty member should attempt to defuse the student's anger and/or resolve the problem while maintaining a tone of calmness and professional objectivity. If the situation appears to be escalating out of control, the faculty member should contact campus security, request that another student in the class contact campus security, or go to the nearest administrative office to contact campus security for assistance in bringing the matter under control. If a student's behavior has been unreasonable or inappropriate (e.g., use of profanity, threatened the faculty member or another student, etc.), the faculty member may request that the student be administratively withdrawn from the course. This action is consistent with the procedure on Disruptive Behavior in the Classroom (see Appendix D).

Any student who is involved in classroom disruption is subject to receive penalties described in the Policy on Disruptive Students in the Classroom and may also be charged with a disciplinary violation of the misconduct prohibited by the university.

K. Zero Tolerance for Aggressive Behavior

Any student who is found responsible for aggressive behavior, as a first offense, will **immediately** lose on-campus housing privileges. Aggressive behavior includes, but is not limited to, the following:

- Intimidation/harassment
- Gang-like activity, including hand gestures, color coding, etc.
- Graffiti or destruction of campus property
- Threatening language

- I. Any student who is charged with aggressive behavior, as a first offense, will **immediately** lose campus housing privileges and be scheduled to go before a campus conduct board.
- II. A second offense will result in immediate suspension from the university.
- III. The university has jurisdiction over all behavioral infractions that occur in facilities or on property regardless of whether, or not, a student is prosecuted in a criminal court. Criminal and university charges are totally independent of each other.

L. Missing Persons Policy

In the event a student is discovered to be missing for a period exceeding 24 hours, a report should be made to one of the following university officials:

- University Police Department (UPD)
- Dean of Students
- Vice Chancellor for Student Affairs
- Director of Housing and Residence Life

Following receipt of a missing student report, university officials will notify the UPD, who will follow their own investigative procedures. If a student has designated an emergency contact person with the university, that individual will be notified within 24 hours. Students can designate an emergency contact by completing an [Emergency Contact Registration form](#). Click on “**Emergencies,**” found on the left-hand navigation of the site, or residence hall students may fill out a form when they check into the hall. By law, the parent/guardian of students who are under the age of 18 and not legally emancipated will be notified in the event the student has been reported missing for 24 hours.

Housing and Residence Life Missing Person Protocol

In the event a student is discovered missing for a period exceeding 24 hours, a report should be made to one of the following university officials:

- University Police Department (UPD)
- Dean of Students
- Vice Chancellor for Student Affairs
- Director of Housing and Residence Life

Residents 18 Years and Older

Students may confidentially designate an emergency contact person with the university by completing an Emergency Contact Registration form when initially registering/checking in; changes may be made with the hall director at any time.

Residents Younger than 18 Years Old (or not emancipated)

The policy requires notification of the custodial parent or guardian no later than 24 hours after a student has been determined to be missing.

Should a missing person report be filed, Housing and Residence Life will:

- Contact the University Police, who will follow their own investigation procedures;
- Notify your confidential emergency contact (custodial parent or guardian if you are less than 18 years old) within 24 hours after the student is determined missing.

M. Student Complaint Policy

N.C. A&T is committed to a policy of fair treatment of students in their relationships with fellow students, faculty, staff, and administrators. Students are encouraged to seek an informal resolution of a matter directly with the faculty or individual(s) involved, when possible. For matters where a resolution is not feasible, a student complaint form can be completed and filed with the Office of the Vice Chancellor for Student Affairs in Murphy Hall, suite 100. Action response dates by responsible parties are recorded on the form, as well as the name of a specific responding staff member. To ensure fair and consistent treatment, and a timely resolution of complaints, the following steps should be followed:

Step 1: As indicated above, a student should attempt to resolve a complaint by directly contacting the individual(s) involved, when possible. If the issue is not resolved, the student should contact the supervisor of the academic or administrative unit from where the issue arose.

Step 2: If a student receives no response, or an unsatisfactory response from a department and/or supervisor, the student may complete the [student complaint form](#) and submit it to the Office of the Vice Chancellor for Student Affairs.

Step 3: Administrative staff in the Office of the Vice Chancellor for Student Affairs keys the student complaint form into the student complaint log before forwarding the completed form to the appropriate academic or administrative unit.

Step 4: The student who submitted the complaint will receive an acknowledgement of receipt from the assistant vice chancellor for student affairs. **If the complaint is covered by a formal written procedure, staff in the vice chancellor for student affairs office will explain that the student must file a formal written report to close the complaint.**

Step 5: Staff in the Office of the Vice Chancellor for Student Affairs forwards the complaint to the academic dean or unit supervisor with oversight of the area from which the issue arose for resolution.

Step 6: The academic dean, or his/her designee, or unit supervisor, or his/her designee, forwards the resolution to the student, to the vice chancellor for student affairs and the provost.

Step 7: Staff in the Office of the Vice Chancellor for Student Affairs log.

NOTE: Academic departments have an understood practice in referring student complaints from faculty to the department chair and, if necessary, to deans for final resolution. The provost concurs with this practice. If the Division of Student Affairs is the first point of contact for a student with a general complaint, a student is advised to resolve the issue at an informal level by discussing the concern with the other party identified as causing or contributing to the grievance (another student, volunteer, faculty member, and/or administrator), or their supervisor. If the student is unable to

resolve the concern at the informal level, he/she may file a formal, written complaint with the Office of the Vice Chancellor for Student Affairs.

N. Social Media

Aggie Guide to Social Media

The Guidelines for Use of Social Media were developed to aid our internal stakeholders (faculty, staff and students) in navigating through social media sites utilized by the university that include, but may not be limited to, Facebook, Twitter, LinkedIn, and YouTube.

In general, N.C. A&T reserves the right to remove from social media platforms any comments that are deemed discriminatory against protected classes (such as racist or sexist), abusive, profane or violent. We also do not permit messages selling products or promoting commercial, political or other ventures unless we deem them related to the university, its members or its operation.

The Official University Social Media Accounts

The official university social media accounts appear on the homepage and are managed by the Office of University Relations. Departments and/or division accounts should have the name of the division/department preceded by NCAT (ex: NCATUniversityRelations).

Maintain Privacy and Confidentiality

Refrain from using individuals' names or pictures on social media channels without their permission. Do not post anything that would be inappropriate in a public setting. Do not post confidential, proprietary or protected information about students, faculty or staff of N.C. A&T.

Emergency and crisis communication is the purview of the Office of University Relations, and the following applies to the use of social media:

The @ncatsuaggies Twitter feed is the official social channel for deploying messages about emergencies or crises.

N.C. A&T is committed to academic freedom. With this freedom comes responsibility. We encourage you to express your opinions in a way that contributes to the discussion and is beneficial to the overall growth and advancement of this university and its members. The university relies on students, employees and supporters to take personal responsibility and help in sharing our story in the most respected and uplifting manner by posting positive content.

Protect Yourself

Make sure that you are protecting your identity on social networking. Do not disclose any personal data regarding your location, or any other personal information that could be misused by scam artists and identity thieves. As a valued member of the university social media community, your personal safety is important to the university.

Approval

Information regarding the university should be approved by the designated departmental staff or the Office of University Relations. Members of the N.C. A&T community who manage social channels are not official spokespersons for the university. If you are unsure about whether or not a social media post will be mistakenly viewed as an official announcement from N.C. A&T, check first with the Office of University Relations.

O. Free Speech and Free Expression

Consistent with Article 36 of Chapter 116 of the North Carolina General Statutes and University of North Carolina Policy 1300.8, all members of the University community must be allowed to exercise their rights of free speech and free expression. Members of the University community may assemble and engage in spontaneous expressive activity as long as such activity is lawful, is consistent with UNC System and N.C. A&T policy and does not materially and substantially disrupt the functioning of the University.

Material and substantial disruption includes disorderly conduct, as defined by N.C. General Statute section 14-288.4; disruption, as defined by N.C. General Statute section 143-318.17; an action in violation of the chancellor's designation of a curfew period pursuant to N.C. General Statute section 116-212; and any action that results in the individual receiving a trespass notice from law enforcement.

Any student who materially and substantially disrupts the functioning of UNC General Administration or any of the constituent campuses of the UNC System, or substantially interferes with the protected free expression rights of others, or substantially interferes with acceptable forms of dissent, has engaged in student misconduct and is subject to discipline, including suspension, or, as appropriate, expulsion. Any second finding of a material and substantial disruption or substantial interference shall presumptively result in, at least, a suspension; however, the University may impose a different sanction if warranted. Any third finding of a material and substantial disruption or substantial interference shall

presumptively result in an expulsion of the student; however, the University may impose a different sanction if warranted.

VIII. STATEMENT ON THE USE OF UNIVERSITY FACILITIES/PROPERTY

N.C. A&T provides equal opportunity for all qualified persons in its educational programs and activities. The university does not discriminate on the basis of race, color, national origin, gender, age, religion, disability, veteran status, political affiliation, genetic information, sexual orientation, gender identity, or any other basis protected by law. Free speech is central to the university's academic mission. Limitations on activities on university property are necessary, however, so that the university may fulfill its primary missions of teaching, research, and extension. The use of university space is governed by the policy entitled "Use of University Space," which can be found at <https://www.ncat.edu/legal/policies/sec4-stud-aff-Issues/use-fo-space-final-2017.pdf>

X. AGGIE ONECARD

The Aggie OneCard is the official N.C. A&T identification card. In addition to identifying the relationship to the university, the card is a mechanism for accessing cardholder accounts and privileges. All Aggie OneCards are issued by the Aggie OneCard Center. Hours of operation are Monday through Friday from 8 a.m. - 5 p.m. The office is located in the Student Center, suite 242.

Card Issuance

The first Aggie OneCard charge is included with your new student fees. If your card expiration date expires, active members of N.C. A&T State University may receive a new card free of charge.

Replacement of a lost, damaged, or stolen ID card will incur a \$25 replacement fee. Demagnetized cards and visibly damaged cards (e.g., cards that are bent, curled, broken, or taped as well as cards with visible scratches on the magnet stripe or holes punched in the card) also carry a replacement fee. Once a card has been replaced, the old card is no longer valid. Students are permitted to have one Aggie OneCard in their possession. Any duplicate or inactive ID card should be turned in to the Aggie OneCard Center or will be confiscated if found.

To receive an Aggie OneCard, students must present a valid government photo ID such as a driver's license or passport, showing his/her name, and the photo on the ID must resemble the potential cardholder before an Aggie OneCard is issued. New incoming students may receive their ID card during orientation. All other students may stop by the Aggie OneCard Center, during normal business hours.

Deposits

The Aggie OneCard is an accumulated prepaid declining balance account where money may be deposited onto the card, allowing you to use it like a debit card. Enjoy the comfort and safety of not having to carry cash, checks or credit cards for purchases as you travel between classes anywhere on campus, where the card is accepted.

The Aggie OneCard Debit Account deposit requires a \$5 minimum that may be made several ways:

- In person at the Aggie OneCard Center
- By phone with a MasterCard, Visa or American Express at 336-334-7114.
- Online at <https://get.cbord.com/ncat/> with a MasterCard, Visa or American Express. A 50-cent transaction fee will be incurred for all online transactions.

Account Closures and Refunds

Aggie OneCard account closures are permitted upon student expulsion, graduation, and withdrawal. Individuals who permanently leave N.C. A&T State University, carrying a balance of \$10 or more in Aggie Dollars or Book Voucher, may be eligible for a refund. There will be no account balance refunds on an active Aggie OneCard account. All university debts must be satisfied prior to a refund being processed.

The Aggie OneCard Account Closure Form must be filed with the Aggie OneCard Center, along with accompanying documentation from The Office of the Registrar. Only completed refund requests will be processed.

Card Care

It is the cardholder's responsibility to make sure that your Aggie OneCard is valid and in working condition at all times. Please use an ID card holder to protect your Aggie OneCard. Do not bend, curl, break, tape or store your card near electronic equipment or against other cards with magnetic stripes. Any of these actions could demagnetize the card and interfere with the electronic reading of the card. Do not

wash or dry your card to prevent the appearance of your card from fading or warping. Do not tamper with your card. Attaching labels or stickers or punching holes in your card is prohibited.

Confiscated Cards

Rights and privileges associated with the Aggie OneCard are non-transferable and are contingent upon active status with the university. You, and only you, may use your card. All confiscated cards will be sent to the vice chancellor of student affairs. Cards will be returned in accordance with current policies regarding disciplinary actions. Aggie OneCards may be confiscated for the following reasons: misuse (i.e., fraudulent, unauthorized use, excessive offline overages, or revoked privileges); student suspension or withdrawal; and university police arrest.

XI. VOTER REGISTRATION

The National Voter Registration Act (NVRA) of 1993 is a federal statute that mandated dramatic changes to states' voter registration procedures by January 1, 1995. North Carolina met the deadline and implemented all aspects.

In compliance with North Carolina's voter registration plan, N.C. A&T supports the most fundamental process of democracy to any student who may, or may not, have prior experience in the voter registration process.

XII. INFORMATION TECHNOLOGY (IT) POLICIES, STANDARDS AND GUIDELINES

[IT policies](#) provide governance foundations for which users are informed of their responsibilities and accountability pertaining to the use, protection, destruction, and business continuity of the university's technology related assets. IT standards and procedures provide minimum requirements and instructions for users to adhere to in support of IT policies. Technology related assets include data, network infrastructure, software, and hardware.

ITS blocks N.C. A&T network access to websites that illegally share copyrighted materials, provide peer-to-peer traffic of copyrighted materials, promote malware and phishing, and provide access to tools that allow for remote access or control to another computer.

The university is required by the [Digital Millennium Copyright Act](#) (DMCA) and the [Higher Education Opportunity Act](#) (HEOA) to limit access to these sites in order to comply with copyright laws and to keep the campus information resources secure.

The NCAT [Information Security Policy](#) (ISP) requires the institution to take appropriate action to detect, prevent, and mitigate operational information security risks including malware (ISP section D.7) and communications information security risks including network connections and services (ISP section D.8).

For more information, please refer to the ITS [Blocked Access to Websites](#) web page and the university's [Peer-to-Peer \(P2P\) policy](#).

If you have academic, research, or recreational needs to access any blocked website, please contact the Client Technology Services Help Desk at helpdesk@ncat.edu or (336) 334-7195.

Note: Violations of university IT policies are considered student misconduct and are prohibited. Violations are governed by University Student Conduct Procedures (see Student Handbook).

XIII. ACADEMIC INFORMATION AND REGULATIONS

Each student is responsible for adhering to academic regulations and requirements set forth in the *University Bulletin* and for revisions as posted on campus bulletin boards or released in other official publications. Failure to meet requirements or comply with regulations because of lack of knowledge does not excuse students from meeting academic regulations and requirements.

A student's program of study must be approved by his/her assigned advisor, chairperson or a faculty member in the major department at registration. Advisors provide guidance to students in academic matters and refer them to those qualified to help in others. However, final responsibility for meeting all academic requirements for a selected program rests with students.

A. Advanced Placement

N.C. A&T participates in the [Advanced Placement Program](#) (AP) offered by the College Board to provide greater flexibility and opportunity for high school students to proceed with their education. Students must submit to the Office of Undergraduate Admissions an official Student Score Report from the College Board for scores to be considered. N.C. A&T awards college credit for qualifying AP examination scores as determined by the Director of Transfer Articulation, in consultation with the chairperson of the appropriate academic department. Acceptance of AP tests and scores is subject to change without notice. AP credit is

not granted if the student has already received transfer credit for the course or earned credit for the course at N.C. A&T.

B. Program of Study

A student should refer to the requirements of his/her respective department or school about his/her program of study and confer with his/her advisor whenever problems arise. The student is expected to follow the program outlined as closely as possible. This is very important during the first two years when he/she is satisfying basic degree requirements and prerequisites for advanced work.

C. Declaration of a Major

A student is required to declare a major at or before completing 45 semester hours. Students will not be allowed to register for the next semester if a major is not declared.

Declaration of a Minor

Effective fall 2010, students who have completed a minimum of 24 semester hours with a minimum GPA of 2.0 may elect to declare a minor. Any student wishing to declare a minor should do so in consultation with his/her academic advisor in the major field of study prior to consultation with an advisor in the minor field of study. To declare a minor, a student must have the approval of the department chairperson and dean of the minor field of study, as well as the department chair and dean of the major field of study. The declaration or change of a minor must be completed in the Office of the Registrar. An academic minor consists of at least 18 credits in an area apart from the major concentration of the student's baccalaureate degree program; a minimum of 12 of the 18 minor credits must be in courses at the 200-level or above; and a student may have no more than two minors regardless of the student's major. The minor will be printed on the official transcript, but not on the diploma.

D. Registration

Dates for advising and registration periods for each semester are published in the university's academic calendar, which is on the university's website. It is the student's responsibility to be familiar with all advising and registration periods.

All students are required to meet each semester with their advisor for assistance with course selection and to obtain their registration PIN.

Any student who is enrolled in the university during the registration period is expected to register for the next semester during the period designated for this purpose. All students, by registering for classes, assume the responsibility for familiarizing themselves with and abiding by all university regulations, rules, policies, and procedures.

E. Official Registration

In order for a student to receive credit for a course, he/she must be properly registered in that course. This means that the student must have gone through the registration process as outlined by the university. The payment of tuition and fees is part of the registration process. No student is eligible to attend classes until all tuition and fees have been paid.

F. Late Registration

Students who register for classes during the late registration period, as published in the university calendar, will be assessed a fee of \$50. This fee is not assessed to students who registered prior to the late registration period and who are making schedule adjustments.

G. Cancellation of Course Registration

Please see the [policy on cancellation of course registration](#).

H. Add and Drop Period

Please see the [policy on add and drop period](#).

I. Course Audit

Students who intend to register for a course for which they do not want credit may register as audit students. Students are not allowed to change from audit to credit status, or from credit to audit status once the last day to drop/add has passed. Audit registration fees are the same as for credit. Audit students may participate in class activities but are not required to prepare assignments or take examinations and will not receive a grade or credit.

J. Course Load

According to Administrative Memorandum - Number 345, all full-time undergraduate students are expected to comply with the Board's 1993 Plan to Improve Graduation Rates by enrolling in an average of at least 15 semester hours per term in order to graduate in four years.

Undergraduate students enrolled in 12 or more semester hours in a fall or spring semester are designated as full-time students and must pay full tuition and fees.

Full-time students usually carry from 15-18 semester hours. To enroll in more than 18 semester hours in a fall or spring semester, or more than seven (7) semester hours in a summer semester, students must obtain approval from the department head.

The maximum course load that students, who are on academic probation, may carry is 15 semester hours. The maximum course load for a student with a GPA less than 3.0 is 18 hours.

K. Double Major

Students who desire to obtain a double major must file a double major form in the Office of the Registrar. Students who have double majors that involve two departments or two schools must satisfy the major requirements for each department or school. To graduate with a double major, students must complete requirements for both majors during the same semester or summer session.

L. Prerequisites

A course that is designated as a prerequisite to another course indicates that the prerequisite is required before taking the next course.

Credit may be granted to indicate acceptable performance in the prerequisite course content by successful completion of standardized tests under the College Level Examination Program (CLEP) or successfully passing an examination adopted or prepared by the department granting the credit.

M. Repetition of Courses

Effective fall 2014, a student who has received a passing grade of “D” or better in a course may not repeat that course. Students may repeat a course in which they earned a grade of “D” if it is a prerequisite course requiring a minimum grade of “C,” or if a minimum grade of “C” is a requirement in the student’s declared major. Students who do not receive a passing grade in a course may repeat that course. For courses repeated subsequent to the effective date of this policy, during a student’s academic career at the university, a maximum of sixteen (16) credit hours may be repeated.

Undergraduate students who earn a grade of 'C' or higher are not permitted to repeat the course. Undergraduate students who do not earn the minimum grade, as designated in their approved curriculum guide, or as a prerequisite to a course required in their approved curriculum guide, may repeat that course. During a student's academic career at the University, a maximum of sixteen (16) credit hours may be repeated. All grades earned will be recorded on the student's permanent academic record. When students repeat a course, the higher grade will be included in the official grade point average calculations and in determining graduation eligibility. If the student earns the same grade twice, the most recent grade will be included. All grades earned are used in the calculation for satisfactory academic progress and graduation honors.

Financial aid implications for repeated courses should be discussed with the Office of Financial Aid.

N. Core Requirements of the University

Areas in the core and minimum semester hour requirements are found in the *University Bulletin*.

O. Course Credit by Examination

Credit may be earned by examination for any undergraduate course for which a suitable examination has been adopted or prepared by the department granting the credit. The student receives the grade "CE" and regular credit for the number of hours involved. However, the credit hours are excluded in computing the student's grade point average.

Credit may also be granted for the successful completion of standardized tests under the College Level Examination Program (CLEP) as approved for specific courses by university departments. There is no maximum amount of credit that a student may earn, but a student must complete a minimum of three semesters as a full-time student in residence at the university. Fees for CLEP and other standardized examinations are determined externally rather than by the university. These credits are treated as transfer credits. Questions about the program may be addressed to the director of transfer articulation or the director of counseling services.

P. Grading System

Effective fall 2014, N.C. A&T will implement a plus/minus grading system. If a prerequisite course requires a minimum grade of "C," or if a minimum grade of

“C” is a requirement in the student’s declared major, a grade of “C-” will not fulfill the requirement. Grades are assigned and recorded as follows:

A	Excellent	4.0
A-	Excellent	3.7
B+	Good	3.3
B	Good	3.0
B-	Good	2.7
C+	Average	2.3
C	Average	2.0
C-	Average	1.7
D+	Below Average, but passing	1.3
D	Below Average, but passing	1.0
F	Failing grade	0.0
U	Unsatisfactory failing grade	0.0
I	Incomplete – an “I” becomes an “F” or “U” if not removed within the designated time. An Incomplete is not given merely because assignments were not completed during the semester.	
CE	Credit by examination	
AP	Advanced Placement	
S	Satisfactory passing grade	
AU	Audit	
W	Withdrawal	
P	Passing	

Q. Academic Retention

The normal load for an undergraduate student is 15 credit hours per semester. The minimum load for a full-time undergraduate student is 12 credit hours per semester. A student is expected to make normal progress toward a degree. Normal progress means completion of 15 or more hours each semester with a 2.0 GPA or higher for a full-time student.

R. Academic Withdrawal

Students who wish to drop ALL courses for which they are registered must withdraw from the university prior to the first day of classes to avoid academic penalty. Any student who received Non-Title IV aid and withdraws from ALL of their courses (Official Withdrawal) may be entitled to a refund for paid tuition and fees dependent on the date of their withdrawal.

- [Withdrawal](#) from an individual course and Withdrawal from the university
- [Retroactive withdrawal](#) from the university

If Withdrawal is Within the Following

<u>Week(s) of Official Registration Date</u>	<u>Percentage of Credit</u>
1 week	90%
2 weeks	90%
3 weeks	50%
4 weeks	50%
5 weeks	25%
After 5 weeks	0%

Board refund is prorated for remaining days in the semester based on the Monday following withdrawal. There are no room refunds since students are responsible for their entire semester’s room charge, as stated in the housing contract.

Duplicate Issue of Service Cards

Duplicate ID/meal card (lost, misplaced or stolen

Validate bill and replacement fee \$20

The university does not honor contracts, charges or purchases made by students or student organizations in the name of the university unless it has been approved by an advisor, the Office of the Vice Chancellor for Student Affairs and the business office. All purchases of supplies and equipment for operation of the university are handled through the business office.

S. Class Attendance Policy

1. Class Attendance

The university is committed to the principle that regular and punctual class attendance is fundamental to the orderly acquisition of knowledge.

Students should recognize the importance of regular and punctual class attendance and accept it as a personal responsibility. An absence, excused or unexcused, does not relieve the student of any course requirement.

Please see the attached policy on [student religious observance](#).

2. Instructors’ Responsibilities

Description of attendance requirements should be stated in the course syllabus and announced in class, particularly at the beginning of each term. If class attendance is to affect a student's course grade, then a statement to that effect must be a part of the course syllabus distributed to each student.

Instructors will keep attendance records in all classes. Each instructor has the right to prescribe procedures as to how and when attendance will be taken.

3. Students' Responsibilities

It is the responsibility of each student to learn and comply with the requirements set by the instructor for each class in which he/she is registered. The student should:

- a. Have knowledge of each instructor's attendance and monitoring practices for class absences during the term;
- b. Become familiar with all materials covered in each course during absences and make-up any work required by the instructor;
- c. Initiate a request to make-up work on the first day of class attendance after the absence.

4. Make-up of Required Course Work

The administration, faculty and staff recognize that there are circumstances and events which require students to miss classes and any required course work which may be performed or due on the day of the absence. Also, they recognize that required course work is needed to give each student an adequate performance evaluation. Therefore, whenever reasonable (specifically described below), students should be allowed to make up required work.

The following definitions apply, with respect to this policy:

- a. Required course work - will be used in determination of final grades, (e.g., exams, announced quizzes and required papers, essays, and assignments);
- b. Instructor - person responsible for the course, and providing instruction and evaluation;

c. Permissible reasons for requesting make-up of required work

- sickness, with verification of sickness requires the signed statement of a physician or duly authorized staff member of the health center;
- death of a relative (immediate family), with verification of death requires a signed statement from a minister or funeral director;
- participation in approved university-related activities, with verification of participation in university-related activities requires a signed statement from the office of the vice chancellor for academic affairs;
- acting in the capacity of a university representative (band, choir, sports-related travel, etc.), with verification of participation in university-related activities requires a signed statement from the office of the vice chancellor for academic affairs; or,
- extraordinary circumstances (court appearance, family emergency, etc.) with a signed statement from an appropriate official (e.g., court official, parent or guardian).
NOTE: Other reasons for requesting make-up of required course work are not acceptable.

Instructors should schedule make-up work at a time convenient to both instructor and student.

The policy regarding make-up of required course work is as follows:

- a. A student may petition an instructor whenever the student has a permissible reason for requesting make-up of required course work;
- b. A student will be required to present documentation, which certifies absence constituting a permissible reason;
- c. Whenever possible, a student should consult with an instructor prior to an absence, which may involve failure to do required course work. Arrangements for make-up should be discussed and agreed on at that time;
- d. A student must petition for make-up of required course work on the first day that he/she returns to class;

- e. If permission is granted to make-up required course work, the instructor and student should agree on an acceptable date for accomplishing the task;
- f. Failure to comply with item four (4) may result in denial to make-up required course work.

T. General Requirements for Graduation

A candidate for a degree from N.C. A&T must satisfy the following minimum requirements:

1. Choose a specific curriculum leading to a degree in one of the schools/colleges and complete the requirements of this curriculum;
2. Complete a minimum of 120 semester hours, excluding deficiency courses and remedial work, for a bachelor's degree;
3. Complete all of the general education requirements of the university for the bachelor's degree, please see general education requirements of the university for a complete listing of the general education requirements;
4. Earn an average of two (2) grade points for every semester hour undertaken including hours passed or failed and not repeated. After completing the number of credit hours required for graduation, if the student is deficient in grade points, he/she must take additional courses that have been approved by his or her academic dean to secure these points. The student must also obtain an average of 2.0 or more in his or her major field;
5. Complete a minimum of three semesters as a full-time student in residence at the University. This requirement includes the two semesters prior to the period when the student completes his/her requirements for graduation. At least one half of the credits in the student's major field must be earned at the University. Exception to either of these provisions may be made upon the recommendation of the chairperson of the student's major department with the approval of the school/college dean. Transfer students must complete a minimum of 25% of the required degree coursework at N.C. A&T to graduate from N.C. A&T with that degree;
6. Clear all academic conditions by the end of the semester preceding graduation;
7. Pay all university bills and fees;
8. Submit an application for graduation to the Office of the Registrar prior to the established deadline, as published in the Academic Calendar.

U. Graduation with Honors

Please see the [policy on academic honors](#). (NOTE: Policy amended spring 2017: Undergraduate students must earn at least 48 semester hours of resident credit at N.C. A&T to qualify for graduation honor designations, rather than 70 semester hours of resident credit.)

V. Commencement Participation

Two commencement programs are scheduled each year, in December for fall and summer graduates, and in May for spring graduates. Students must meet the following requirements to be eligible for participation in commencement:

- Have completed degree requirements the semester/session prior to the upcoming commencement ceremony in which they plan to participate; or
- Be enrolled in the courses and/or academic activity necessary to complete degree requirements in the semester for which they plan to participate in the respective commencement.

In either scenario, all students must submit an application to the Registrar's office for graduation prior to the commencement deadline for either May or December. A student must be "cleared" by the Registrar's office to be approved to participate in commencement activities.

Students who complete degree requirements during summer session(s) **will not** be eligible to participate in commencement activities the preceding May. However, they will be eligible to participate in either the following December or May commencements provided they meet the respective requirements as stated above.

W. Effective Bulletin for Graduation

The *University Bulletin* is the official document that describes policies, academic programs and requirements for students attending N.C. A&T. Students are responsible for knowing and adhering to the policies and requirements that affect them. A student's effective bulletin for graduation requirements is the bulletin in effect when the student first entered the university, provided the courses are being offered. Moreover, the student must complete these requirements within six years. In addition, he/she may graduate under a bulletin published while he/she is a student. If a student elects to meet the requirements of a bulletin other than the one in force at the time of his/her original admission, he/she must meet all requirements of the bulletin he/she elects.

X. Student Re-admission

Please see attached policies on readmission.

- [Readmission of Former and Academically Suspended or Academically Dismissed Undergraduate Students](#)
- Two-Year Readmission and Forgiveness Policy
Under the Two-Year Readmission and Forgiveness Policy, an undergraduate student who has not been enrolled at N.C. A&T for at least two (2) calendar years (24 consecutive months) may request that NCAT coursework in which a grade of F was earned and that is two calendar years or older be excluded from GPA calculations and in determining graduation eligibility. To be eligible for this policy, a student must meet all readmission requirements.

Applicants must submit the Application for Readmission and other required documentation, along with a letter requesting readmission under the Two-Year Readmission and Forgiveness Policy. This policy may be used only one-time for consideration in a readmission decision, and once used is irrevocable.

If readmitted under this policy, a student will be placed on academic probation status for the first semester. A notation stating that the Two-Year Readmission and Forgiveness Policy has been applied will be added to the student's transcript. All grades and courses remain on the student's transcript. This policy will not alter the student's original academic record. A student planning to continue his/her education at another college or university is cautioned that the receiving institution may use all grades earned when computing a GPA for admissions eligibility or for other purposes.

The Two-Year Readmission and Forgiveness Policy has no effect on the student's financial aid eligibility. A student should contact the Office of Student Financial Aid for additional information. The tuition surcharge calculation is not affected by this policy.

During the first semester in which a student is readmitted, the student is required to develop an academic plan of action in consultation with the student's academic advisor and department chair. The academic plan of action includes a listing of all courses required for degree completion. The

student's advisor is responsible for distributing the plan to the student, the Chairperson of the academic department, the academic unit's retention coordinator, and the Office of Enrollment Management for information and compliance monitoring.

Y. Release of Student Information

The university ensures students access to their official academic records but prohibits the release of personally identifiable information, other than "directory information," from these records without the student's permission, except as specified by public law 93-380. As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which student education records and personally identifiable information - including social security number, grades or other private information - may be accessed without consent. First, the U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education, or state and local education authorities ("federal and state authorities") may allow access to your records and personally identifiable information without your consent to any third party designated by a federal or state authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, federal and state authorities may allow access to your education records and personally identifiable information, without your consent, to researchers performing certain types of studies in certain cases even when the university objects to or does not request such research. Federal and state authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive your personally identifiable information, but the authorities need not maintain direct control over such entities. Additionally, in connection with Statewide Longitudinal Data Systems, state authorities may collect, compile, permanently retain, and share, without your consent, personally identifiable information from your education records and track your participation in education and other programs by linking such personally identifiable information to other personal information about you that they obtain from other federal or state data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

"Directory information" includes: student's name, address, e-mail address, telephone number, date and place of birth, school, major, dates of attendance,

degree(s) and honors received, and institution(s) attended prior to admission to N.C. A&T, past and present participation in officially recognized sports and activities, and physical factors. Public Law 93-380 further provides that any student may, upon written request, restrict the printing of such personal information relating to himself/herself as is usually included in campus directories. A student who desires to have “directory information” withheld must submit a written request to the Office of the Registrar prior to the end of add/drop period for the semester in which he/she is enrolled.

XIV. STUDENT SERVICES AND PROGRAMS

The Division of Student Affairs is organized for the purpose of providing programs and services that complement the academic mission of the university. Accordingly, very definite efforts are made:

1. To help students become better acquainted with themselves and various problems confronting them;
2. To help students develop the ability to make satisfactory choices and adjustments;
3. To aid students in making desirable adjustments in group relationships;
4. To provide cultural and social experiences which help students develop an appreciation for the best in their cultures; and
5. To promote the physical, mental, moral, and spiritual development of students.

The achievement of broad objectives for the student affairs area requires a comprehensive offering of student services, programs and activities, as highlighted in the following sections:

A. Office of the Dean of Students

The Office of the Dean of Students seeks to promote ethical conduct and responsible behavior by educating students on expected standards of behavior. This office further assists students to consider, in advance, the consequences of behavioral infractions and to accept responsibility for their actions. Student training in conflict management is offered upon request to the SGA Executive Board, Student Judiciary Council, Student Senate, and other student groups/organizations. Training modules include conflict management and resolution, leadership development, governance, and student conduct regulations. Through these concerted efforts, the goal is for students to become campus stewards and global citizens. The dean of students assists the Office of the Vice

Chancellor for Students Affairs in the overall administration of the Division of Student Affairs, which includes student services, student life and student development for undergraduate and graduate students. The office strives to promote campus safety and harmony by maintaining an environment consistent with educational purposes and operations of the university. The dean of students is primarily responsible for day-to-day administration of the university student disciplinary process, and supervises and supports program services of the following administrative units:

- University Bands
- Veteran and Military Affairs
- Office of Student Conduct
- Counseling Services
- Student Health Center

The Office of the Dean of Students serves in an advocacy role to improve student life through cooperation and collaboration with students, faculty, administration, and staff.

B. Counseling Services

Counseling Services offers a variety of services to help all currently enrolled N.C. A&T students address challenges and difficulties they may face during their college years. Services are designed to help students understand themselves better, create and maintain healthy relationships, improve academic performance, and make satisfying career and life choices. We are dedicated to helping students by providing brief counseling from a wide spectrum of services, which include individual and group counseling, outreach and consultation, training and supervision, teaching, psychological testing, research and collegiate recovery programs. If more intensive or specialized care is needed, we will assist with making referrals to healthcare providers in the community. All counseling is voluntary, free of charge, private, and confidential.

Following is a list of services available through Counseling Services:

1. Personal counseling in individual and group sessions;
2. Academic skills training and career appraisals;
3. Outreach counseling programs and activities, life skills and personal growth programs, consultations, and workshops;

4. Graduate student internship training laboratory for psychology, social work and counseling;
5. Collegiate Recovery Community offers support for students in recovery for their addiction;
6. Individual test administration and interpretation covering the areas of intelligence, aptitude, personality, interest, and achievement, as well as other areas required by special needs;
7. CLEP for course credit by examination; psychological assessments for learning disabilities (LD) and attention-deficit/hyperactivity disorder (ADHD). Information is provided for Praxis Teachers' Examination, Graduate Management Admissions Test (GMAT), Graduate Record Exam (GRE), and Medical College Admissions Test (MCAT).
8. Referrals (university and community resources).

Counseling Services is open from 8 a.m. – 5 p.m. and is located in Murphy Hall, room 109.

C. Health Services

The Student Health Center (SHC) is committed to providing convenient, quality medical care to the students of N.C. A&T. As a student, SHC services are automatically available to you. We have contracted with most insurance carriers and we can assist you by filing the claim for your treatment. We provide a full spectrum of care and are capable of managing most medical concerns that present. In case of more severe illnesses or life threatening problems, patients are transported to one of the local Cone Health System hospitals.

In addition to primary medical care, the Student Health Center provides a resource for health and wellness information, activities, and education. We employ Psychiatric clinicians to assist the N.C. A&T Counseling Center with medical management of our students' stress and emotional concerns. We want to be the principal provider of your medical care as well as the primary focus for your health and wellness needs.

Our ancillary services include:

- A comprehensive laboratory
- X-Ray capability
- A full-service pharmacy

- Life Style Services consisting of acupuncture and massage therapy
- Health Education specialists

We are located at 112 North Benbow Road, directly across the street from the Recreation Center. Our hours are 8 a.m. - 9 p.m. Monday through Friday. We are closed on weekends.

D. Housing and Residence Life

Housing and Residence Life has total housing capacity for approximately 4,950. To live in campus housing, a person must be currently enrolled as a full-time N.C. A&T student.

1. Application for Rooms

Students must complete an [online housing application](#) during the designated application period. A non-refundable fee of \$175 must accompany the application.

All students desiring campus housing must select a room online during the designated room selection period. If students miss the selection deadline, they will be assigned as spaces become available. Preferences are not guaranteed.

2. Residence Hall Staffing

A management team manages each residence hall. The purpose of the team is to assist students with concerns which include, but are not limited to, safety, comfort, maintenance, roommate and personal issues, programming, etc. The management team consists of the hall director (HD), graduate assistant (GA) and resident assistants (RAs). The hall director is chief administrator of the residence hall. Graduate Assistants are graduate students who live and work in residence halls. RAs are upper class students who live in a residence hall/facility. Each floor of a residence hall has at least one RA who lives on a floor with students and is available to assist with emergencies.

Residence hall staff and students host special recreational, social, safety, cultural, and educational programs. These positive programs enhance the quality of on-campus living and group interaction experiences. Typically included in these activities are hall meetings, guest speakers, workshops, information sessions, and social events.

3. Leadership Opportunities (Residence Hall Council/Association)

Each residence hall has a Residence Hall Council. Combined, the councils constitute the Residence Hall Association. Students are elected president, vice president, secretary, treasurer, etc. to lead the councils. Every student resident of a hall is a member of a Residence Hall Council. The Residence Hall Councils and Association provide excellent opportunities for students to meet each other, work together and enhance their organization and leadership skills.

4. Residence Hall Policies

Students living in residence halls are expected to govern themselves according to normal and acceptable behavior. Successful group living requires respect for members of the community; therefore, standards are necessary. The management team clearly communicates standards, which will be enforced, to the residents of respective halls/facilities.

Residents are subject to eviction by Housing and Residence Life for acts that are contrary to interests of the residence hall community. Students are expected to conduct themselves responsibly, and they should be mindful that illegal activity is prohibited by law. Unethical and/or immoral behavior will not be tolerated, and incidents of such activity will be referred to the Residence Hall Student Behavior office or dean of students for disciplinary action.

5. Not Permitted in Halls

1. Pets/animals other than tropical fish in tanks not to exceed ten gallons. This sub-section does not apply to service animals or to emotional support animals (also known as therapy animals or companion animals) that has been approved by the Office of Accessibility Resources located in Murphy Hall, Suite 01;
2. Refrigerators, aside from those provided, unless allowed for documented medical reasons. In such cases, students should contact the Student Health Center about appropriate documentation. Pending approval, the department will provide a micro-fridge for the student
3. Guns, knives (except safe utensils for cutting food) and other lethal weapons;
4. Fireworks, hot plates, air fryers, electric burners, and other heat producing devices (George Foreman grills, popcorn poppers, etc.), candles, plug-ins.

5. Hoverboard
6. Prohibited Behavior (Includes but is not limited to)
 1. Use of illegal drugs, as defined by chapter 90 of the North Carolina Statute and other acts which violate federal, state or local laws;
 2. Throwing, bouncing and/or otherwise playing ball in residence halls/facilities;
 3. Horseplay, including climbing out of windows and/or onto roofs, for any reason;
 4. Riding bikes, skateboards, shopping carts or any other conveyance in halls or breezeways;
 5. Public nudity, except in residence hall rooms (during non-visitation hours) and restroom shower areas;
 6. Indecent exposure;
 7. Unsanitary acts (see Sanitary Conditions in Residence Halls in the manual on Student Conduct Proceeding Processes);
 8. Intimate sexual activity in residence halls and/or on the premises thereof;
 9. Any act that could threaten the safety and/or well-being of members of the residence hall community;
- 10. Parties;**
- 11. Underage drinking;**
12. Guests and other non-residents staying overnight;
13. Solicitation;
14. All forms of commercial solicitation for merchandise purchase and/or services for personal profit or organizational gain are strictly prohibited by individuals or organizations in the residence halls. This includes residential rooms, residential floors, and all public areas in the residence hall. Goods and services consist of but not limited to hair care services, trash collection, photography, services of personal nature, food and beverages, raffle tickets.
15. Illegal entry;
16. Physical altercations;
17. Bullying and cyberstalking.

N.C. A&T's Zero Tolerance for Aggressive Behavior Policy and Zero Tolerance for Drugs Policy will be strictly enforced.

For further violations, see the section in this handbook entitled **Misconduct Prohibited by the University.**

We encourage students to read their housing contract and [Guide for Living on Campus](#), located on the Housing and Residence Life website.

7. Suspension and/or Termination of Campus Housing Privileges

The executive director of Housing and Residence Life, associate director for residence hall student behavior, dean of students, vice chancellor for student affairs, and the chancellor have authority to terminate any residence hall or facility contract (on an interim basis) prior to the proceeding process, depending on the severity and/or sensitivity of an offense. The executive director of Housing and Residence Life or associate director for residence hall student behavior may immediately suspend a student's housing privileges pending the convening of a judicial hearing.

When a student's housing privileges are suspended and/or terminated for disciplinary reasons, no refund of money paid for housing charges will be made.

8. Residence Hall Visitation – Policies, Procedures and Guidelines

Policies, procedures and guidelines regarding visitation:

a. Visitation - the company of a member of the opposite or same sex during the specified time period allotted in which a guest may visit in a residence hall.

b. Honor System - the confidence and high opinion of the campus community toward students in the belief that they will remain responsible in maintaining university standards for their own behavior.

The following visitation policy is presented as the university's assumption of its responsibility to resolve the visitation practice in residence halls. The policy resulted from considerable research and extensive discussion, and attempts to satisfy all those involved including students, faculty, administrators, and other personnel.

c. Guidelines

- Visitation hours are as follows:

Sunday-Saturday noon - midnight

Summer School

Sunday-Saturday noon - midnight

- Each participant is limited to two guests. Exceptions may be accorded, in special cases, by the residence hall supervisor;
- The university reserves the right to reject, at any time, the visitation policy when flagrant and repeated violations occur;
- Each participating resident shall sign in/out guest(s). Same sex visitation shall be directed under the honor system for entertaining guests in residence halls/facilities;
- Any guest(s) found in residence halls/facilities after visitation hours will be subject to disciplinary action or charged for trespassing;
- Each guest shall enter and leave by the front door of the residence hall. While in the hall, guests should be accompanied by the resident student;
- The resident host or hostess is responsible for the action(s) of the guest(s), except in instances determined to be beyond their control. If a situation occurs beyond their control, the host/hostess is responsible for reporting it immediately to a member of the hall's management team;
- In male residence halls, at least one restroom should be designated for females or women;
- In female residence halls, at least one restroom should be designated for males or men;
- Visitation schedules should be prominently displayed in appropriate areas of participating halls;
- Halls not allowing visitation should prominently display signs that read **"No Visitation"**;

- The presence of guest(s) must not result in unreasonable inconvenience or annoyance to the roommate or other residents.

Repeated policy violations will result in the loss of visitation privileges. Guests visiting in residence halls should have and, upon request, produce proper identification (i.e., an official document that contains a guest's first and last name and a visible photograph/picture).

d. Loss of Privileges

Visitation is not a right, but rather a privilege that may be suspended at any time for policy violation(s) by a residence hall director or, administratively, Housing and Residence Life.

9. Institutional/Residence Hall Withdrawal and/or Refund

EARLY CANCELLATION PENALTIES: Please view the current student housing contract for more detailed information about early cancellations. **Students who submit a housing application and \$175 application fee are subject to the cancellation penalty – whether an assignment has been made or not.** Merely returning residence hall keys to hall staff, or any statements by staff contrary to the contractual agreement, shall not constitute termination of the contractual and financial obligation. All cancellation requests must be made, in writing, to the Housing Assignments office and, if approved after the cancellation date, are subject to pro-rated daily room charges.

Cancellation fees are as follows:

- No cancellation penalty for students who are on the wait list and have NOT been confirmed for a space;

NOTE: If a student fails to check-in within 24 hours of the first day of opening or get his/her bill paid and validated by the date set by the Treasurer's office, Housing and Residence Life reserves the right to cancel his/her room assignment.

Contract release - rare exceptions exist for breaking the contractual agreement. For fair consideration of a request, substantial documentation is needed to show **significant** change of circumstances after signing a contract. Requests must be submitted, in writing, for review and fall under the following guidelines:

- Documented financial hardship, such as loss of financial aid or family support. Change in a financial situation may not be considered an “extreme” exception for the purpose of contract release. Additionally, as indicated in the initial paragraph of the agreement, contractual commitment is independent of any financial aid or other anticipated assistance;
- Medical conditions (certified by a physician and verified by a student health center physician);
- Other areas may be given consideration with significant sufficient proper documentation.

University withdrawal - It is never appropriate to move out of housing or leave the university without completing the withdrawal process including being formally released and checked out of housing. Merely returning residence hall keys to hall staff, or any statements by staff contrary to the contractual agreement, does not constitute termination of contractual and/or financial obligation. **Unauthorized leave will be billed for the entire academic year.** Inquire in the Housing office in Aggie Village, Building 2, for greater detail.

10. Smoking Policy

Residence halls operate under a “no smoking” policy, which will be strictly enforced.

The university has a **Zero Tolerance Policy for Drugs** (see the section on university policies and excerpts in this handbook).

In addition, Housing and Residence Life has a **No Tolerance Policy for Marijuana**. Included is a no tolerance policy for the smell of marijuana in residence hall rooms. The No Tolerance Policy for Marijuana will be strictly enforced.

E. Office of International Affairs

The International Students and Scholars office (ISSO), now the Office of International Affairs (OIA), coordinates programs, services and regulatory policies/procedures for non-immigrants and immigrants enrolled at N.C. A&T. International assistance is offered with issuing certificates of eligibility (I-20/DS-2019), conditional admission, deferment and enrollment processes, pre-arrival and arrival, housing, insurance, immigration matters, on-campus work authorization,

orientation, and adjustment to the university and the community. The office also collaborates with the Multicultural Student Center and academic departments to provide programs and activities that enhance exposure to academic, cultural, social and personal development for international students and scholars.

Federal regulations governing students and scholars are complex, and there are severe consequences for non-immigrants who fail to comply with immigration regulations and provisions for maintaining status and/or visa renewal eligibility. Non-immigrants are encouraged to speak with the ISSO regarding immigration matters that may negatively impact continued enrollment at the university and/or eligibility to remain in the United States if status is jeopardized.

The Office of International Affairs is located in Academic Classroom Building, room 213, near the Dowdy Administration Building and the parking deck. Please call (336) 334-7551 or e-mail: isso@ncat.edu for additional information. Information specific to the United States Citizenship and Immigration Services (USCIS) and the United States Department of State (DoS) are available at www.uscis.gov and www.state.gov.

1. Verifying Status (F-1/J-1)

All international and resident alien (foreign-born) students are required to verify immigration/residency status as part of the admission/ registration process by providing acceptable legal entry documentation to the International Students and Scholars office. These categories are also responsible for notifying both the United States Citizenship and Immigration Services (USCIS) and the OIA (Academic Classroom Building, room 213) of any change in immigration status and/or address. Please visit the [ISSO website](#) or contact staff at (336) 334-7551.

If information is not provided to the university Admissions offices at the time of application or continued attendance after a break from studies, foreign-born students with newly adjusted immigrant or resident alien status may also be required to provide documentation of permanent residency, U.S. naturalization, asylum, refugee status, and/or resident alien status before enrolling and/or continuing at the university. **Undocumented students or students in deportation proceedings may be eligible to attend the university based on legislation provided through the North Carolina State Legislature. These students are not eligible for in-state tuition.**

U.S. naturalized citizens may use the certificate and/or U.S.-issued passport for documentation. Other non-immigrants “pending immigrant status” may not be acceptable for full-time enrollment until the new status is attained. Speak with a staff member if you have a “pending” petition or application with the Department of State or the United States Citizenship and Immigration Services (USCIS).

At the beginning of each semester, the ISSO offers a mandatory orientation for new international students and visiting exchange students. Attendance at these sessions will assure that international students and exchange visitors are aware of all requirements to maintain lawful status with USCIS while completing requirements for the degree program. Orientation is scheduled so that students can also complete the required deadlines to report enrollment to the Department of State and/or the USCIS, as required by SEVIS reporting regulations. There is a 30-day reporting requirement imposed by the USCIS. **Full-time enrollment is verified after the 10th day of class.**

2. Enrollment Eligibility

All non-immigrant student (F and J) visa holders are considered and classified as **“non-resident/out-of-state students”** and are assessed out-of-state tuition and fees. It is the responsibility of each non-immigrant to maintain legal status while at N.C. A&T. Non-immigrants in F-1 visa status are required by the USCIS to enroll full-time (12 hours undergraduate/9 hours graduate and maintain a minimum overall grade point average consistent with meeting **Satisfactory Academic Progress (SAP)** at the university (2.0 undergraduate/3.2 graduate and 3.4 Ph.D.). Continuing F-1 students are not required to enroll full-time during summer sessions. With the exception of summer terms, however, enrollment must be consecutive throughout the completion of the degree program. All questions and requests regarding enrollment requirements must be discussed with ISSO staff and must have ISSO approval **before** changes become effective.

F-2 dependents are not eligible for enrollment at N.C. A&T and cannot apply for work authorization. **J-2** dependents may enroll at the university and may apply for work authorization through USCIS. Both dependent categories can apply to change status to F-1 by filing the I-539 to the appropriate USCIS Service Center in order to receive university funding.

All enrolled **F-1** and **J-1** students with dependents are required to purchase and maintain **mandatory** health, repatriation and medical evacuation insurance through the UNC system for duration of status. **Primary F-1 and J-1 students must also purchase and maintain adequate health, repatriation and evacuation insurance for each dependent while enrolled at N.C. A&T.**

3. Employment Eligibility and Benefits (F-1/J-1)

F-1 non-immigrants are eligible to work up to 20 hours per week on-campus. Work affiliated with assistantships, tuition and fees, stipends, or combinations of the same are considered to meet this privilege. No additional work for financial compensation can be accepted. In some cases, students may not spend the full 20-hour “physical presence” maximum allowed by USCIS; however, the rate of compensation provided by the department/program is binding to the 20-hour privilege.

Prior to accepting on-campus work and compensation, international students must apply for and receive a social security number and card. Non-immigrants cannot be paid until a social security number and card are issued and documented by the university. In addition, all students and scholars receiving income within the U.S. must file state and federal income taxes.

F-1 non-immigrants are not eligible to work off-campus without approval from USCIS. **F-2, J-2** and **H-4** non-immigrants are not eligible to work at N.C. A&T without USCIS approval including the issuance of the employment authorization document (EAD).

There are severe consequences for non-immigrants who fail to comply with USCIS regulations regarding employment/work. These consequences can include deportation from the U.S.

4. Insurance Requirements

USCIS requires that all non-immigrant students and scholars on F and J visas, as well as their dependents residing in the U.S., maintain comprehensive health and accident insurance coverage that includes repatriation and medical evacuation. In addition, the policy must have specific levels of coverage to ensure that it is adequate to provide for medical costs in the U.S. International students should not purchase insurance policies prior to arrival, unless coverage is for the specified period

from home country departure to enrollment in the UNC system policy at the university. Costs change from year to year; however, payments should be made at the beginning of each semester as billed by the university.

5. International Students and Scholars Activities

ISSO coordinates programming for the university as it relates to international students, scholars and exchange visitors. The ISSO attempts to identify “regional representatives” to assure that all international students and scholars are well-represented when planning programs and activities. Meaningful activities and programs supporting the acculturation of international students, scholars and their families are planned each semester. Foreign nationals are encouraged to participate in annual university festivities and activities that promote cultural awareness and discussion. Programs are also open to faculty, staff, domestic students, and the Greensboro community.

F. Multicultural Student Center (MSC)

The primary mission of the Multicultural Student Center at N.C. A&T is to promote a broad understanding, appreciation and value of campus-wide and global diversity. The center provides leadership in promoting campus-wide awareness of multicultural, diversity and inclusion, and human relations-related issues through education, training, community service and programming.

The MSC is located on the third floor in the Student Center, Suite 367 and is a part of the Division of Student Affairs mission to support the educational, cultural, social and intellectual growth of the campus community relative to individual differences and global issues. The center supports the institution’s goal of ensuring the entire campus community, regardless of individual differences, is a safe and welcoming environment, and its mission to protect, educate and inform the community that N.C. A&T does not discriminate based on ethnicity, race and country of origin, sexual orientation, gender, physical ability, or religion. The center will assist with the coordination and planning of special events to build awareness of and celebrate inclusive communities. All students, faculty, staff and administration are protected as valued members of N.C. A&T’s community. In addition, we (MSC) assists the institution in developing shared goals and creating a sense of common community that serves all constituents fairly and equitably.

The MSC supports the individual expression of all multicultural groups, while promoting collective experiences within N.C. A&T’s community, and maintains an open-door policy encouraging students and student organizations to seek our

support. Students who are interested in promoting campus-wide multicultural, sensitivity and diversity initiatives are welcome to work with the center.

The MSC provides leadership to the LGBT Student Resource Center located on the third floor in the Student Center, Suite 353. The LGBT Student Resource Center is a student-centered safe space that fosters inclusion and support of N.C. A&T students, faculty, staff, and alumni inclusive of all genders, orientations, and expressions, and focusses on education and outreach, programming, intergroup engagement, empowerment, and advocacy for increased visibility in the university community. Collaboration is the hallmark of the MSC.

The MSC is open 8 a.m. - 5 p.m. and is staffed by the director, assistant director, office manager, graduate student(s), student staff support, and volunteer MSC Student Ambassadors.

G. Student Center

The newly constructed Student Center is 150,000 square feet with three floors. The first floor has a variety of food and retail venues such as Chick-fil-A, Aggie Wings, Subconnection, Einstein Bros. Bagels, 1891 Bistro, Barnes & Noble, several ATMs and a Convenience Store. There are several lounges, recreation and gaming areas, and an Information Desk.

The second floor has The Marketplace Dining (meal plan option), Aggie OneCard, large ballroom (banquet services) with divider, study rooms, meeting spaces, lounge areas and a multipurpose room.

Located on the third floor are the Office of Student Activities (SGA, SUAB, Greek Life, and Student Clubs/Organizations), Office of Student Development (Gospel Choir, Graduate Council), Multicultural Student Center, Student Center Administration, study areas, meeting spaces, conference rooms, lounge areas, and a large multipurpose room with divider.

With all of this happening under one roof and centrally located, the Center is the hub for student life. Additionally, the Center will operate 7 a.m. - 1 a.m. during the weekdays, with a modified schedule on the weekends.

The primary mission of the Student Center is to promote an involved community through various services, amenities, and programs that are made available to the campus. The center's location in the heart of the north campus, provides an excellent opportunity for students to connect and learn outside of the classroom. Amenities includes copy/fax service, conference and banquet support, facility

reservations, room set-up/technical support, video conferencing, student-friendly customer service, computer workstations, event logistical support/sound equipment, and program monitoring.

The Center provides employment opportunities for more than 60 students during the school year. These positions focus on the students' development by providing them the opportunity to develop skills in time management, customer service, leadership, communications, and facility operations, fostering a strong work ethic.

H. Office of Career Services

The mission of the Office of Career Services (OCS) is to provide centralized, comprehensive and progressive interdisciplinary programs, services and resources to prepare N.C. A&T undergraduates, graduate students, and alumni (one year post graduation) for the achievement of personal, professional, and career development that meet the needs of a global society. All services are performed with a conscientious and sincere interest in the customer (student/alumni, faculty-staff, and employer). Individuals enrolled in a degree-granting program at the University, or who are alumni, are eligible to use the facilities, programs, and services.

Services Provided to Student

The office has tailored its services to reach new age learners and address the various learning styles. This is accomplished by providing services throughout campus, in classrooms, residence halls, online, evenings, weekends, and through distance methods (e.g., phone, e-mail, webinars, and Skype). This approach makes it convenient for students to engage in activities and utilize the resources - 24/7.

Services include:

AggieLink Access	Interviewing Techniques
Career Assessments	Job Readiness Workshops
Career Development Guide	Job Search Strategies
Career/Majors Exploration	Magazines/Journals (Free)
Career Fairs	Mock Interviews
Career Planning Checklist	MyPlan
Career Resources Links	Networking Events
Career Theme House	OCS Orientation
Career Videos	OCS Registration
Classroom Presentations	On-campus Interviews

Co-ops/Internships	Online Job Postings
Conferences	Professional Development
Counseling (Career)	Professional Dress Seminars
Employer Meetups	Resumes/CVs/Letters
Employer Site Visits	Scholarship Information
Employment Sources	Special Programs
Etiquette Dinners	Student Cluster Organization
Graduate School Preparation	Workshops/Webinar
InterviewStream (virtual)	

Registration Process

All students/alumni are encouraged to register with the OCS and actively take advantage of the services offered (as early as freshman year). Registration entails verifying academic, personal, and privacy consent information under the *My Account* section of AggieLink. AggieLink is the online jobs and events portal used by students/alumni to apply for career opportunities, peruse events, research employers, store resumes, cover letters, transcripts, and letters of recommendation, as well as maintain a personal calendar.

In addition to completing the registration process, in order to participate in on-campus interviews and apply to job postings, individuals must also have a career services approved resume uploaded to their AggieLink account.

Other recommended actions include:

- Attend an online OCS Orientation sessions
- Complete a career assessment
- Complete InterviewStream (virtual mock interview)

Student Employment Opportunities

N.C. A&T observes October 1 - November 30 as the official on-campus recruiting period for the fall semester and mid-January thru mid-April for the spring semester. On-campus recruiting does not occur during the summer or the month of December.

Students/graduates registered with the OCS, and who meet employer interview screening criteria, are eligible to interview, apply to job postings, or receive resume referrals for permanent, internship and co-op opportunities. Employment opportunities are promoted via AggieLink, which is the official online, job portal used

by the university. Students may access AggieLink via the career services website. For convenience, the same Blackboard username and password are also used for AggieLink.

Types of opportunities:

1. On-campus/Local Student Employment

- a. On-campus student employment and work-study affords students an opportunity to gain valuable work experience while also helping to defray costs. These positions are located primarily on-campus. However, some work-study positions may be local. Anyone may apply for on-campus student employment as long as their credentials meet the needs of the campus-hiring manager. If the position is classified as work-study, only those individuals who have received an award letter from Financial Aid (covering the time-period of the assignment) may apply.
- b. Part-time opportunities represent local and regional job assignments for students who are interested in supplemental income during the academic year. Students are responsible for making appropriate contacts and following through with prospective employers.

2. Experiential Learning

- a. Internships offer students an opportunity to gain work experience in industry and government. These positions are offered during the summer and are highly competitive. For employers who do not actively interview during recruiting season, announcements are available online in the AggieLink portal.
- b. Cooperative Education (Co-op) is a supervised, counseling-centered program that offers students the opportunity to alternate periods of academic study with periods of work closely related to their major field of study. These opportunities are usually offered during a fall or spring semester.

Any undergraduate or graduate student seeking a degree at N.C. A&T can participate. Participants must establish and maintain at least a 2.5 overall grade point average. Freshmen must complete their first academic year prior to the first work assignment. Transfer students must complete one semester. Students must be registered with the OCS.

Students who accept a co-op position must register in a co-op course with OCS during the assigned semester. To receive a co-op course number, students should meet with the Assistant Director for Experiential Learning. Students can call the Office of Career Services at 336-334-7755 to make an appointment.

3. Full Time Career Fairs/Special Programs

In addition to the recruitment function, the OCS is actively involved in exposing students to career opportunities and professionals in various career fields. This enables students to network with industry leaders, explore career paths, gain industry knowledge, enhance career development skills, and research career opportunities. Annual programs include the following:

- Career Awareness Program/Fair (over 220 employers attend this event)
- Fall Career Fair Kick-off Activities
- N.C. A&T University/Industry Cluster Classroom Visitation
- Graduate and Professional School Fair
- Career Development Month
- Spring Career Fair
- Spring Career Fair Kick-off Activities
- Career & Leadership Development Conference
- Signature Workshop Series

Advertising methods for Career fairs/special programs include: N.C. A&T email, AggieLink, flyers, OrgSync, plasma screen, pop-up visits to residence halls/academic buildings, and social media (i.e., Twitter, Facebook, InstaGram). Faculty, staff, and student organizations also assist in promoting activities Students may

learn more about the OCS, its services, resources, and programs by visiting the website at www.ncat.edu/careerservices or coming to Murphy Hall, Suite 101.

IMPORTANT:

Truth-in-Disclosure: Falsification of data submitted to the OCS will result in the loss of privilege(s) to use the OCS, including interviewing and registration privileges. It is the student/alumnus responsibility to review registration information for accuracy and completeness prior to submission to the OCS or an employer. Falsification of data is a serious offense, and this policy will be enforced (reference N.C. A&T Student Handbook).

No Show: Failure to cancel or appear for a confirmed interview or special RSVP event (where it is noted that the No Show Policy will be in effect) by the current designated date/time will go on the student's record as a No-Show. (Please refer to the OCS website for the current date/time). When a no-show occurs, a letter or email will be sent to the student with copies to the dean and chairperson of his/her department. The student's online access will be blocked and all interviewing privileges will be suspended immediately for a minimum of one week for the first offense and two weeks for the second offense.

I. Veterans and Military Affairs (VMA)

The Office of Veteran and Military Affairs is located in the Aggie Student V.E.T.S. Center at The Oaks (312 N. Dudley Street). The purpose of OVMA is to process VA Educational Benefits for our Student Veterans and Military Affiliated Students to ensure the university and students receive their benefits in a timely manner. And also to ensure eligible students understand their educational benefits, provide guidance on procedural requirements, and to certify, register and report enrollments to the Veteran Administration. For detailed information about VA Educational Benefits, contact the University Certifying Official in the Aggie Student V.E.T.S. Center at the Oaks. *This office does not handle the North Carolina Veteran Scholarship and/or Tuition Assistance Program.

J. Office of Accessibility Resources

The Office of Accessibility Resources at North Carolina Agricultural and Technical State University is to provide, coordinate, and advocate for services, which enable undergraduate and graduate students with documented disabilities to receive equal access to a college education and to all aspects of the university experience. Those who wish to receive accommodations must register with this office; accommodations are not retroactive. All information pertaining to a student's disability is confidential, assuring compliance with section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and the Americans with Disabilities Amendment Act of 2010.

K. Trio Programs

1. Educational Talent Search- Serving Alamance/Burlington

Program Description

The Talent Search program identifies and assists individuals from disadvantaged backgrounds who have the potential to succeed in higher education. The program provides academic, career, and financial counseling to its participants and encourages them to graduate from high school and continue on to and complete their postsecondary education. The program publicizes the availability of financial aid and assists participant with the postsecondary application process. Talent Search also encourages persons who have not completed education programs at the secondary or postsecondary level to enter or reenter and complete postsecondary education. The goal of Talent Search is to increase the number of youth from disadvantaged backgrounds who complete high school and enroll in and complete their postsecondary education.

Types of Projects

Projects provide tutorial services, career exploration, aptitude assessments, counseling, mentoring programs, workshops, information on postsecondary institutions; education or counseling services designed to improve the financial and economic literacy of students; guidance on and assistance in secondary school reentry, alternative education programs for secondary school dropouts, entry into general educational development programs or postsecondary education; and programs and activities previously mentioned that are specially designed for students who are limited English proficient, students from groups that are traditionally underrepresented in postsecondary education, students with disabilities, students who are homeless children and youths, students who

are in foster care or are aging out of the foster care system or other disconnected students.

Additional Information

Services provided by the program include:

- Academic, financial, career, or personal counseling including advice on entry or re-entry to secondary or postsecondary programs
- Career exploration and aptitude assessment
- Tutorial services
- Information on postsecondary education
- Exposure to college campuses
- Information on student financial assistance
- Assistance in completing college admissions and financial aid applications
- Assistance in preparing for college entrance exams
- Mentoring programs
- Special activities for sixth, seventh, and eighth graders
- Workshops for the families of participants

Contact Information

Director: Mr. Jerald Neely

Email: trio.ets@ncat.edu

Phone: 336-285-4634

2. Upward Bound- Serving Guilford County

Program Description

Upward Bound provides fundamental support to participants in their preparation for college entrance. The program provides opportunities for participants to succeed in their precollege performance and ultimately in their higher education pursuits. Upward Bound serves: high school students from low-income families; and high school students from families in which neither parent holds a bachelor's degree. The goal of Upward Bound is to increase the rate at which participants complete secondary education and enroll in and graduate from institutions of postsecondary education.

The Upward Bound program was established by special amendments to the Higher Education Act of 1965 to assist students from low-income families and first-generation college backgrounds. The primary purpose of Upward Bound is to generate in its participants the skills and motivation necessary to complete a

program of secondary education, and to enter and succeed in a postsecondary education program. Upward Bound operates year-round and provides services through three components: a six-week summer residential program, a nine-month academic-year program, and a bridge program for Upward Bound graduates. Upward Bound services include tutoring and instruction in college preparatory courses, counseling, academic advisement, personal and career development, cultural enrichment and individualized assistance.

Upward Bound serves 128 high school students from three target high schools: T. Wingate Andrews, James B. Dudley and Ben L. Smith, and has operated at N.C. A&T since 1966. This program has effectively promoted the college enrollment of numerous students. It has also routinely served as a valuable source for work experiences for upper-class college students.

Types of Projects

Upward Bound projects must provide academic instruction in mathematics, laboratory science, composition, literature, and foreign languages. The project also provides programs and activities that are specially designed for students who are limited English proficient, students from groups that are traditionally underrepresented in postsecondary education, students with disabilities, students who are homeless children and youths, students who are in foster care or are aging out of foster care system or other disconnected students.

Services Provided

- Tutoring and Instruction
- Academic Counseling
- Cultural Enrichment Activities
- Work Study Programs
- Financial Literacy Education
- College Tours
- Personal Development Activities

Contact Information:

Director: Judy Wilson

Phone: 336-334-7659

3. Student Support Services Program

Program Description

Through a grant competition, funds are awarded to institutions of higher education to provide opportunities for academic development, assist students with basic college requirements, and motivate students toward the successful completion of their postsecondary education. Student Support Services (SSS) projects may also provide grant aid to current SSS participants who are receiving federal Pell grants (# 84.063). The goal of SSS is to increase the college retention and graduation rates of its participants. TRiO programs across the country currently serve nearly 850,000 students from middle school through post-graduate study, provide academic tutoring, personal counseling, mentoring, financial guidance, and other supports necessary for educational access and retention. TRiO programs provide direct support services for students, and relevant training for directors and staff. TRiO SSS is one of seven TRiO programs, which have been in existence since the 1960's. Their goal is help students overcome class, social, academic, and cultural barriers to higher education.

TRiO SSS provides services that are designed to:

- Enhance the overall college experience of eligible students at no cost to program participants.
- Serve as a resource for eligible students to ensure that they are achieving at their highest level.
- Increase college retention and graduation rates for first-generation, low-income and disabled students.
- Foster an institution climate supportive of the success of low-income and first-generation students, and individuals with disabilities.
- Ensure that each student in the program graduates and pursues post-secondary educational opportunities.
- Improve financial and economic literacy and assist students in applying for admission to graduate and professional programs.

Services offered include:

- Instruction in basic study skills
- Academic Coaching
- Financial literacy
- Informational workshops
- Cultural activities
- Assistance in securing admission and financial aid for enrollment in

- graduate and professional programs
- Information about career options
- Supplemental instructions/GRE prep/tutorial services
- Living Learning Communities
- Grant aid
- Summer bridge

Participant Eligibility for Program Services

To receive assistance, students must be enrolled or accepted for enrollment in a program of postsecondary education at a grantee institution. Low-income students who are first-generation college students and students with disabilities evidencing academic need are eligible to participate in SSS projects. Two-thirds of the participants in any SSS project must be either disabled or potential first-generation college students from low-income families. One-third of the disabled participants must also be low-income students. TRIO SSS is limited in the total number of students that we can serve. TRIO SSS is funded to serve a total of 206 students.

Participant Eligibility for Grant Aid

To receive SSS program grant aid, students must be current participants in the SSS project who are in their first two years of postsecondary education and receiving Federal Pell Grants. Grant aid may be offered to students who have completed their first two years of postsecondary education and are receiving Federal Pell Grants if the institution demonstrates that these students are at high risk of dropping out and it has first met the needs of all its eligible first and second-year students.

The SSS program serves eligible and enrolled students who want to make the most of their education while attending N.C. A&T. Our staff is aware of the many obstacles that can hinder performance in college. SSS staff works one-on-one and with small groups to guide students toward successful completion of their course of study while monitoring student academic progress and providing assistance needed for success. Please stop by Murphy Hall, room 212 or see the contact information below to inquire about eligibility.

Contact Information:

Director: Chantal E. Fleming

Email: ceflemin@ncat.edu

Phone: 336-334-7982

L. Campus Recreation

Mission Statement

The goal of Campus Recreation is to provide a broad and diversified program of sports and activities that meet the needs and interests of the entire campus community.

These activities are organized and administered in a manner that is intended to provide a recreational break from academic pursuits, improve physical health, and develop skills and interests that contribute to healthy lifestyles. The greatest opportunity lies in fostering personal growth through competition, self-testing and teamwork that is found by participating in recreational sports.

Intramural Sports

The mission of Intramural Sports is to provide students, faculty and staff the opportunity to participate in recreation and sports programs, as well as access to recreational facilities. Intramural Sports programs may be competitive or non-competitive, organized or informal to meet the diverse needs and interests of participants.

Sports leagues currently available during the school year include men's and women's basketball, flag football, volleyball, kickball, and soccer. In addition, softball, swimming, weightlifting, tennis, racquetball, aerobics, horseshoes, walking club, and open gym are also available.

Intramural Sports provides internships and field work experiences for students majoring in recreation. Training and employment opportunities are also available to students interested in officiating sports.

XV. STUDENT FINANCIAL AID

The primary purpose of the Office of Student Financial Aid is to provide financial assistance for students to attend college. Financial aid consists of funds awarded to assist students and parents in paying for the cost of education. Students apply for need-based,

and some non-need based financial aid by completing the Free Application for Federal Student Aid (FAFSA). Students should complete the FAFSA at www.fafsa.ed.gov immediately after October 1. There is no processing fee and all students are encouraged to complete the form. N.C. A&T's school code is **002905**. The university's priority filing deadline is December 1. Students who miss the deadline are encouraged to still complete the FAFSA.

To be eligible to receive federal and state aid, a student must meet the following requirements:

- Have a processed Free Application for Federal Student Aid (FAFSA) on file.
- Be admitted as a regular student in a degree-seeking program.
- Be a citizen of the U.S. or an eligible non-citizen.
- Maintain satisfactory academic progress.
- Males between the ages of 18-25 must register with Selective Service.
- Not be in default or owe a repayment of any Title IV funds.
- Register for sufficient number of credit hours for certain types of aid.

A student enrolled as a “special student” is not eligible for federal and state financial aid. Students who have earned a bachelor's degree are generally only eligible for loans.

A. Types of Available Funds

The Office of Financial Aid administers four types of financial aid programs – grants (federal and state), scholarships, work, and loans. Grants and scholarships are considered “gifts” and do not have to be repaid. Work assistance must be earned and loans must be repaid.

1. Grants

The university awards several types of grants based on eligibility and funding.

- Federal Pell Grant- Eligibility is determined by the student's Expected Family Contributions (EFC), cost of attendance and enrollment status.
- Federal Supplemental Educational Opportunity Grant- FSEOG is awarded to needy students who are Pell-eligible with a “0” EFC.
- Need-based Grant- Student must be enrolled at least half-time and eligibility is based on a calculation of need.
- Native American Grant- Funds available for North Carolina Native American students with one of the recognized tribal cards.

- The District of Columbia offers grants to their residents who meet the eligibility criteria.

2. Scholarships

The majority of scholarships at N.C. A&T are awarded through academic departments. Students should check with their academic department for scholarship information. Students receiving an outside scholarship should forward a copy of the award notice to the Office of Student Financial Aid. All scholarships are included in the student's award and may cause an adjustment to the student's award package. Scholarship checks should be made payable to N.C. A&T and mailed to the Treasurer's Office. Additional scholarship information may be found on the web.

Students are encouraged to search for scholarships via the Internet, through civic organizations, parents' employers, and churches. It is recommended that students not use companies who charge a fee to locate scholarships.

3. Federal Work Study

The federal work-study program provides jobs to undergraduate and graduate students with financial need. Work-study allows students the opportunity to earn part of their educational expenses and gain valuable work experience.

4. Loans

Loans are repaid with interest. The Office of Student Financial Aid participates in the Federal Direct Student and Parent (PLUS) Loan programs. Alternative loans are another option for students.

B. Satisfactory Academic Progress

Students must maintain satisfactory academic progress to continue receipt of financial aid. It is the students' responsibility to review standards and ensure that guidelines are being met. The Office of Student Financial Aid reviews students' progress at the end of each spring semester. Students who fail to meet the satisfactory academic progress standards are encouraged to attend summer school to remove their deficiencies.

Undergraduate students are considered to be maintaining satisfactory academic progress if they meet all of the following criteria:

- Earn at least a 2.0 cumulative grade point average;
- Earn at least 67% of total attempted hours;
- Not exceed 180 attempted hours.

Students not meeting the minimum standards will be placed on financial aid suspension. Students may appeal financial aid suspension. If the appeal is approved, the student will be placed on financial aid probation for a semester. It is students' responsibility to review the standards and ensure that guidelines are being met.

Enrollment Status

Enrollment will be checked at the end of the add/drop period of each term to determine the student's enrollment status (i.e., full-time, half-time).

Undergraduate enrollment status:

Full-time	12 or more hours
Three-quarter time	9 - 11 hours
Half-time	6 - 8 hours

Students who register full-time and drop courses after the add/drop period will have their financial aid adjusted.

C. Class Attendance

Regulations require students who receive federal assistance to attend classes for which they are registered. Students must begin and continue attending classes to be eligible for financial aid. Failure to attend classes may make the student ineligible for some or all of the financial aid awarded. Students who choose not to attend classes will be responsible and are liable to repay any financial aid disbursed for any class(es) not being attended. Financial aid recipients who stop attending classes may owe federal funds back to the programs.

Students receiving a grade of "F," "W," "U," or "I," or any combination, may have their aid adjusted, if the student never attended or stop attending before 60% of the course.

D. Repeated Coursework

Federal regulations limit the number of times a student may repeat a passed course (grade of “D” or better) and receive financial aid for that course. Financial aid will only pay for one repeat of a previously passed course.

E. Withdrawal and Return of Title IV Funds

Withdrawing from the university or from class(es) may have a serious impact upon the student’s financial aid award. Students who leave the university prior to the end of the semester should follow the university guidelines for withdrawing from school. An Official Withdrawal Form must be obtained from the Registrar’s Office, completed, signed by the respective offices and returned to the Registrar’s Office before a student is considered officially withdrawn. The U.S. Department of Education has established guidelines for institutions to follow for students who withdraw (officially or unofficially). Students who stop attending all of their classes; who do not complete at least one course within the semester; or who fail to complete the official withdrawal process are considered as unofficially withdrawn and will be subject to the Return of Title IV Funds policy.

Federal regulations require the Office of Student Financial Aid to determine the amount of Title IV assistance that the student earned as of the date the student started the withdrawal process, or last completed an academic related activity. The Office of Student Financial Aid is required to determine if students attended classes through 60 percent of the semester. Students who complete more than 60 percent of the semester are considered to have earned 100 percent of their financial aid award and no financial aid repayment is required unless the students receive all “F,” “U,” and “W” grades. If a grade of an “I” reverts to an “F” at a later date resulting in the student having all “F’s,” the Return of Title IV calculations will be completed.

The percentage of the period that a student remains enrolled is determined by dividing the number of calendar days the student attended by the number of days in the semester or term. Periods of five consecutive days or more in which classes are not held (e.g., Thanksgiving holiday in fall or Spring Break in spring) are not included in the equation.

Recalculation of Title IV funds is based on the percentage of earned aid using the following Federal Return of Title IV Funds formula:

Percentage of semester or term completed equals the number of days completed up to the withdrawal date divided by the total days in the semester or term.

Example: Student A withdraws from fall semester on September 28th. The semester began on August 16th and ends on December 10th. There are 119 days in the semester. The student attended 44 days.

$$44 \text{ days} / 119 = 37\%$$

Therefore, the student has completed 37 percent of the semester and a return of Title IV calculation must be completed.

The withdrawal date is determined by the official date the student began the withdrawal process or notified the university of their intent to withdraw.

The amount the school must return is the lessor of:

- The unearned amount of assistance, or
- The institutional charges incurred for the enrollment period multiplied by the unearned percentage.

When the amount of Title IV funds disbursed is greater than the amount of the Title IV funds earned by the student, a return of Title IV funds is calculated. The Unearned Amount of aid must be returned to the applicable Title IV aid programs in the following order:

Unsubsidized Federal Loan
Subsidized Federal Loan
Federal Perkins Loan
Federal Direct PLUS or Grad PLUS Loan
Federal Pell Grant
Federal Supplemental Educational Opportunity Grant
Federal TEACH Grant
Other Title IV Aid Programs.

If a student is required to repay loan funds, this is done in accordance with the terms.

The institution must return the amount of Title IV funds for which it is responsible no later than 45 days after the date of the determination of the student's withdrawal.

If a balance is due the university, a bill will be sent to the student's permanent home address and will be due upon receipt.

F. Unofficial Withdrawals

Each semester, the Office of Student Financial Aid will identify financial aid recipients who did not earn a passing grade (“F,” “W,” “U” or “I’s”) for the semester. These students will be reviewed to determine if the student is considered unofficially withdrawn from the university.

If a student did not receive a passing grade for the semester, stops attending and does not officially withdraw after beginning classes for the semester, and subsequently fails to earn a passing grade in at least one course for the semester, the student is determined to have unofficially withdrawn from the university. Per federal regulations, financial aid is adjusted using the 50% point of the semester as the withdrawal date if no academic activity can be documented.

In order to reevaluate this determination, students must provide documentation to support attendance in at least one course through more than half of the semester. For example, provide written notification from the instructor indicating the completion of the course along with the grade or verification that the student was engaged in some academic activity beyond the 60% of the semester.

Students receiving all “F’s,” “U’s” and “I’s” will be reviewed to ensure that the semester was completed.

Acceptable documentation of an academically related activity includes: physically attending a class where there is an opportunity for direct interaction between the instructor and students, submitting an academic assignment; taking an exam; an interactive tutorial or computer-assisted instruction; attending a study group that is assigned by the school; participating in an online discussion about academic matters; and initiating contact with a faculty member to ask a question about the academic subject studied in the course.

Examples of documentation NOT acceptable as an academically related activity includes: participating in academic advising; living in student housing; participating in a university meal plan; student’s self-certification of attendance; and logging into an online class without active participation.

Students who receive any form of financial aid and do not begin attendance for the semester are considered to be ineligible for aid. The Office of Student Financial Aid will return all funds to the respective programs.

Notification to student

Once the Title IV calculation is performed, the student is sent a letter advising of the calculation and the amount to be returned or repaid.

Exit Counseling Session

Students who are withdrawing or has withdrawn from the university must complete an Exit Counseling session. The student may complete Exit Counseling in the Office of Student Financial Aid or on-line at www.studentloans.gov

State Funded Grant Programs

Per state regulations, the Office of Student Financial Aid is required to complete a withdrawal calculation for students receiving state funded programs the amount of funds it must return if a student is receiving state funds. In completing the worksheet, the “last date of attendance” is consistent with Title IV regulations for a return of Title IV funds.

Order of Return of State Funds for Withdrawals

The return of State funds (if received) will be applied in the following order up to the maximum amount of funds disbursed from each program:

1. Education Lottery Scholarship Program (ELS);
2. UNC Need Based Grant
3. North Carolina National Guard Tuition Assistance Program
4. UNC Campus Scholarships
5. North Carolina School of Science and Mathematics Tuition Grant for UNC
6. John B. McLendon Scholarship Fund

State grant funds will be returned within 45 days of the date that the institution determine a student has withdrawn.

Receiving future aid

Officially or unofficial withdrawing from classes may impact the student’s future eligibility for financial aid due to satisfactory academic progress requirements and/or the balance owed from the Return of Title IV calculation.

XVI. N.C. A&T Mail Center

The University Mail Center is located on the lower level of Brown Hall on Laurel Street. The Mail Center processes inbound and outbound mail/packages for all students residing in campus housing. There is an annual service fee of \$25.00 (included in tuition/fees).

The Mail Center is able to handle all types of U.S. Postal Service mail including Express, Certified, International, Insured as well as many other USPS services. In addition, vendors such as FedEx, UPS, DHL, etc. provides service to the campus.

A. Regulations for Student Box Holders

The Mail Center is going keyless beginning fall 2019. No key pickup or box assignment is required to receive mail/packages. To receive mail/packages follow the address format listed below:

- All letter mail and packages are to be addressed using our new OneID based format.
- All incoming/outgoing mail must use 27411 as the zip code
- Improper addressing may cause mail to be returned to sender

Address Format Example

First & Last Name (*John Doe*)

OneID *username only AT NCAT (*JDoe3@ncat.edu*)

[Greensboro, NC 27411]

1. Receiving a Package:
 - Students will be notified via their university email address for packages and first class mail
 - All packages and first class mail will require a signature for pickup
 - Students must also present their OneCard ID to receive mail/packages
 - After ten (10) days mail/packages not retrieved will be returned to sender
2. Sending a Package:
 - Make sure the package is properly wrapped, secured and addressed
 - Per the United States Postal Service Policy, the Mail Center does not handle packages that exceed 70lbs

The Mail Center is open Monday-Friday from 9 a.m. to 5 p.m.

XVII. VEHICLE REGISTRATION

Any student or visitor who parks a motor vehicle on any property owned or operated by the university must purchase and display a valid N.C. A&T parking permit. Parking and Transportation Services has adopted a parking program designed to maintain an orderly traffic flow and create optimum conditions throughout campus. All parking rules and regulations are in effect at all times. Any questions should be directed to the Parking and Transportation Services Office located in the Obermeyer Parking Deck or contact at (336) 285-2027 or email ncatpark@ncat.edu.

Freshmen living on campus are not authorized to park on campus during their first semester. Freshmen who achieve a 3.2 grade point average (GPA) or higher or have completed at least 30 credit hours in their first semester will be permitted to register their vehicle and park on campus during the second semester.

Residential Students may register one vehicle and keep it on-campus. Commuter students may register and operate a vehicle on-campus and park in designated areas. Vehicles parking on campus must display a valid parking permit.

Official categories for parking permits are indicated below:

Permit Type	Description
Student (S)	Valid on Campus in Student and General Lot Spaces
Parking Deck General (DK)	Valid only in the Obermeyer Parking Deck
Fall Semester Permit (SF) Spring Semester Permit (SS)	Fall semester valid for Fall semester only Spring semester valid for Spring semester only Valid on Campus in Student and General Lot Spaces
Park & Ride (PR)	Valid at Park & Ride locations Valid on Campus in Student and General Surface Lot Location Only 3 p.m. - 7 a.m.
Evening (ES)	Evening Permits are valid after 3 p.m. Valid on Campus in Student and General Surface Lot Locations Only
Summer (SU) (per term)	Valid for use during Summer Session I or Summer Session II Valid on Campus in Student and General Surface Lot Spaces

Handicapped Placards – applies to students, faculty and staff. Vehicles displaying placard must register placard with parking services. All vehicles displaying placard must also display a valid N.C. A&T permit.

Daily, Monthly, Weekly permits are available to all individuals for short-term parking needs.

Do not abuse the parking privilege. Watch for “No Parking” designations in various campus locations. Do not park in “Reserved Spaces” to avoid being towed. Lack of convenient spaces is not a valid excuse for violations. Towing and immobilization is in effect on-campus.

XVIII. UNIVERSITY POLICE DEPARTMENT

The University Police Department (UPD) is responsible for administering a program designed to enhance the safety of the university. Campus safety is shared responsibility. Our role is to provide professional law enforcement, effective emergency response, crime and incident reduction, and community outreach and education. The UPD is a fully sworn,

armed, well-trained, and well-equipped police department here to serve the university community. University police officers have the same powers and responsibilities as the local police and sheriff's office. The department operates 24 hours a day, 365 days a year. Uniformed police officers patrol campus in cars and on foot, bikes and Segways.

N.C. A&T has launched [LiveSafe](#), a new security app aimed at increasing communication and safety. Through two-way communication options with campus security and safety officials, LiveSafe allows users to request help in an emergency, anonymously report safety concerns and request a virtual safety escort from a friend or family member or request an actual security escort through multiple layers of user-initiated communication tools including photo, video, audio and location coordinates. The platform operates in real-time for immediate assistance. The free app is available for both the iPhone and Android platforms.

In addition, the UPD has a security division that consists of non-commissioned officers. The police department's Communications office is located at 406 Laurel Street/Ward Hall and operates 24 hours a day. Services provided by the department include:

- Crime prevention programming
- Fingerprinting
- Security assessments
- Engraving program
- Residence hall/academic building security
- Ride-along program
- Investigative unit
- 24-hour police assistance
- Internship program

University Police Telephone Numbers:

(AREA CODE 336)

- | | |
|-------------------|----------|
| • Emergency | 334-7675 |
| • Non-emergency | 334-7192 |
| • Chief of Police | 334-7128 |
| • Administration | 334-7128 |
| • Investigations | 334-7144 |

XIX. PARTIAL CAMPUS DIRECTORY

(AREA CODE 336)

Chancellor

334-7940

Dowdy Building – Suite 418

Vice Chancellors

Academic Affairs 334-7965
Dowdy Building – 315

Business and Finance 334-7587
Dowdy Building – 205

Human Resources 334-7862
1020 East Wendover Avenue

Legal Affairs 334-7592
422 Dowdy Building

Research and Economic Development 334-7314
Fort IRC Building – 428

Student Affairs 334-7696
Murphy Hall – 100

University Advancement 334-7654
Dowdy Building – 408

Deans

College of Arts, Humanities and Social Sciences 334-7806
General Classroom Building – A-411

College of Engineering 334-7589
McNair Hall – 651

Joint School of Nanoscience and Nanoengineering 285-2889
2901 East Lee Street, Suite 2200

College of Agriculture and Environmental Sciences 334-7979
B. C. Webb Hall – 111

College of Business and Economics 334-7632
Craig Hall – 401

College of Education 334-7757
Proctor Hall– 380

The Graduate College 334-7920
Gibbs Hall – 120

College of Health and Human Sciences 285-2481
Bluford Library-Suite 100

College of Science and Technology 334-7567
Smith Hall – 2004

A. Useful Information

Absences and Excuses (see your instructor) 334-7727

**Call the number provided for university excuses*

Academic Advisement 334-7855

Admissions, B.C. Webb Building (basement) 334-7946

Air Force ROTC, Campbell Hall – 122 334-7707

Army ROTC, Campbell Hall – 103 334-7552

Band, Jazz Ensemble, Frazier Hall – 116 285-2020

Band, Marching, 1120 East Bessemer Avenue 334-7776

Bands, University, 1120 East Bessemer Avenue 334-7776

Bookstore, Brown Hall 334-7593

Career Services, Murphy Hall – 101 334-7755

Center for Academic Excellence, NACB – 3rd Floor 334-7855

Co-op Education, Murphy Hall – 101 334-7755

Computer Center, Fort IRC Building – lower level 334-7856

Counseling Services, Murphy Hall – 108 334-7727

Accessibility Resources, Murphy Hall – 01 334-7765

Financial Aid, Dowdy Building – 100 334-7973

Gospel Choir, Murphy Hall – 103 334-7792

Greek Life, Moore Gym 285-2546

Health Center, Sebastian 334-7880

Housing and Residence Life, Aggie Village 285-4337

Immunization, Student Health Center 334-7880

Internships 334-7755

International Affairs, Academic Classroom Building – 213 334-7551

Intramural Sports, Recreation Center	285-4230
Information Center, Dowdy Building	334-7500
Library, Bluford	285-4151
Loans, Financial Aid, Dowdy Building – 100	334-7973
Lost ID Card, OneCard Center, Aggie Dome	334-7114
Mail Center, Brown Hall	334-7544
Multicultural Student Center, Murphy Hall – 204	334-7800
Newspaper, <i>The A&T Register</i> , GCB – 328A	334-7700
Personal Problems & Difficulty Adjusting to the University	334-7727
Physical Plant, Dehughley Building	285-4530
Police (Emergency Line)	334-7675
Radio Station, WNAA-FM, 90.1, Crosby Hall – 302	334-7936
Registrar, Dowdy Building – 107	334-7595
Ron McNair Program, Murphy Hall – 212	334-7109
Student Activities, Moore Gym	285-2545
Student Development, Murphy Hall – 104	334-7792
Student Government Association, Moore Gym	334-7820
Student Organizations, Murphy Hall – 104	334-7792
Student Support Services Program, Murphy Hall – 212	334-7982
Student Center, Moore Gym	334-7571
Study Abroad, C.H. Moore Building – A-16	334-7104
Summer Internships, Murphy Hall – 101	334-7755
Summer School, Wendover Avenue – 1020	334-7810
Theater, Paul Robeson, Crosby Hall	334-7582
Ticket Sales, Brown Hall	334-7749
Traffic, Parking & Vehicle Registration, Parking Deck	285-2027
University Concert Choir, Dudley Building – 011	334-7179
University Event Center, Hodgin Hall – 302 & 304	285-2580
Upward Bound Program, Wendover Avenue – 1020	334-7659
Veteran and Military Affairs	398-8651
Yearbook Staff	334-7889

B. Academic Advisement

The academic advisement coordinator/representative for each academic unit is as follows:

- Agriculture and Environmental Services, Webb Hall – 111
- Arts and Sciences, General Classroom Building, A-411

- Business and Economics, Craig Hall – 401
- Center for Academic Excellence, Academic Classroom Building – 3rd Floor
- Education, Proctor Hall – 380
- Engineering, McNair Hall – 651
- Joint School of Nanoscience and Nanoengineering,
2901 East Lee Street, Suite 2200
- Nursing, Noble Hall – 115
- Technology, Smith Hall – 2004

C. Academic Tutoring Services

- Business courses (Math 101, 102, 111, 112) for students majoring in the
School of Business and Economics
Learning Resources Lab, Merrick Hall – 305
- Center for Academic Excellence
Academic Classroom Building – 3rd Floor
- Chemistry courses (106, 107, Organic 1)
Barnes Hall – 123
- Mathematics courses
General Classroom Building – A-309
- Physics courses
Marteen Hall – 318

XX. APPENDICES

A. USE OF UNIVERSITY SPACE

UNIVERSITY POLICY

1. INTRODUCTION

It is the policy of the NC A&T State University (“A&T”) to provide equal opportunity for all qualified persons in its educational programs and activities. The University does not discriminate on the basis of race, color, national origin, gender, age, religion, disability, veteran status, political affiliation, genetic information, transgender, sexual orientation, and gender identity, or any other basis protected by law. North Carolina A&T State University seeks to extend such non-discrimination and non-harassment beyond what is merely required by law.

This policy applies to the short-term use of all space owned, leased, operated, or controlled by A&T. Free speech is central to A&T’s academic mission. The University encourages and supports open, vigorous, and civil debate across the full spectrum of society’s issues. At the same time, limitations on activities on University property are necessary so that the University may fulfill its primary missions of teaching, research, and extension. The use of a location

or designated space on campus does not represent an endorsement or support by the University of the content or viewpoints expressed by the individual or group using the space.

This policy does not control long-term uses of University Space, in which the user has continuous, exclusive use and may secure or restrict its use or access by others including the University. Any such proposed use that lasts longer than one (1) week should be referred to the University's Real Estate Manager.

This policy supersedes all other statements about use of University Space that is inconsistent with the contents herein.

2. DEFINITIONS

21 "Affiliated Group" means all current university employees or students hosting non-university related/personal events.

22 "Non-Affiliated/External Group(s)" means a group of individuals, other than Student Organization Groups, that are legally separate entities from the University, even though some of the members or participants may be University personnel, alumni, or students.

23 "Student(s)" means any person from the time he/she/they accept admission to A&T up through the date of graduation. This includes new students at orientation and any other person currently enrolled in a credit earning course offered by A&T.

24 "Student Organization Group(s)" means a number of students who are associated with each other or a group of students who have satisfied the university's procedures and requirements for registration or recognition.

25 "University Group" means an administrative or academic department, unit, center or institute within the University.

26 "University Space" means any outdoor space, building, or structure that is owned, leased, operated, or controlled by A&T.

3. PRIORITY FOR USE

The University's academic activities severely limit the number of outside activities that can be accommodated in existing facilities. Therefore, as set out in this policy, generally use of University buildings and/or property is prohibited unless prior clearance and arrangements have been made.

The University makes every effort to schedule activities, which are academically or culturally related to the work of its departments and formally registered Student Organization Groups. A&T's buildings and allied facilities are available to groups when use is determined to be beneficial to citizens of the State of North Carolina, the university and its faculty, staff and students, and when it will not interfere with or be detrimental to ongoing educational programs.

31 The use of University Space shall be reserved according to the following priorities:

3.1.1 Consistent with the University's mission, academic classes, research, and extension activities will have the highest priority for the use of University Space. Units funded from sources other than state appropriations may set their own priorities for non-classroom space.

3.1.2 University Groups and Student Organization Groups uses for activities other than academic classes, research and extension activities will have next highest priority in the use of University Space.

3.1.3 Affiliated Groups will have the next highest priority.

3.1.4 Students or faculty members (see. Sec. 5.4) have the next highest priority.

3.1.5 Non-Affiliated/External Group will have the lowest priority.

32 A reserved use shall have priority over any unscheduled use, even when reserving space is not required by this policy.

33 Once reserved, the use will generally not be rescheduled or moved. However, the University reserves the right to move any group or individual to another space or reschedule that activity to accommodate the needs of groups assigned a higher use priority by this policy. In the event the University moves or reschedules the use, the University will provide a reasonably similar location or time for that activity, and will provide notification and explanation of the reason for the change. The University will not move or reschedule a use based on the content or viewpoint of the use or based on reactions to the use.

4. USE OF UNIVERSITY SPACE

41 The University allows the use of University Space by University Groups, Student Organization Groups, students, University employees, and Affiliated and Non-Affiliated/External Groups and individuals subject to the provisions of this section and sections 3 and 5.

42 When a reservation for space at a University Space is required, the reservation will be confirmed if the space is available and not otherwise reserved or scheduled. In addition, the use of the space may be subject to reasonable time, place, or manner limits listed in this section. The number of groups and individuals that may be scheduled for use of the space shall be controlled by space availability as determined at the discretion of the Dean or Vice Chancellor with administrative responsibility for the University Space, along with the Director, University Event Center and Building representatives or their designees.

43 The University does not deny the use of the space because of the content or viewpoint of the speech or the possible reaction to that speech.

44 The University does not condone behavior that violates the freedom of speech, choice, assembly, or movement of other individuals or organizations. Responsible dissent carries with it sensitivity for the civil rights of others. When it deems necessary, the University will take steps to:

- protect the right of any individual or organization to demonstrate and publicly proclaim any view, regardless of content or viewpoint; and
- protect the freedom of speech, assembly, or movement of any individual or group that is the object of protest or demonstration. In that instance, the University shall use its best efforts to ensure public safety while allowing the activity to continue.

45 Consideration for approving the use of the space will include whether the requested space is suitable for the use, and any health and safety concerns that require special precautions or arrangements. Several factors will be considered for the proposed use including, but not limited to:

- the purpose of the space;
- the anticipated size, including the number of attendees;

- noise likely to be generated;
- the impact on University educational activities or other essential University processes;
- the impact on vehicular and pedestrian traffic;
- adequacy and suitability of accommodations provided in the requested location;
- compliance with applicable laws and University policies, regulations, and rules;
- potential risk to the health or safety of participants, observers, or others; and
- any other factors identified in section 4.5.

4.6 All uses of space must be conducted under the following conditions:

4.6.1 All activities are conducted so that campus pedestrian, bicycle, and automobile traffic are unimpeded and members of the university community not participating in the event may proceed with their normal activities.

4.6.2 The activity does not block or otherwise interfere with ingress and egress into, within, and out of University buildings.

4.6.3 The activity does not obstruct, disrupt, interrupt or attempt to force the cancellation of any University-sponsored event or activity, or by users authorized to use University Space.

4.6.4 The activity is conducted in an orderly and peaceful manner, and groups and individuals participating in the activity shall not engage in harassing, physically abusive, threatening or intimidating conduct toward any person.

4.6.5 The activity does not disrupt or interfere with classes, meetings, ceremonies, scheduled activities, educational activities, and other essential University processes.

4.6.6 The activity does not interfere with or preclude a scheduled speaker from being heard.

4.6.7 All activities must be conducted without sound amplification equipment unless permission for amplification is obtained from the Responsible Administrator or their designees.

4.6.8 Banners, signs, or other materials may only be posted in designated areas.

4.6.9 The safety of members of the campus community, collectively and individually, must be protected at all times.

4.6.10 The activity shall not damage or alter University property or its grounds, including building interior and exteriors, lawns, shrubs, or trees.

4.6.11 Groups and individuals participating in the activity must comply with all applicable University policies, regulations, and rules, and with applicable laws.

4.6.12 Groups and individuals participating in the activity must comply with the directions of University officials when enforcing these provisions.

4.6.13 Groups and individuals, including sponsoring organizations, are responsible and accountable for the cleanliness and order of all spaces following their use, including the proper disposal of trash and recycling and the arrangement of additional services as needed. The groups and/or individuals will be billed for cleanup that they do not adequately complete themselves.

47 Only University Groups can reserve and use University Space for activities during University Reading Days and Final Examinations. All other groups or individuals are not allowed to reserve or use outdoor space for activities on these days.

48 Groups and individuals participating in the activities, whether sponsored or not, are accountable for compliance with the provisions of this policy. Violations of this policy may be grounds for disciplinary action. Individuals or groups who invite non-university participants may be held accountable for such participant's compliance with this policy. In addition, since non-university individuals or groups are not subject to the University's disciplinary procedures, their failure to comply with these provisions may result in appropriate action under State or Federal law, included but not limited to trespassing an individual or group from the campus; suspending access to certain facilities; and

demanding compensation for damage to campus facilities and/or outdoor spaces.

5. PROCEDURE FOR UNIVERSITY SPACE USE

5.1 Advance Notice

5.1.1 Groups and individuals must reserve the use of space for their activity before the proposed time and date of the event (the “notice requirement”).

1. For outdoor uses of University Space, the notice requirement is at least thirty (30) business days. Requests to reserve space are to be submitted electronically. Information on submitting request can be obtained from the University Event Center website.
2. For use of other University Space, the notice requirement shall be set by the University Event Center with administrative responsibility for the University Space. The notice requirement for such use is typically fifteen (15) University business days.
3. All events taking place outdoors, held in venues holding 500 people or more, and/or requiring tickets sales/distribution are considered Major Events. These events often require extensive logistical needs, including but not limited to staging, sound/light equipment, campus security, musical performance/theatrical productions, etc. All persons/organizations planning major events must complete and submit the notice requirement to the University Event Center no less than thirty (30) business days prior to the proposed event date. No exceptions.

5.1.2 The Responsible Administrator will confer and coordinate with University Police and other relevant University departments or units when appropriate, and the reservation may be issued for a later time and date if extra time is needed to plan the activity, arrange for adequate security or because the proposed time conflicts with use by another group. The University may waive the notice requirement for good cause shown.

5.2 Use Fee

5.2.1 A fee for use of the University Space may be charged, where allowed by State law and where there is a written use agreement. Written use agreements are required if the University is imposing a fee for use of the space, if the proposed use of the space involves charges, fees, or sales to participants, or if the proposed use creates a potential for damage to the space or injury to participants.

5.2.1 At the discretion of the Responsible Administrator, groups and individuals may be required to provide evidence of financial responsibility and insurance where functions appear to carry some risk of damage to property, injury to persons, or substantial costs. The Risk Manager in the Chancellor's Office should be consulted to assist in this assessment.

5.3 Security Assessment

In order to provide a safe and secure environment for the campus community and visitors, security will be provided for the event as necessary, based on a security assessment by University Police. The security assessment will consider objective criteria including: the number of anticipated attendees, whether the proposed event involves an activity or structure that poses an inherent risk of injury or damage to university property, the location where the event is to be held, traffic control, whether the group intends to charge admission to the event, any prior incidents of injury or property damage during similar events at the University or other institutions, and the type of event. If University Police determines that security is required for the event the University, Student Organizations, Affiliated or Non-Affiliated/External Group, or individual shall be responsible for paying all costs for the security personnel and for other

security measures including, but not limited to, barricades, metal detectors and parking control measures, as specified by the University Police Chief or designee.

5.4 Sponsorship

A Non-Affiliated/External Group or individual's use of space must be sponsored by a University Group, Student Organization Group, or a minimum of five Students or five faculty members. A University official or a student liaison from the sponsoring organization will be required to be present for the Non-Affiliated/External Group or individual's use from start to finish. The official or liaison may be required to make periodic checks with University Police prior to and during the use, and must provide a mobile phone number in case they need to be contacted during the use.

5.5 Compliance with Health Code Standards

Any food offered for sale or given away in connection with the use of the space must comply with all applicable health code standards.

5.6 Additional Requirements

Responsible Administrators may issue other rules for the use of University Space under their administrative control. Such rules must be consistent in all respects with this policy.

5.7 Unscheduled Outdoor Uses

5.7.1 Occasionally, events occur which demand immediate public outcry (“unscheduled use”). It is not the intent of the University to limit students’ and University employees’ right to assemble or protest when such events occur. Unscheduled uses may occur by University Groups, Student Groups, students, and University employees provided that the activity does not interfere with University activities as described in this Policy or any events or functions for which that the occupied space has been reserved in advance.

5.7.2 Although not required, to further the effectiveness of the unscheduled use, University Groups, Student Organization Groups, students, and University employees are encouraged to contact University Event Center and Campus Police to provide notification about the activity. Advance notification enables the University to help ensure that the activity does not conflict with a reserved or scheduled use, takes place in a constructive manner, the event is effective, to safeguard the participants’ safety, and to assist organizers in seeing that the activity does not disrupt the University’s educational activities and essential processes.

6. RESERVING CAMPUS LOCATIONS

All campus locations require contacting other University units and departments, in addition to the University Event Center, to reserve use of the space. The University Event Center will

maintain a listing of these locations, including the designated officials responsible for the locations, and coordinate the reservation process.

RESERVING SPACE FOR SPECIFIC CAMPUS LOCATIONS

Specific campus buildings and areas have been identified for organizational programming and leisure activities. These spaces and areas will be assigned to

affiliated and non-affiliated groups that receive appropriate authorization for conducting activities on campus.

In order for coordination to be effective, timely and user-friendly, all requests to use an identified space must be submitted to and executed by the University Event Center. Assignment of these areas and spaces will be made with careful and due consideration of the impact that the proposed activities will have on other ongoing functions of the university.

- A. Unless otherwise indicated, all campus locations may be reserved by contacting The University Event Center.

Main Line: (336) 285-2580 Email: UEC@ncat.edu

- B. Residence Hall Areas

Space use sponsored by residence hall councils, the Residence Hall Association, Student Groups, and students may be held in residence hall areas by contacting the Executive Director for Housing and Residence Life. Reservation times for such events will be determined by Housing and Residence Life administration.

Main Office: (336) 334-7708

- C. Alumni Foundation Event Center

Groups desiring to use space at the Alumni Foundation Event Center should reserve space by contacting the AFEC Marketing & Client Relations Consultant Director. (336)- 433-5566

- D. Special Events on Greensboro City Streets

In the event that a University or Student Group is sponsoring an outdoor use involving the city streets of Greensboro, the University or Student Group must secure appropriate documentation from the City of Greensboro and provide it to the University Event Center.

- E. Private Departmental Conference Rooms and Computer Labs

Groups desiring to use private departmental conference rooms or computer labs should reserve the space by contacting the College Dean or designated building representative to receive approval.

- F. Student Center Short Term Vending

Groups desiring to use the Student Center for short term vending should reserve space by contacting the University Event Center/ Student Center

Main Line: 336-334-7571 or 336-285-2580 Email: uec@ncat.edu or stu-center@ncat.edu

7. TERMINATION OF USE

7.1 The University reserves the right to terminate any use of space that fails to comply with this policy.

7.2 If a decision is made to terminate the use of space, the group, or sponsoring organization or individual, utilizing the space is responsible for making sure that any amplification stops, an announcement is made asking the crowd to disperse, or other action is taken to end the event.

Date policy is effective: upon approval and applies to all notices of use first reported thereafter Approved by the Board of Trustees

First approved: as an Interim Policy by the Chancellor
August 22, 2017 By the Board of Trustees
September 15, 2017

Revised:

B. **Unlawful Harassment and Discrimination**

(Below is the policy in effect at the time of printing of this handbook. If the sexual harassment policy is amended after the handbook printing, the sexual harassment policy in effect at the time of the last alleged violation shall be used.)

ADMINISTRATIVE POLICY

1. POLICY STATEMENT

North Carolina Agricultural and Technical State University recognizes the rights of all members of the University community to learn and work in an environment free from unlawful harassment, discrimination, and retaliation. Any unlawful harassment, discrimination, or retaliation against students, employees, or vendors engaged in University business is prohibited. It is the shared responsibility of every member of the University community to strive to create an environment free of unlawful harassment, discrimination, and retaliation.

A prompt, thorough, and impartial investigation will be made of allegations, oral or in writing, of unlawful harassment, discrimination, or retaliation. Based upon the findings of the investigation, immediate and appropriate corrective action will be taken upon a determination that unlawful harassment, discrimination, or retaliation has occurred.

Allegations of sexual harassment or discrimination, including sexual misconduct, shall be investigated in accordance with the Student-on-Student Sexual Misconduct policy or the Sexual Misconduct: Discrimination, Harassment and Sexual Assault policy, as appropriate. Allegations of any other form of harassment or discrimination shall be investigated in accordance with this policy.

2. DEFINITIONS

2.1 **University:** North Carolina Agricultural and Technical State University.

2.2 **Unlawful Harassment:** Unsolicited and unwelcomed conduct based upon race, color, national origin, religion, sex, sexual orientation, gender identity, age, disability, genetic information, or veteran status, where:

- ☐ enduring the offensive conduct becomes a condition of continued employment (employees) or participation in a school program or

- activity (students); or
 - ☐ the conduct is severe or pervasive enough to create a work or learning environment that a reasonable person would consider intimidating, hostile, or abusive.
- 2.3 **Unlawful Discrimination:** Discrimination based on consideration of race, color, national origin, religion, sex, sexual orientation, gender identity, age, disability, genetic information, veteran status, or political affiliation, except where gender, age, or physical requirements are bona fide job related employment requirements.
- 2.4 **Retaliation:** Any adverse action taken against an individual for filing a discrimination charge, including a charge of unlawful harassment, or for testifying, or participating in any way in an investigation, proceeding, or lawsuit related to allegations of discrimination, including unlawful harassment, based on race, color, national origin, religion, sex, sexual orientation, gender identity, age, disability, genetic information, or veteran status, or because of opposition to employment or educational practices in violation of the unlawful harassment policy.
- 2.5 **Complainant:** The person making allegations of harassment, discrimination, or retaliation.
- 2.6 **Respondent:** The person alleged to have engaged in harassment, discrimination, or retaliation.
- 2.7 **Affirmative Action Officer/Title IX Coordinator:** The Director of Employee Relations/Affirmative Action Officer/Director of Title IX.

3. SCOPE

This policy applies to: (1) all applicants for employment; (2) all applicants for admission to the University; (3) University officers, faculty, staff, and students; (4) former employees subject to the State Human Resources Act (“SHRA”); (5) persons who serve the University as agents during a specified period of agency (e.g., volunteers); and (6) vendors.

With regard to SHRA (formerly SPA) employees, this policy applies to former employees as well as full-time or part-time SHRA employees with permanent, probationary, trainee, time- limited/permanent or temporary appointments.

4. COMPLAINT PROCESS

Any member of the University community who believes that he or she has been the victim of unlawful harassment, discrimination, or retaliation should make a complaint, preferably in writing, to:

Director of Employee Relations/Affirmative Action Officer/Director of Title IX
Division of Human Resources

North Carolina A&T State
University 1020 East Wendover
Ave.

Greensboro, NC 27405

336-334-7862

Complaints alleging sexual harassment or discrimination, including sexual misconduct, will be processed in accordance with either the Student-on-Student Sexual Misconduct policy or the Sexual Misconduct: Discrimination, Harassment and Sexual Assault policy, depending on the status of the complainant and respondent.

SHRA (formerly SPA) employees **must** make a complaint within **fifteen (15)** calendar days of the conduct giving rise to the complaint in order to preserve their rights under the SHRA Employee Grievance Policy. Timely complaints made by current and former SHRA employees against other employees will be processed in accordance with the SHRA Employee Grievance Policy.

All other complaints will be processed in accordance with this policy.

Complaints should be made within fifteen (15) calendar days of the conduct giving rise to the complaint to ensure a prompt and complete investigation; however, the University reserves the right to initiate investigations and take action at any time depending on the nature of the alleged conduct.

The Affirmative Action Officer/Title IX Coordinator and/or his/her designee shall investigate the complaint thoroughly and impartially within 45 calendar days of receiving the complaint. Upon completion of the investigation, the Affirmative Action Officer/Title IX Coordinator shall provide to the applicable Vice Chancellor a written

report of key evidentiary findings and conclusions, including whether, using a preponderance of the evidence standard, this policy was violated. The report shall contain the Affirmative Action Officer/Title IX Coordinator's recommendation regarding what corrective action should be taken, including appropriate disciplinary action. The applicable Vice Chancellor shall be responsible for determining what, if any, disciplinary action is to be imposed. If the respondent is a student, the Vice Chancellor for Student Affairs shall proceed in accordance with the Student Handbook.

Upon completion of the investigation, the Affirmative Action Officer/Title IX Coordinator shall inform the complainant and the respondent in writing that the investigation is complete and of the final determination regarding whether the respondent violated the policy. That document shall set out the appeal rights of each person.

5. APPEALS

Either the complainant or the respondent may appeal the Affirmative Action Officer/Title IX Coordinator's findings and conclusions within fifteen (15) calendar days of receipt of the Affirmative Action Officer/Title IX Coordinator's written response. Appeals must be in writing and clearly state the basis for the appeal. Appeals must be directed to the Vice Chancellor for Human Resources, North Carolina A&T State University, 1020 East Wendover Ave., Greensboro, NC, 27405. The Vice Chancellor for Human Resources shall respond within thirty

(30) calendar days of receipt of the appeal, and may uphold, overturn, or modify the findings and conclusions. No further appeal by either party of the Affirmative Action Officer/Title IX Coordinator's findings and conclusions shall be permitted.

Notwithstanding the above, any action taken against a respondent found to have violated this policy may be appealed by the respondent in accordance with the applicable policy governing appeals of such actions. The appeal right shall be set out in the Vice Chancellor's decision letter.

6. CONFIDENTIALITY

Information gathered in the course of investigations conducted under this policy will be given the full extent of confidentiality permitted by law to employee personnel records and student education records. Any person who, without authorization, reveals such information may be subject to disciplinary action. Disclosure of the content of complaints will be made on a "need to know" basis, depending on the type of

investigation and remedial action required by the complaint. In all cases, the accused individual will be informed of the specific allegations in the complaint.

7. RETALIATION PROHIBITED

This policy seeks to encourage students, employees, and third parties to report concerns involving discriminatory or harassing conduct and, accordingly, retaliation is prohibited. Any act of reprisal or retaliation, including interference, restraint, coercion, penalty, discrimination, or harassment, whether overt or covert, against a student, employee, or third party for responsibly reporting under this policy violates this policy. Accordingly, individuals who violate this retaliation prohibition may be subject to prompt disciplinary action

8. RELATED POLICIES

Equal Opportunity and Non-Discrimination
Policy Student-on-Student Sexual Misconduct

Sexual Misconduct: Discrimination, Harassment and Sexual
Assault SHRA Employee Grievance Policy

Repeal of Other Policies

This policy repeals Section III - Equal Employment Opportunity 3.0 - Racial Harassment, Section III - Equal Employment Opportunity 1.0 – Unlawful Workplace Harassment Prevention, and any other policy on the topic of harassment/discrimination that is not posted on the University's "Approved Policies" website.

Date revised policy is effective: upon approval

Approved by the Chancellor

First approved: August 27, 2018 Revised

C. **ADA/504 Grievance Procedures**

Complaints alleging violations of the ADA or Section 504 of the Rehabilitation Act of 1973 should be addressed to the Director of Employee Relations/Affirmative Action Officer/Director of Title IX in the Division of Human Resources.

Complaints will be addressed through the "Unlawful Harassment and Discrimination" policy, which can be found here:

<https://www.ncat.edu/legal/policies/sec3-human-resources/Unlawful-Harassment-and-Discrimination.pdf>

D. **UNC Policy (700.4.1) on Minimum Substantive and Procedural Standards for Student Disciplinary Proceedings**

The purpose of this policy is to establish legally supportable, fair, effective and efficient procedures for student disciplinary proceedings. The minimum standards for these proceedings are set out below. These minimum standards exceed the requirements of due process and therefore complying with requirements will also result in providing due process.

I. **Elements of Policy**

The two kinds of standards that must be followed are procedural standards and substantive standards.

II. **Procedural**

The procedural standards require notice and an opportunity for a hearing. The formality of these provisions will vary depending on the seriousness of the offense (see sections V and VI below).

III. **Substantive**

Substantive standards require that the decision reached be neither arbitrary nor capricious. Generally this means that there is some evidence to support the decision reached.

IV. **Code of Student Conduct**

Each constituent institution must adopt a code of student conduct that: (A) Is applicable to all students; (B) Defines what conduct is prohibited; and (C) Specifies the types of sanctions that may be imposed for each category of prohibited conduct. Ranges of violations and ranges of sanctions are

permissible. Progressive sanctions for multiple violations are also legitimate. A periodic review of the code should be undertaken to ensure it remains in compliance with applicable laws, policies and regulations.

V. Requirements for Minor Violations

A minor violation is one for which the possible sanctions are less than suspension and expulsion.

A. Procedural Requirements:

1. A constituent institution may receive and, in its discretion, investigate reports of incidents of student misconduct. A student may be accused of a violation of the code of conduct only by a designated university official with a formal charge initiating a disciplinary proceeding. A determination to initiate a disciplinary proceeding accusing a student of a violation of the code of student conduct should be made by a designated university official within a reasonable period of time after the constituent institution receives the report.
2. If a charge is to be pursued, it is then referred to a hearing official or body. The student must be notified in writing of the alleged violation(s), the referral and the hearing date. The hearing should not be scheduled for at least five (5) calendar days after the student receives the notice, unless the student agrees to an earlier hearing date. A committee member or the hearing official who has a conflict with, bias about or interest in the case should recuse himself. If the committee member or the hearing official refuses to recuse himself, a designated university official shall make the recusal decision.
3. The student may waive the hearing and accept a sanction proposed by a designated university official. The sanction must be within the ranges specified in accordance with Section IV, above. The waiver and acceptance must be in writing and signed by the student.
4. If a hearing is held, it may occur as a meeting between the hearing committee/official and the student. It will be a closed meeting. The institution shall assure that students have the capability to present their evidence and defenses at the meeting or hearing. Witness testimony and documents may be received from both the designated university official and the student, who will both be present during all of the evidentiary

presentation. At the end of the hearing, the committee/official will determine whether the designated university official has shown by a preponderance of the evidence that the student committed the offense charged. This determination must be based solely on the evidence presented at the hearing or meeting. The committee/official will also determine the appropriate sanction within the ranges specified in the definitions in Section IV, above.

5. The decision may be final or it may be a recommendation for a final decision by a designated university official. The final administrative decision must be reached within a specified amount of time, not to exceed 45 calendar days after the date of the hearing. The final administrative decision must be transmitted to the student in writing within 10 calendar days of the date the decision is made, and it must contain a brief summary of the evidence upon which the decision is based.
6. Appeal rights must be specified in the decision letter. At least one level of administrative appeal must be permitted and the time in which to appeal and the permitted grounds for the appeal must be articulated. Further appellate opportunities shall be governed by Section 502 D (3), of *The Code of the University of North Carolina*.

B. Substantive Requirements:

In each case, there must be sufficient evidence supporting the decision and the sanction.

VI. Serious Violations

A serious violation is one for which the possible sanctions include suspension or expulsion.

A. Procedural Requirements:

1. A constituent institution may receive and, in its discretion, investigate reports of incidents of student misconduct. A student may be accused of a violation of the code of student conduct only by a designated university official with a formal charge initiating a disciplinary proceeding. A determination to initiate a disciplinary proceeding, accusing a student of a violation of the code of student conduct,

should be made by a designated university official within a reasonable period of time after the constituent institution receives the report.

2. Written notice to the student must be provided if a decision is made to issue a formal charge against the student. The notice should specify the offense(s) charged, the possible sanctions, and a brief recitation of the factual allegations supporting the charge. For all charged offenses which could result in expulsion, the notice must include this possibility and must specify that expulsion precludes matriculation at any UNC constituent institution.
3. A formal charge is then referred to a hearing official or body. The student must be notified, in writing, of the referral. This notice may include a hearing date. The hearing date may not be scheduled for at least 10 calendar days after the student receives notice of the referral, unless the student agrees to an earlier hearing date. Reasonable extensions of time for either party to prepare for the hearing should be allowed.
4. If a hearing date is not set in the notice of the charge, written notice of the hearing date must be sent to be received by the student not less than five calendar days before the proceeding is scheduled for hearing.
5. The student may waive the hearing and accept a sanction proposed by a designated university official. The sanction must be within the ranges specified in accordance with section IV above. The designated university official must determine that the waiver and acceptance is voluntary and that the charge and sanction have factual support. The waiver and acceptance must be in writing and signed by the student and the designated university official.
6. Prior to the hearing, the student must be given the opportunity to review any written evidence that will be used at the hearing and to obtain a list of witnesses.
7. A committee member or hearing official who has a conflict with, bias about or an interest in a case must recuse himself. If the committee member refuses to rescue himself, a designated university official will make the recusal decision. The student must also be given the opportunity to challenge a committee member or hearing official on

these grounds. The decision on the challenge must be made by the committee or official within five (5) calendar days. If necessary, a substituted committee member or hearing official will be appointed.

8. The institution shall assure that students have the capability to present their evidence and defenses at the hearings. The method for assuring this capability may vary depending on the nature of the case and on the nature of the representation of the institution or the charging party. Each institution must have a policy delineating the participation or prohibition of attorneys and non-attorney advocates. Representation or assistance by attorneys or non-attorney advocates at the hearing is neither required nor encouraged.
9. The hearing will be closed to the public, unless a constituent institution's policy provides otherwise.
10. A transcript or other verbatim record of the hearing (but not of the deliberations) will be prepared. The institution will be responsible for the costs of this record.
11. At the hearing, a designated university official must present sufficient witness and/or documentary evidence to establish the violation. The student must be given an opportunity to question this evidence, either by direct questions or inquiries transmitted through the committee or hearing official.
12. The student must be given the opportunity to present any witness or documentary evidence that the student offers, provided that the evidence is relevant to the charge or other evidence presented and does not otherwise infringe the rights of other students.
13. At the conclusion of the evidence, the committee/official will determine whether the charging official has shown by a preponderance of the evidence or by such higher standard as the institution may adopt, that the student committed the offense charged. This determination must be based solely on the evidence presented at the hearing. The committee or official will also determine the appropriate sanction within the ranges specified in accordance with Section IV above.

14. The decision may be final or it may be a recommendation for a final decision by a designated university official. The final administrative decision must be reached within a specified amount of time, not to exceed 45 calendar days after the hearing is completed. The final administrative decision must be transmitted, in writing, to the student within 10 calendar days of the date the decision is made and must contain a brief summary of the evidence upon which the decision is based.
15. A vice chancellor or the vice chancellor's delegate must make the final administrative determination in all suspension cases. The delegation may be to a student committee or a student/employee committee.
16. The chancellor or a vice chancellor must make the final administrative decision in all expulsion cases.
17. Appeal rights must be specified in the final decision letter. At least one level of institutional appeal must be permitted, and the time limits in which to appeal and the permitted grounds for appeal must be articulated.
18. Further appeals shall be governed by *The Code of the University of North Carolina*.

B. Substantive Requirements:

In each case there must be sufficient evidence supporting the decision and the sanction.

VII. Special Cases

- A. If the formal charge is also the subject of pending criminal charges, the institution must, at a minimum, allow an attorney-advisor to accompany the student to the hearing.
- B. Charges against multiple students involved in the same incident may be heard in a single case only if each student defendant consents to such a proceeding.
- C. In cases of alleged sexual misconduct, both parties are entitled to the same opportunities to have others present during a disciplinary proceeding.

(**NOTE:** The term “sexual misconduct” includes sexual assault, sexual battery, sexual coercion, rape, stalking, sexual violence, and other forms of sexual misconduct. Furthermore, “both parties” refers specifically to the individual who claims to have been the victim of the sexual misconduct and the student who is alleged to have engaged in sexual misconduct.)

- D. Victims of crimes of violence must be notified of the results of the disciplinary proceeding of the alleged assailant. “Results” means the name of the student assailant, the violation charged or committed, the essential findings supporting the conclusion that the violation was committed, the sanction if any is imposed, the duration of the sanction and the date the sanction was imposed. (**NOTE:** The disciplinary records of high school students at the North Carolina School of Science and Mathematics described in sections VII.C. and D. of this policy may not be disclosed without appropriate consent. [CFR 99.31 (a) (13)])
- E. When a student with a disability is charged with an offense, the institution will assure that all requirements of Section 504 of the Rehabilitation Act and the Americans with Disabilities Act are met.

VIII. Other Matters

- A. Effective Date
The requirements of this policy shall be effective on the date of its adoption by the Board of Governors and shall apply to all disciplinary proceedings initiated on or after August 1, 2018.
- B. Relation to Federal and State Laws
The foregoing policy as adopted by the Board of Governors is meant to supplement, and does not purport to supplant or modify, those statutory enactments which may govern or relate to the subject matter of this policy.
- C. Regulations and Guidelines
This policy shall be implemented and applied in accordance with such regulations and guidelines as may be adopted from time to time by the president.

E. N. C. A&T Procedure on Disruptive Behavior in the Classroom

An instructor may withdraw a student from a course for behavior that is deemed to be disruptive to the class. The grade assigned will be “W” if the behavior occurs before the deadline for dropping a course without academic penalty; the instructor has the option of giving a “W” or “F” if the behavior occurs after the deadline.

1. Binding Procedures for Instructors

The instructor must provide an opportunity for a student to be heard. In providing the opportunity, an instructor must follow the procedure described below:

- A student should be notified, in writing, before the next class attended that the instructor is proposing to drop the student from the course for disruption of the class, and the instructor should provide the student with written instructions regarding the time and place for a meeting with the instructor. A copy of written notification must be sent to the instructor’s department head at the same time;
- A time limit of five working days, Monday-Friday, from the time written notification is given for the student’s opportunity to be heard by the instructor;
- The date of notification establishes whether the withdrawn student will be given a “W” or “F.” “W” is appropriate before the eight-week drop date and either “W” or “F” is appropriate after that date, at the instructor’s discretion;
- The student may be suspended from class until the instructor takes final action to withdraw the student from class or allow the student to continue in the class. The final decision is the instructor’s;
- Either party in the resolution of the dispute may invite one other person from the university community to be present as an observer.

2. Student Right to Appeal

If a student wishes to appeal an instructor's decision to withdraw from class, he/she should follow the academic appeal procedures outlined in the section on grades in the undergraduate bulletin.

F. Freshmen Parking Procedure

Freshmen will not be allowed to have vehicles in the first semester enrolled at N.C. A&T; however, they will be eligible to bring vehicles in the second semester if they have achieved a 3.2 grade point average during the first term. All students will be eligible to bring vehicles in the second year enrolled upon completion of 30 credit hours (sophomore status).

G. Sexual Misconduct Policy

NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY

SEC. III-EQUAL EMPLOYMENT OPPORTUNITY 2.0 SEC. IV-SAFETY 1.0—SEXUAL MISCONDUCT

Sexual Misconduct:

Discrimination, Harassment and Sexual Assault

ADMINISTRATIVE POLICY

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1. PURPOSE AND PROHIBITED CONDUCT

North Carolina Agricultural and Technical State University (hereafter “University”) strives to provide an all-inclusive and welcoming culture that values diversity and fosters tolerance and mutual respect among members of the campus community. The University values safety, diversity, education, and equity. There shall be no unlawful discrimination at North Carolina A&T State University against any person on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, age, disability, genetic information, or veteran status.

The University is firmly committed to maintaining a campus environment in which all persons can exercise their right to participate fully in campus life free from all forms of sex, sexual orientation, gender-based discrimination, harassment, and related sexual misconduct. The University’s protection of these statuses and the University’s response to sexual assault, sexual violence, dating/domestic violence, and stalking are governed by the following federal laws:

- Title VII of the Civil Rights Act of 1964;
- Title IX of the Education Amendments of 1972;
- The Violence Against Women Act (VAWA) Reauthorization 2013; and

- The Campus Sexual Violence Elimination (SaVE) Act (amending Jeanne Clery Act).

The policy prohibits discrimination and harassment based on sex, sexual orientation, gender, gender identity, and gender expression. It policy also prohibits sexual assault, sexual exploitation, stalking, and dating/domestic violence. Additionally, this policy prohibits 1) complicity for knowingly assisting in an act that violates the policy and 2) retaliation for an individual's good faith participation in the reporting, investigation and/or adjudication of alleged violations or opposing discriminatory practices or policies. Such acts violate the essential dignity of community members and are contrary to our institutional values. Students or employees who violate this policy may face discipline up to and including expulsion or termination.

This policy shall not be construed or applied to restrict academic freedom at the University, nor shall it be construed to restrict constitutionally protected expression, even though such expression may be offensive, unpleasant or even hateful.

To the extent the provisions of any other University policy conflict with the provisions of this policy, this policy shall prevail.

2. SCOPE

2.1 Individuals Covered

This policy applies to the conduct of all University;

- undergraduate students (regardless of enrollment status);
- faculty members;
- EHRA non-faculty employees;
- SHRA employees;
- graduate, professional and doctoral students (regardless of enrollment status);
- post-doctoral scholars and student employee;
- third parties (such as contractors, vendors, volunteers, program participants, alumni/ae, visitors, or local residents).

Third parties are both protected by and subject to this policy. A third party may make a complaint of a violation of this policy committed by a member of the University community. A third party may also be permanently barred from the University or subject to other restrictions for failing to comply with this policy.

b. Locations Covered

This policy applies to conduct that occurs:

- On University property (i.e., on-campus) and adjacent public property (sidewalks, streets and parking facilities). All actions by a member of the University community that involves use of the University's computing and network resources from a remote location including, but not limited to, accessing e-mail accounts will be deemed to have occurred on-campus; and
- Off University property (i.e., off-campus):
 - When the conduct is associated with a University-sponsored program or activity, such as travel, study abroad, research, or internship programs; or
 - When such conduct may have a continuing adverse effect or could create a hostile environment on-campus.

Judgments about these matters will depend on facts of an individual case. In determining whether the University has jurisdiction over off-campus conduct that is not part of an educational program or activity of the University, the affirmative action officer/Title IX coordinator will consider the seriousness of the alleged conduct, risk of harm involved, whether both parties are members of the campus community, and whether the off-campus conduct is part of a series of actions that occurred both on- and off-campus.

The policy applies in all University programs and activities including, but not limited to, athletics, instruction, grading, University housing, and University employment.

2.3 Relationships with Individuals in Authority

Amorous, sexual or romantic relationships involving individuals in a teacher-student relationship or in the context of employment supervision or evaluation is not, in and of itself, sexual misconduct as defined by this policy and will not be investigated or adjudicated under this policy. Such an interaction is a violation of another University policy and subject to separate disciplinary procedures. See the following policies:

- Improper Relationships between Students and Employees
- Employment of Related Persons Policy

- Employment of Relatives (Nepotism) (State Human Resources

3. PROHIBITED CONDUCT AND DEFINITIONS

In determining whether alleged conduct violates this policy, the University will consider the totality of the facts and circumstances involved in the incident, including the nature of the alleged conduct and the context in which it occurred. Any of the prohibited conduct defined in this policy can be committed by individuals of any gender and it can occur between individuals of the same or different genders. It can occur between strangers or acquaintances, as well as people involved in intimate or sexual relationships.

3.1 Sex Discrimination

Sex discrimination is unfavorable treatment of a person based on sex or gender when the unfavorable treatment unreasonably interferes with or limits:

- An employee's or applicant's access to employment, or the conditions and/or benefits of employment (e.g., hiring, working conditions, advancement, assignment);
- A student's or admission applicant's ability to participate in, access, or benefit from educational programs, services or activities (e.g., enrollment, academic standing, grades, course assignment, campus housing, extracurricular activities);
- An authorized volunteer's ability to participate in a volunteer activity; or
- A guest's or visitor's ability to participate in, access or benefit from the University's activities or programs.

Sex discrimination includes sexual and gender-based harassment, which are defined below. Sex discrimination also can involve treating someone less favorably because of his/her connection with an organization or group that is generally associated with people of a certain sex.

Discrimination against an individual because that person is transgender, gay, lesbian, or bisexual is unlawful discrimination because of sex. This is also known as gender-identity discrimination. An example of gender-identity discrimination is adverse action taken because of the person's non-conformance with sex-stereotypes.

3.2 Sexual Harassment

Sexual harassment is a form of sex discrimination. It is defined as unwelcome sexual advances, requests for sexual favors and other verbal, non-verbal, electronic, physical, or other conduct or communication of a sexual nature when:

- Submission to or rejection of such conduct or communication is made, either explicitly or implicitly, a term or condition of instruction, employment or participation in any University activity or benefit;
- Submission to or rejection of such conduct or communication is used as a basis for decisions affecting employment, education, living arrangements, or participation in a University program or activity; or
- Such conduct or communication is sufficiently severe, pervasive, or persistent, AND objectively offensive as to have the effect of creating an intimidating, hostile or offensive environment that unreasonably interferes with a person's educational experience, working conditions or participation in University programs or activities so as to effectively deny equal access to the University's resources and opportunities ("hostile environment").

A hostile environment is determined by looking at whether the conduct is objectively offensive (i.e., a reasonable person would find it to be) and subjectively offensive (i.e., the person who is the object of the unwelcome conduct finds it to be). All relevant circumstances are examined as part of this determination including, but not limited to the following:

- the type of harassment (e.g., whether verbal, physical, electronic);
- the frequency or severity of the conduct, or the relationship of the individuals involved;
- whether the conduct was physically threatening;
- whether the conduct unreasonably interfered with work performance (for employees) or academic performance (for students).

Mere offensiveness of a particular expression alone is not enough to create a hostile environment. Although repeated incidents increase the likelihood that harassment has created a hostile environment, a serious incident of sexual misconduct, such as a sexual assault, even if isolated, can be sufficient.

3.3 Gender-based Harassment

Gender-based harassment occurs when unwelcome verbal, non-verbal, physical, electronic, or other conduct or communication, based on a person's sexual orientation, gender identity or gender expression creates a "hostile environment" as described in the definition for Sexual Harassment. Examples include:

- verbal, physical or electronic conduct based on sex, gender, sexual orientation, or sex-stereotyping that creates a hostile, intimidating or abusive environment as defined above, even if those acts do not involve conduct of a sexual nature; or
- harassment for exhibiting what is perceived as a stereotypical characteristic for one's sex or for failing to conform to stereotypical notions of masculinity and femininity, regardless of the actual or perceived sex, gender, sexual orientation, gender identity, or gender expression of the individuals involved.

3.4 Sexual Misconduct

The following behaviors constitute sexual misconduct and are prohibited under this policy. Sexual misconduct is a broad term encompassing any sexual behavior that is committed without effective consent, as defined below. These behaviors are serious violations and represent a threat to the safety of the University.

Effective Consent: is informed, freely and actively given, and based on rational and reasonable judgment.

- It must be communicated verbally;
- It must be mutually understandable (when a reasonable person would consider the words that you or your partner(s) have expressed demonstrate a desire to do the same thing, at the same time, in the same way, with one another);
- The initiator is responsible for making sure effective consent is given;

- It is not silence, passivity or absence of resistance;
- It can never be given by someone who is mentally disabled or incapacitated (e.g., by drugs or alcohol), or physically helpless (e.g., unconscious, unable to resist or communicate unwillingness);
- It cannot result from force, threat of force, coercion, fraud, intimidation or incapacitation.

For a detailed explanation of consent, see the student handbook (currently Section VIII.A.).

3.4.1. Non-consensual Sexual Penetration (Rape):

Any sexual penetration (anal, oral or vaginal); however slight, with any object or sexual intercourse, *without effective consent*. Sexual penetration includes vaginal or anal penetration by a penis, object, tongue, or finger; and oral copulation by mouth-to-genital contact, or genital-to-mouth contact.

3.4.2. Non-Consensual Sexual Touching, Disrobing and/or Exposure (Sexual Assault)

Any intentional sexual touching; however slight, with any object, *without effective consent*. Sexual touching includes any bodily contact with the breasts, groin, genitals, mouth (kissing), or other bodily orifice of another person or any other bodily contact in a sexual manner, including over clothing. Any disrobing of another or exposure to another by an initiator without effective consent.

3.4.3. Sexual Misconduct by Incapacity

It is a violation of this policy if the initiator has sex with someone the initiator knows, or reasonably should know, to be incapacitated by alcohol, drugs, sleep, or illness. An incapacitated person is not able to make rational, reasonable judgments and, therefore, is incapable of giving effective consent. Someone is incapacitated when they cannot understand who, what, when, where, why, or how with respect to the sexual interaction.

3.4.4. Sexual Exploitation

Sexual exploitation occurs when a person violates the sexual privacy of another or takes non-consensual, unfair or abusive sexual advantage of another for their own advantage or benefit, even though that behavior does not constitute one of the other sexual misconduct offenses described above. Examples include, but are not limited to:

- Non-consensual photographing or video or audio taping with intent to distribute videos/pictures of sexual activity;
- Going beyond the bounds of consent (such as letting friends hide in the closet to watch you having consensual sex);
- Knowingly exposing another person to a sexually transmitted infection, such as HIV or herpes, without disclosing your STI status;
- Threatening to disclose an individual's sexual orientation, gender identity, or gender expression;
- Knowingly failing to use contraception without the other party's knowledge;
- Inducing incapacitation for the purpose of taking sexual advantage of another person;
- Stalking with a sexual component. Stalking may take many forms, including persistent calling, texting or posting on a social networking site, as well as physical stalking. When the content of the messages or the nature of the physical stalking is of a sexual nature, sexual misconduct has occurred;
- Voyeurism is a form of sexual exploitation in which one individual engages in secretive observation of another for personal sexual pleasure or engages in non-consensual video or audio taping of sexual acts. Although the source for the secretive viewing or taping may be unaware of the observation, this behavior is a form of sexual misconduct and violates the integrity of the unaware student.

3.4.5. Attempted Act

Attempts to commit sexual misconduct are also prohibited under this policy, as is aiding the commission of sexual misconduct as an accomplice.

3.5 Other Prohibited Behaviors

The following conduct is also prohibited under this policy.

3.5.1 Stalking

Stalking is a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her safety or the safety of others, or to suffer substantial emotional distress. Stalking may include repeatedly following, harassing, threatening, or intimidating another in person or by telephone, mail, electronic communication, social media, or any other action, device or method. Stalking may involve individuals who are known to one another, or who have a current or previous relationship, or may involve individuals who are strangers.

3.5.2. Dating Violence

Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship will be based on the length and type of relationship and the frequency of interaction with the persons involved. Dating violence includes acts of violence, threat or intimidation that may be physical, emotional/psychological, sexual, or economic in nature. It is important to recognize that emotional, verbal and economic abuse are part of the web of dating violence and can exist without the presence of physical abuse.

3.5.3. Domestic Violence

Domestic violence includes crimes of violence committed against a victim by: (i) a current or former spouse or intimate partner; (ii) a person with whom the victim shares a child; (iii) a person who is or has cohabitated with the victim as a spouse or intimate partner; (iv) a person similarly situated to a spouse of the victim; (v) a current or former household member (including same sex partners who live together or have lived together and a non-romantic roommate relationship); or (vi) any other person against whom the victim is protected under North Carolina's domestic and family violence laws.

Violence includes physical, sexual, emotional, economic, or psychological actions or threats of actions that a reasonable person in similar circumstances and with similar identities would find intimidating, frightening, terrorizing, or threatening. It is important to recognize that emotional, verbal and economic abuse are part of the web of domestic violence and can exist without the presence of physical abuse.

3.5.4. Retaliation

Any adverse action against an individual who files or participates in an investigation, proceeding or hearing involving a violation of this policy or who opposes a discriminatory practice or policy. Retaliation may include intimidation, threats, coercion, or adverse employment or educational actions. Any individual who engages in retaliation will be subject to prompt and appropriate disciplinary action. Individuals who have a concern about potential or actual retaliation should contact the affirmative action officer/Title IX coordinator for assistance in addressing the concern.

3.5.5. False Reporting

Submitting a complaint under this policy that is not in good faith, or providing false or misleading information in any investigation of complaints, is also prohibited and may result in discipline.

3.5.6. Complicity

Complicity is any act that knowingly aids, facilitates, promotes, or encourages the commission of prohibited conduct by another person.

4. UNIVERSITY'S RESPONSIBILITY

4.1. Response

The University has a duty to investigate and respond appropriately to all allegations of violations of this policy regardless of how they are reported. In other words, the University remains responsible to investigate allegations of discrimination, harassment, sexual misconduct, retaliation, or other prohibited behaviors even when, for example:

- A person reports a possible violation, but does not wish to have an investigation;
- A person reports a possible violation and asks that either his/her identity or the information provided be kept confidential; or
- A person anonymously reports a possible violation and the report includes sufficient specificity to allow the University to investigate the report.

4.2. Privacy and Confidentiality

4.2.1. For any report of violation under this policy, every effort will be made to respect and safeguard the privacy interests of all individuals involved in a manner consistent with the need for a careful investigation and assessment of the allegation and any necessary steps to eliminate the conduct, prevent its recurrence and address its effects.

4.2.2. Complete confidentiality cannot be guaranteed, and information

about the allegations may be shared with others when necessary to investigate or address the prohibited conduct or to prevent its recurrence. Sharing of information will be limited to persons on a need-to-know basis.

- 4.2.3. If an individual requests complete confidentiality and/or asks that the University not investigate or seek action against the alleged respondent, such request may limit the University's ability to respond fully to the complaint, including pursuing any disciplinary action against the alleged respondent. The University ultimately determines whether or not it can honor such a request while providing a safe and non-discriminatory environment for the University community. Such determination shall be made by the affirmative action officer/Title IX coordinator, in consultation with the Office of General Counsel.
- 4.2.4. Individuals bringing forth allegations of sexual violence, who request complete confidentiality, are strongly encouraged to consult with individuals who, by law, have special professional status such as mental health counselors, physicians, clergy, or private attorneys.
- 4.2.5. Individuals involved in investigations or disciplinary proceedings under this policy are expected to exercise discretion in sharing information in order to safeguard the integrity of the process, protect privacy and avoid the appearance of retaliation. While discretion regarding the process is important, complainants and respondents are not restricted from discussing and sharing information with others who may support or assist them in presenting their case.
- 4.3. Interim Measures
Upon receipt of a complaint of a violation of this policy, the University will provide reasonable and appropriate interim measures designed to preserve the complainant's employment and educational experience, ensure the safety of all parties and the broader University community, maintain the integrity of the investigative and/or resolution process, and deter retaliation. Unless directly involved, the respondent will not be

notified of the interim measures afforded the complainant. Interim measures may include:

- Access to counseling services and assistance in arranging an initial appointment;
- Change in work schedule or job assignment;
- Change in office space or work environment;
- Temporary adjustment of supervisory relationships;
- Rescheduling of exams and assignments;
- Change in class schedule, including the ability to transfer course sections or withdraw from a course without penalty;
- Providing alternative course completion options;
- Change in campus housing;
- Imposition of an on-campus "no contact order," an administrative remedy designed to curtail contact and communications between two or more individuals;
- Limiting access to certain or all University facilities or activities pending resolution of the matter;
- Voluntary leave of absence;
- Providing an escort to assure safe movement between classes, jobs and activities;
- Arranging for medical services;
- Providing academic support services, such as tutoring;
- University-imposed leave, suspension, or separation for the respondent;
- Referral to the local civil clerk of courts to seek a civil no-contact order (against an abuser, stalker or sexual harasser not in an intimate or familial relationship such as an acquaintance, co-worker, neighbor, or stranger) or a domestic violence protective order (against an abuser in an intimate or familial relationship);
- Any other measure that can be tailored to the involved individuals to achieve the goals of this policy.

Any interim measures will not disproportionately impact the complainant. Upon receiving notice, the University will take immediate action to enforce a previously implemented measure and disciplinary penalties can be imposed for failing to abide by a University-imposed measure.

4.4. Impartiality and Conflicts of Interest

4.4.1. An investigator will be impartial and unbiased, disclose any real or reasonably perceived conflicts of interest and have training in investigating and evaluating conduct under the policy, including applicable confidentiality requirements. A complainant or respondent may also challenge an investigator on the basis of a real or reasonably perceived conflict of interest.

4.4.2. If a conflict of interest is identified before an investigation has begun, then the affirmative action officer/Title IX coordinator will provide a secondary individual to assist with or take over the investigation.

4.4.3. If a conflict of interest is identified after an investigation has begun, the investigator may continue to investigate if, after full disclosure of a potential conflict of interest, the complainant and the respondent are given the opportunity to request a secondary individual to complete the investigation and decline to so request. If the parties feel that the investigator can remain unbiased, they will be asked to sign a continuation agreement to that effect before the investigator will continue.

4.5. Timing of Investigations and Any Related Disciplinary Proceedings

4.5.1. The affirmative action officer/Title IX coordinator will seek to complete the investigation and any resulting disciplinary process within 30 calendar days after receipt of the complaint or report. The University will seek to complete any appeal within 30 calendar days after receipt of the appeal.

4.5.2. There may be circumstances that require the extension of time frames for good cause, including extension beyond 45 business days. Time frames may be extended to ensure the integrity and completeness of the investigation, comply with a request by external law enforcement, accommodate the availability of witnesses, or accommodate delays by the parties; or for other

legitimate reasons, including the complexity of the investigation and the severity and extent of the alleged misconduct. The University will notify the parties in writing of any extension of the timeframes for good cause, and the reason for the extension.

- 4.5.3. Investigations will proceed according to the aforementioned time frames during the summer and at other times when the University is not in session. The Title IX coordinator will work with the parties to balance the need for promptness and the preference for in-person meetings regarding the investigation.
- 4.5.4. Timeframes for all phases of the disciplinary process, including, investigation, any related disciplinary proceedings and any related appeal, apply equally to both complainant and respondent.

5. TITLE IX COMPLAINT PROCEDURES

North Carolina A&T will, as determined by the Title IX coordinator, promptly, thoroughly and impartially respond to all complaints of violations of this policy. The University will take appropriate steps to address policy violations whenever substantiated to stop the discrimination, harassment, sexual misconduct, retaliation, or other prohibited behavior, to remedy its effects and to prevent its recurrence. This policy describes the procedure for reporting, filing, processing, and resolving complaints.

5.1 Definitions

5.1.1. Complaint

Allegations of violations of this policy reported to the affirmative action officer/Title IX coordinator referred to the affirmative action officer/Title IX coordinator pursuant to a University grievance procedure (as defined below), or an EEO Informal Inquiry submitted by an employee covered by the State Human Resources Act (SHRA) will be treated as a complaint.

5.1.2. Complainant

An individual (or individuals) who submits a complaint of discrimination, harassment, sexual misconduct, or other prohibited

behavior (including retaliation) to the affirmative action officer/Title IX coordinator for processing pursuant to this procedure. Generally the complainant is the person who allegedly experienced the prohibited conduct, but the University may act as a complainant if no one else does.

5.1.3. Confidential Resources

Confidential professionals on- and off-campus, including counselors, medical health providers, clergy, rape crisis counselors, and private attorneys. Information shared with such a confidential professional may not be disclosed, without the individual's express written permission, unless there is a continuing threat of serious violence to the patient/client or to others or there is a legal obligation to reveal such information. A complaint may still be filed after consulting with a confidential resource. Confidential resources for students are listed in the student handbook gender-based policy.

5.1.4. Investigator

The investigator may be the affirmative action officer/Title IX coordinator, or one or more other University employees designated by the affirmative action officer/Title IX coordinator and appropriately trained in investigating and evaluating conduct under this policy, including applicable confidentiality requirements and interim measures to protect the safety of the parties.

5.1.5. Reporting Officials

The employees designated to coordinate the University's compliance with regard to sexual discrimination, harassment and retaliation are:

Title IX Coordinator

Samuel Richardson III

Interim Title IX Coordinator

Office of Legal Affairs

1601 East Market Street, Greensboro, N.C. 27411

(336) 285-3084 srichardson@ncat.edu

University Police Department

406 Laurel Street/Ward Hall, Greensboro N.C. 27411

(336) 334-7128
(336) 334-7675 **24-hour emergency number**
(336) 334-7879 Anonymous Tip Line

5.1.6. Respondent

The individual(s) named by the complainant as the person(s) who engaged in the alleged discrimination, harassment, sexual misconduct, or other prohibited misconduct, or other prohibited behaviors (including retaliation).

5.1.7. Responsible Employee

Any University employee with administrative or supervisory authority or who has been designated a campus security authority. Responsible employee includes, for example, members of the board of trustees, chancellor, vice chancellors, deans, directors, department chairs, coaches, Student Affairs professionals, and staff (including resident advisors), faculty (including adjuncts and teaching assistants), and staff who serve as advisors to student groups. Sworn officers of the University Police Department are responsible employees. Employees with protected confidentiality status (mental health counselors and student health services employees) are not considered responsible employees.

5.1.8. Support Person

If the complainant is a student, the complainant and the respondent each may bring one support person to interviews with the investigator. The support person is an ally who provides comfort and helps the complainant or respondent. The support person may include student, faculty, or staff. A student complainant may use a trained sexual misconduct advisor, as defined in the student gender-based policy, as a support person. For some appeals, a support person may include an attorney.

5.1.9. University Grievance Procedure

For purposes of this policy, “University grievance procedure” includes Regulations on Faculty Grievance, Employment Policies for EHRA Non-Faculty and SHRA Employee Grievance Policy

5.2. Title IX Reporting

5.2.1. Reporting Obligations

All individuals (except those with protected confidentiality status) must report any suspected violations of this policy directly to a reporting official (identified in Section 5.1.5.), regardless of when or where the incident occurred and how the individual became aware of the incident. This means telling the reporting official what happened, in person, by telephone, in writing, by e-mail, electronically or anonymously. The individual making the report is encouraged to provide as much detailed information as possible to allow the University to investigate and respond as appropriate.

In emergency situations, if there is a suspected crime in progress or imminent or serious threats to the safety of anyone, the University Police Department (Section 5.1.5.) should be contacted immediately.

All individuals having experienced a violation of this policy are also encouraged to consult with a confidential resource (5.1.3.), as appropriate, and seek any necessary help from campus or community resources. A complaint may be submitted under Section 5.2.4., after consulting with a confidential resource.

5.2.2. Reporting by Responsible Employees

Responsible employees (Section 5.1.7.), who become aware of a possible violation of this policy, will respect the individual's privacy, but **must** report the incident (including date, time, place, occurrence, and identity of individuals involved) to the affirmative action officer/Title IX coordinator within 24 hours of receiving the information. Such reporting ensures timely support for all parties and enables an effective and consistent institutional response.

5.2.3. Filing a Complaint

The affirmative action officer/Title IX coordinator shall be responsible for receiving and processing any and all complaints of alleged violations of this policy. Any member of the University community (including, but not limited to students, prospective students, employees, prospective employees, vendors, contractors, visitors, and persons entitled to the services of the University) may file a complaint. Complaints may be made known either orally or in writing to the affirmative action officer/Title IX coordinator, or filed on the Sexual Harassment Complaint form available from the [Division of Human Resources](#).

5.2.4. Referral to Law Enforcement

In cases of sexual violence, the University will notify the complainant of the right to file a criminal complaint with local law enforcement and

cooperate with law enforcement agencies if a complainant decides to pursue the criminal process. Although cooperation with law enforcement may require the University to temporarily suspend the fact-finding aspect of an investigation, the University will promptly resume its investigation as soon as it is notified by the law enforcement agency that the agency has completed the evidence gathering process. The University will not, however, wait for the conclusion of a criminal proceeding to begin its own investigation and, if needed, will take immediate steps to provide for the safety of the complainant(s) and campus community, and the avoidance of retaliation.

5.2.5. Timeliness

There is no time limit for reporting, but students and employees are encouraged to report any violation as soon as possible in order to maximize the University's ability to obtain information and conduct a thorough, impartial and reliable investigation.

If the respondent is no longer a student or employee at the time of the complaint, the University may not be able to take disciplinary action against the respondent, but will still seek to meet its Title IX obligations by providing support for the complainant and taking reasonable steps available to end the prohibited behavior, prevent its recurrence and address its effects.

Caution: There are time limits for filing a grievance under various grievance procedures for employees (see Section 5.2.7. for SHRA employees) and for filing a complaint with the Equal Employment Opportunity Commission, Office of Civil Rights, Department of Justice, and other agencies.

5.2.6. Good Samaritan/Leniency

To encourage reports of violations of the policy by complainants and third parties, the University may, at any point in an investigation or proceeding, offer leniency with respect to violations of other University policies that may come to light as a result of such reports, depending on the circumstances.

5.2.7. SHRA Employee Grievance Policy

Employees and applicants covered by the [SHRA Employees Grievance Policy](#) must file a complaint with the affirmative action officer/Title IX

coordinator within 15 calendar days of the alleged discriminatory, harassing or retaliatory action that forms the basis of the complaint before initiating a formal internal a grievance in order to preserve their rights of appeal under the SHRA Employee Grievance Policy. Employees who do not meet the 15-day time limit may not file a grievance under the SHRA Employee Grievance Policy but may still file a complaint under this policy with the affirmative action officer/Title IX coordinator; such complaint will be reviewed and addressed either formally or through mediation, as may be required by federal law.

5.2.8. Complaints Referred through a University Grievance Procedure

Allegations of violations of this policy (not previously filed as a complaint) that are included in a grievance filed pursuant to a University grievance/appeal procedure will be considered a complaint and referred for formal processing under this policy. The referral should occur as soon as possible after the grievance is filed.

5.2.9. Regulatory Agencies

All employees and students retain the option of filing a complaint directly with:

- The Equal Employment Opportunity Commission (EEOC) on 1-800-669-4000;
- The Office of Administrative Hearings-Civil Rights Division;
- U.S. Department of Education, Office for Civil Rights on 1-800-421-3481 or OCR@ed.gov, [contact information for regional office: [OCR](#)]
- The Educational Opportunities Section (EOS) of the Civil Rights Division of the U.S. Justice Department of Justice on 1-888-848-5306, [The United States Department of Justice](#) or other relevant agency.

5.2.10. Reports Involving Minors

Individuals who suspect that a child is being harmed or observe a child being harmed shall contact law enforcement by dialing 911.

In addition, under North Carolina law, any person who reasonably suspects that a child has been abused or neglected by a parent, guardian or caregiver has an obligation to report that suspicion to a county department of social services. The Guilford County Department of Social Services may be reached at 336-641-3795

5.3. Title IX Preliminary Review

Once a complaint has been received by the affirmative action officer/Title IX coordinator, an investigator will conduct a preliminary review of the complaint to determine whether the complaint alleges facts that, if true, might constitute a violation. The complainant is responsible for providing the factual basis of his/her complaint to the investigator. If the allegations are unclear or require clarification, the investigator may seek additional information from the complainant as part of the preliminary review.

5.3.1. Initiation of Investigation

When a preliminary review of a complaint indicates that the allegations, if true, might constitute a violation, the affirmative action officer/Title IX coordinator will initiate an investigation to determine if the facts are true and determine whether a policy violation has occurred.

5.3.2. Administrative Closing

When the preliminary review of the complaint indicates the allegations within the complaint would not constitute a policy violation, the investigator will forward an investigative report to the affirmative action officer/Title IX coordinator recommending that processing of the complaint be administratively closed. Based on the investigator's report, the affirmative action officer/Title IX coordinator will determine whether to continue processing the complaint by the investigator or to approve the administrative closing. If administrative closing is approved, the affirmative action officer/Title IX coordinator will notify the complainant, in writing, that the process has been administratively closed because the allegations, even if taken as true, would not constitute a policy violation. When a complaint is administratively closed following a preliminary review, the closure precludes the issues raised in the complaint from proceeding through any University grievance procedure. When appropriate, the affirmative action officer/Title IX coordinator will consult with the supervisor to ensure that any inappropriate conduct is addressed, even when the allegations do not rise to the level of a policy violation.

5.3.3. Referral

If the affirmative action officer/Title IX coordinator determines that the complaint is outside the scope of this policy, the affirmative action

officer/Title IX coordinator may refer the complaint to another office for review and action.

5.3.4. Referral to Student Affairs

Complaints against a student will be referred to the Office of Student Affairs to be processed through the gender-based policy found in the student handbook. Referrals to the Office of Student Affairs will usually occur within three University business days from receipt of the complaint. Complaints filed by students against anyone other than a student will proceed as set out in this procedure.

5.3.5. Administrative Action

If administrative action is taken to address an employee's conduct prior to commencement or completion of an investigation, the affirmative action officer/Title IX coordinator will make a determination as to whether to pursue the investigation or to administratively close the process.

5.3.6. Interim Measures

The affirmative action officer/Title IX coordinator is authorized to notify appropriate administrators of the need to take immediate action, where such action appears necessary, to protect the interests of the complainant or respondent. Such actions may include any of the interim measures listed in 4.3 above.

5.4. Title IX Investigation

5.4.1. Notice

If the preliminary review indicates that an investigation should be initiated, the affirmative action officer/Title IX coordinator will, at such time as is appropriate, notify the supervisor(s) of the respondent about the investigation. The affirmative action officer/Title IX coordinator will also notify the respondent(s) that an investigation has been initiated and that the respondent will be provided with the opportunity to respond to the allegations.

5.4.2. Information and Resources

Both complainant and respondent will be provided a copy of this policy and information about available on- and off-campus resources including,

but not limited to, victim advocacy, counseling/mental health services, health services, and explanation and assistance regarding reporting a crime to campus or local law enforcement.

5.4.3. Scope and Conduct of Investigation

The scope of the investigation will be determined by the affirmative action officer/Title IX coordinator at his/her discretion and according to the charge and the facts. The affirmative action officer/Title IX coordinator may conduct the investigation directly, enlist one or two others to assist him/her with the investigation or delegate to others responsibility to conduct the investigation, and prepare reports and recommendations for the affirmative action officer/Title IX coordinator; however, in any event the final decision reached will be that of the affirmative action officer/Title IX coordinator.

5.4.4. Timeframe

Every effort will be made to complete the investigation within 30 calendar days of the filing or referral of the complaint. However, the investigation period may be extended when deemed necessary by the affirmative action officer/Title IX coordinator (e.g., due to University holidays or breaks based on availability of witnesses).

5.4.5. Cooperation

The University expects members of the University community, including witnesses, to cooperate with an investigation. It is understood that there may be circumstances in which complainants may wish to limit their participation, and a complainant may choose to do so, although the University may be obligated to conduct an investigation. It is understood that respondents may be advised not to provide information in circumstances that could prejudice their rights in external proceedings, and a respondent may choose not to do so, although the University may be obligated to conduct an investigation. The University will not draw any adverse inferences from silence in such circumstances, but may impose interim measures, reach findings and implement remedies, as appropriate.

5.4.6. Retaliation

If during the course of the investigation the affirmative action officer/Title IX coordinator becomes aware of any retaliation or

interference in the investigation by the complainant, respondent, any witness(es) or other person(s), the matter will be referred to Employee Relations, the appropriate supervisor or, in the case of students, the Office of Student Affairs.

5.4.7. Method of Investigation

The method of investigation shall be at the discretion of the affirmative action officer/Title IX coordinator. However, the following requirements shall be observed:

- 5.4.7.1. The decision shall be based solely upon the complaint and evidence received during the investigation. All evidence collected during the investigation shall be preserved. Oral evidence may be tape recorded or recorded by a court reporter, except for investigations involving SHRA employees.
- 5.4.7.2. When the complainant is a student, both the complainant and respondent may be accompanied by one support person (as defined in 5.1.8.) to provide support and assistance during meetings with the investigator, so long as the individual does not interfere with the investigator's ability to conduct the investigation. A student complainant may use a trained sexual misconduct advisor, as defined in the student gender-based policy, as a support person. When a student is not the complainant or respondent, no support person will be allowed.
- 5.4.7.3. The complainant making the complaint will be provided a reasonable opportunity to present his/her evidence supporting the complaint in the form of documents or the spoken testimony of himself/herself or of others who may have evidence directly bearing on the facts alleged. As to any evidence collected during the investigation, the investigator may ask questions or request additional information, and may refuse to consider any evidence submitted which he/she concludes is repetitious, irrelevant or otherwise without sufficient value to the investigation.
- 5.4.7.4. After receiving the initial evidence from the complainant, the investigator will interview the respondent and any other person(s) who may have information relevant to the investigation. Multiple interviews may be conducted, as necessary, with the complainant, respondent or any other person(s) to aid the investigator in understanding the facts and issues related to the complaint. Likewise, the investigator may obtain any

University record deemed necessary to the investigation (including confidential personnel or student records of past violations by respondent), and may request from the participants or other sources any documents which will be of assistance.

- 5.4.7.5. After receiving evidence as provided in paragraphs 5.4.7.3. and 5.4.7.4., the investigator will prepare a written preliminary report. This report will describe the factual findings and a summary of witness statements. The preliminary report will be shared promptly and equally with complainant and respondent, redacted if and to the extent required by and consistent with law.
- 5.4.7.6. Each party will have an opportunity to meet again with the investigator, respond, in writing, and request gathering of additional information by the investigator. If additional information is gathered, it will become part of the record and shared with all parties who, again, will have an opportunity to respond.
- 5.4.7.7. After considering such response to the preliminary report as the complainant and respondent may choose to make, the investigator, if someone other than the Title IX coordinator, will present the updated report to the affirmative action officer/Title IX coordinator for a final determination.
- 5.4.8. Past Violations
If, in the past, a respondent was found to have violated this or a similar policy, the information related to the past violation may be considered by the investigator if:
- The previous violation was substantially similar to the present complaint; and
 - The previous violation indicates a pattern of behavior and substantial conformity with that pattern by the respondent.
- 5.4.9. Sexual History
In cases involving sexual misconduct, questioning about the complainant's sexual history with anyone other than the respondent will not be permitted. The complainant's past sexual history with respondent is generally not considered in determining whether a policy violation occurred unless:

- directly relevant to consent (consent to one or more sexual acts does not constitute consent to another sexual act and consent on one or more occasions does not constitute consent on a subsequent occasion) or
- under very limited circumstances to explain injury, provide proof of a pattern or of repeated events or for another specific question raised by an allegation.

The investigator shall determine the relevance of evidence to the investigation and whether its relevance is outweighed by the dangers of unfair prejudice, confusion, trauma, or undue delay.

6. TITLE IX DETERMINATION

6.1. Evidentiary Standard

Once the investigation has concluded, the affirmative action officer/Title IX coordinator will evaluate the record as a whole (e.g., documents, interview notes) and inferences, thereon, and apply a preponderance of evidence (more likely than not) standard to determine whether a policy violation is substantiated.

6.2.1. Final Report

The affirmative action officer's written report will summarize the facts found as a result of the investigation and explain the basis for the decision that the respondent has or has not violated the policy. The final report will be provided to the appropriate supervisor(s), with a copy provided to Office of Legal Affairs and retained in Employee Relations.

7. NOTIFICATION

7.1. Notification to Parties

The affirmative action officer/Title IX coordinator will notify the parties, in writing, of the outcome of the investigation and determination as to whether any policy violation was substantiated, but does not necessarily provide a copy of the report.

7.2. Confidential Information

The notification letters to the parties and the final report, with the evidence collected during the investigation, will be preserved and treated as confidential to the extent that they contain student information protected under federal privacy law (i.e., FERPA) or employee information protected under state law (i.e., SHRA), except as they may be used in subsequent proceedings. Violation of the confidentiality requirement by those involved in the complaint and/or investigation may result in disciplinary action for anyone disclosing such confidential information. Confidential student and employee information includes information that can identify persons who are complainants, respondents or witnesses.

8. CORRECTIVE ACTION

8.1. In cases where a policy violation is substantiated, the affirmative action officer/Title IX coordinator will meet with the appropriate supervisor(s) and others, as needed (e.g., Office of Legal Affairs), to determine the appropriate corrective action to resolve the violation and prevent its recurrence including:

8.1.1. Possible sanctions against the respondent and

8.1.2. Remedies for the complainant and the broader University community.

8.2. For violations of this policy by employees, sanctions may include, but not be limited to, counseling or training, written warning, financial penalty, unpaid leave of absence, suspension without pay, demotion, or termination in accordance with the employment policies governing the specific employee.

In deciding the appropriate sanction, the supervisor may consider:

- the intent with which the respondent acted;
- the nature and degree of harm caused by the respondent's actions;
- other acts of harassment (if any) committed by the respondent;
- the need for deterrence; and
- such other factors as reason and justice may require.

8.3 Remedies will be provided to the complainant and greater University community, as needed, and will be dependent on specific facts. Potential remedies include, but are not limited to, :

- providing comprehensive, holistic victim services including medical, counseling and academic support services for complainant;
 - ensuring the complainant and respondent do not share classes, work space arrangements or extracurricular activities;
 - providing appropriate academic adjustments, including remedies that were declined by the complainant as interim measures;
 - training or re-training employees and/or students;
 - conducting bystander intervention and sexual violence prevention programs; and
 - developing materials on sexual violence and distributing them to the University community.
- 8.4. Complainant will be notified, in writing, of the corrective action taken to address the policy violation; however, complainant is not authorized to access the confidential employment information contained in another employee's personnel file, unless as permitted by law. In cases of sexual misconduct involving violence, disclosure to the complainant of the sanctions taken against the respondent is required.

9. APPEAL

9.1. Applicable Appeals Procedures

The appeal process will be determined by the status of the respondent. If a respondent is in more than one status described in Section 9 (e.g., a student and an employee), the appeal process to be used is that of the function in which the respondent was acting at the time of the sexual misconduct, except that student employees are covered by the student-on-student sexual misconduct policy. Both parties, the complainant and respondent, have equal rights to an impartial appeal as outlined below. No other appeal or grievance process will be made available to address allegations under this policy, regardless of the existence of other general grievance procedures.

9.2 FACULTY RESPONDENT

9.2.1 Faculty Respondents Found to Have Violated Policy, Resulting in an Intent to Discharge or Impose a Serious Sanction

If, based upon the Title IX investigation and/or other information, the provost issues an intent to discharge or impose a serious sanction against a faculty member, and if the faculty member requests a hearing, it will

proceed pursuant to provisions of the “Regulations on Academic Freedom, Tenure and Due Process.”

9.2.2. Faculty Respondents When Sanctions Do Not Result in a Serious Sanction

If, based upon the Title IX investigation and/or other information, the provost issues a sanction that does not constitute an intent to discharge or impose a serious sanction, a faculty member may grieve a non-serious sanction by filing a grievance under the “Regulations on Faculty Grievance – Policy and Procedure.”

9.2.3 Appeal by Complainant

If a complainant disagrees with a decision to administratively close a complaint (see 5.3.2.), or disagrees with one or more conclusions of the Title IX report, the complainant may file an appeal of that decision as if the appeal is subject to the “Regulations on Faculty Grievance – Policy and Procedure.” The appeal will be heard by the Faculty Grievance Committee under procedures used for a faculty grievance hearing. If the complainant disagrees with a decision by the chancellor arising out of the Faculty Grievance Committee (“Regulations on Faculty Grievance – Policy and Procedure”), or the Faculty Hearing and Reconsideration Committee (“Regulations on Academic Freedom, Tenure and Due Process”), the complainant may file an appeal to the University’s Board of Trustees under the applicable policy listed above pertaining to the committee that heard the matter and made a recommendation. The time limits for appeals set out in the applicable policy applies to appeals by the complainant. The board of trustees’ decision is the final administrative appeal.

9.3. EHRA NON-FACULTY RESPONDENT

9.3.1. EHRA Non-Faculty Respondent Found to Have Violated Policy, Resulting in a Discharge or Suspension for Cause

If, based upon the Title IX investigation and/or other related information, a supervisor imposes a discharge or suspension without pay for cause, and the EPA non-faculty respondent requests a grievance hearing, it will proceed pursuant to the provisions of Section 4 of the “Employment Policies for EPA Non-Faculty.”

9.3.2. EHRA Non-Faculty Respondent Found to Have Violated Policy, Resulting in a Sanction Other than Discharge or Suspension for Cause

If, based upon the Title IX investigation and/or other related information, a supervisor imposes a sanction that does not include a discharge or suspension without pay for cause, an EPA non-faculty respondent may appeal by filing a grievance under Section 5 of the “Employment Policies for EPA Non-Faculty.”

9.3.3. Appeal by Complainant

If a complainant disagrees with a decision to administratively close a complaint (see 5.3.2.), or disagrees with one or more conclusions of the Title IX report, the complainant may file an appeal of that decision as if the appeal is subject to Section 5 of the “Employment Policies for EPA Non-Faculty.” The appeal will be heard by the EPA Non-faculty Grievance Committee under procedures used for a non-faculty grievance hearing. If the complainant disagrees with a decision by the chancellor arising out of the EPA Non-faculty Grievance Committee, the complainant may file an appeal to the University’s Board of Trustees under the “Employment Policies for EPA Non-faculty.” The time limit for filing an appeal applies to an appeal by the complainant. The board of trustees’ decision is the final administrative appeal.

9.4. SHRA EMPLOYEE RESPONDENT

9.4.1. SHRA Complainant

An SHRA complainant may proceed through the current “SHRA Employee Grievance Policy.”

9.4.2. SHRA Respondent Found to Have Violated Policy

Corrective or disciplinary action against an SHRA employee will be in accordance with the “SHRA Disciplinary Action Policy,” including any rights to an appeal and/or the current “SHRA Employee Grievance Policy,” as applicable.

9.4.3. Appeal by Complainant

If a complainant disagrees with a decision to administratively close a complaint or disagrees with one or more conclusions of the Title IX report, the complainant may appeal that decision by filing an internal grievance as done under “SHRA Employee Grievance Policy.” The appeal will be heard by the internal SHRA hearing panel under the procedures used for an SHRA grievance hearing. If an SHRA complainant disagrees with a decision by the chancellor arising out of the SHRA hearing panel, the complainant may file an appeal pursuant to the “SHRA Employee

Grievance Policy” and must meet the time to appeal and other requirements of that policy. If a non-SHRA complainant disagrees with a decision by the chancellor arising out of the SHRA hearing panel, the complainant may file an appeal to the University’s Board of Trustees within 30 calendar days from receipt of the chancellor’s decision. The board of trustees’ decision is the final administrative appeal.

9.5. STUDENT RESPONDENT

9.5.1. Student Respondent

Complaints by students against students are processed through the procedures for sexual misconduct found in the student handbook, especially “student-on-student sexual misconduct.”

9.5.2. Appeal by Student Complainant

If a student complainant disagrees with a decision to administratively close a complaint (see 5.3.2.), or disagrees with one or more conclusions of the Title IX report, the complainant may appeal that decision by filing a complaint for sexual misconduct pursuant to the student handbook. The complaint will be heard and decided under the procedures used for student sexual misconduct hearings. If the complainant disagrees with a decision arising out of a student sexual misconduct complaint, the complainant may file an appeal pursuant to the student handbook to the same people for the same reasons as a respondent can appeal. The time limit for filing an appeal applies to an appeal by the complainant. After an appeal to the chancellor, a decision by the board of trustees is the final administrative appeal, if an appeal to either or both is allowed.

9.6. ALL OTHER RESPONDENTS

A complaint against any other type of respondent or a third party, such as a volunteer or contractor, shall be made to the EHRA Non-faculty Grievance Committee. An appeal by a complainant from a decision will be handled pursuant to Section 9.3.3. above.

9.7. Hearing Panels

All appeals will be heard by a hearing panel determined based on the employment status of the respondent.

9.8. Qualifications of Hearing Panelists

Each person selected to serve on a hearing panel shall be impartial and unbiased. Each will disclose any real or reasonably perceived conflicts of interest or recuse themselves in a particular case, as appropriate. All

panelists shall be trained in handling sexual misconduct complaints and in the conduct of hearings.

10. INFORMAL RESOLUTION

- 10.1. At any time, after submission of a complaint to the affirmative action officer/Title IX coordinator, a complaint may be resolved through an informal process provided that: (1) the complainant(s) and respondent(s) mutually and voluntarily agree to the terms and conditions of any proposed resolution agreement and (2) the affirmative action officer/Title IX coordinator approves the proposed resolution agreement.
- 10.2. At any time, after submission of the complaint, either party or the affirmative action officer/Title IX coordinator may suggest a confidential, non-binding mediation of the dispute. Both parties must agree to participate in the mediation and agree to the resolution that arises from the mediation. In addition, the affirmative action officer/Title IX coordinator must approve the proposed resolution agreement. Mediation is not an option for resolution of allegations of sexual harassment that involve sexual violence.

11. REPEAL OF OTHER POLICIES

This policy repeals “Section III - Equal Employment Opportunity 2.0 - Sexual Harassment” and Faculty Handbook “Appendix C-6 – Sexual Harassment Policy.”

Approved by the chancellor:

Date policy is effective: upon approval and applies to all matters first reported thereafter.

First approved: July 13, 2015

H. Student Sexual Misconduct Policy

NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY

SEC. IV –SAFETY 1.1

Student-on-Student Sexual Misconduct

ADMINISTRATIVE POLICY

All of us at North Carolina A&T State University (hereafter “A&T”) play a vital role in making our campus a respectful and safe place to live, learn and work. Learn more on our website to identify steps you can take to make a difference. We welcome your involvement in our mission to foster a campus environment that promotes reporting and compassionate responses to sexual harassment and interpersonal violence.

We know that responding to interpersonal violence may be hard, whether you are the person harmed or someone trying to help. The topics of sexual harassment, sexual assault, dating violence, domestic violence, and stalking are not openly discussed in most cultures, belying the frequency with which they occur. Whatever your connection, you are not alone as you seek to address the problems you're facing. We are here to assist you.

I. **A&T Statement of Sexual Values**

A&T is committed to providing a learning, working and living environment that reflects and promotes personal integrity, civility and mutual respect. Members of the University community have the right to be free from all forms of abuse, assault, harassment, and coercive conduct, including sexual misconduct, as defined in this policy. A&T considers sexual misconduct to be one of the most serious violations of the values and standards of the University. Unwelcome sexual contact of any form is a violation of students’ personal integrity and their right to a safe environment and, therefore, violates A&T’s values. A&T will not tolerate sexual misconduct in any form. All members of the University community have an obligation to act responsibly in the realm of sexuality and to recognize and challenge any sexual misconduct.

This policy informs the A&T community of our values and outlines violations of a sexual nature. This policy identifies a student’s rights,

options and resources, and describes actions individuals may take if they experience an incident of sexual misconduct or are accused of sexual misconduct.

A&T recognizes that part of students' development at the University may include learning and understanding themselves as sexual individuals. A&T also respects and upholds the principle that not all students choose to explore their sexual nature or sexuality.

A&T, therefore, aims to provide an environment that is comfortable and respectful for all students and their choices regarding sex and their sexuality. Understanding and applying this policy to the behavior and behavioral expectations of all members of the community helps to ensure the University's goal of being a safe, open community regarding sexuality. Failure to comply with this policy may result in a complaint of sexual misconduct.

A&T strives to promote an environment where mutual respect, communication, cultural competency, understanding, and awareness are the basis for any sexual behavior or activity. Mutual respect and communication are keys to maintaining each student's personal integrity when engaging in sexual behavior.

II. **Community Expectations**

- a. **Mutual Respect**: Treat others as they would like to be treated. In sexual relations this includes respecting your partner (their desires, boundaries and body) and having open communication with the person(s) with whom you are engaging in sexual contact so that all involved are comfortable with the activity that may occur and understand the boundaries and needs of those involved.
- b. **Communication**: Open communication and listening includes understanding one's own needs and desires, discussing these needs and desires with your partner(s) and, in general, creating open communication within the relationship whether it is for a brief encounter or a longer commitment. Verbal communication in sexual situations is almost always the clearest means to communicate. A&T encourages students who choose to engage in sexual behavior to talk with each other clearly about what they want, or do not want, from sex prior to engaging in sexual activity.

An environment based on open communication and listening promotes *effective consent*, which the University considers integral to any responsible sexual relationship.

- c. Cultural Awareness and Respect: The A&T community is a multi-cultural educational environment where the customs and values of each individual are respected. Although the University's standards regarding behavioral expectations and guidelines apply to all individuals, each person should recognize and respect the variations in the cultural expectations of others and demonstrate civility while engaging in open communication regarding sexual desires and boundaries.

III. *Effective Consent* is the basis of this policy because it maintains the value that all persons have the right to feel respected, acknowledged and safe during sexual activity.

Effective consent is informed, freely and actively given, and is based on rational and reasonable judgment. It requires clear communication between all persons involved in the sexual encounter.

Consent must be communicated verbally. In whatever way consent is communicated, it must be *mutually understandable*.

Consent is mutually understandable when a reasonable person would consider the words that you and your partner(s) have expressed demonstrate a desire to do the same thing, at the same time, in the same way, with one another.

In the absence of mutually understandable words, the initiators of sexual contact are responsible for making sure they have obtained effective consent from their partner(s). The initiators must fully understand what their partner(s) wants and does not want sexually.

Consent to one form of sexual activity does not imply consent to another form of sexual activity. Each new sexual act requires new consent. Effective consent has time boundaries.

Consent at one time does not imply consent at any other time.

The existence of a dating/romantic relationship between the persons involved or the fact of a previous sexual relationship does not automatically establish effective consent for future sexual activity.

Consent is not the absence of resistance.

Silence is an inactive behavior and may indicate that something is wrong and the potential for sexual misconduct exists. If a partner is inactive (for example, silent or physically still), sexual activity must stop until both partners have communicated clearly with each other about what, if any, sexual activity is mutually desired.

Effective consent can never be given by minors, mentally disabled individuals or incapacitated persons. A person may be incapacitated as a result of alcohol or other drug use. A person who is unconscious, unaware or otherwise physically helpless cannot give effective consent to sexual activity.

Effective consent cannot result from force, or threat of force, coercion, fraud, intimidation, or incapacitation. The use of force to obtain sexual access or to induce consent violates this policy whether the force is physical in nature, violent or involving threats, intimidation or coercion.

Physical force includes, but is not limited to, hitting, kicking and restraining. Physical force means someone is acting on you physically and exerting control over you through violence.

Intimidation is an implied threat. It is not as clear or explicit as an overt threat.

Coercion is the application of an unreasonable amount of pressure on someone to the point that they say yes even though they would not have said yes if they had not endured a long period of convincing.

Coercion is evaluated based on the intensity, frequency and duration of the comments or actions. It exists where a sexual initiator engages in emotional manipulation in order to persuade someone to do something sexual they do not want to do.

Threatening someone to obtain consent for a sexual act is a violation of this policy. Threats exist where a reasonable person would have been

compelled by the words or actions of another to give permission to sexual activity to which they otherwise would not consent.

IV. Prohibited Conduct

Sexual misconduct is a broad term encompassing any sexual behavior that was committed without effective consent. Sexual misconduct may vary in its severity and consists of a range of behaviors. Sexual misconduct can be committed by individuals of any gender, and it can occur between individuals of the same gender or different genders. It can occur between strangers or acquaintances, as well as people involved in intimate or sexual relationships. The following descriptions represent sexual behaviors that violate A&T's community standards and values of respect, civility and personal integrity. These behaviors are serious violations and represent a threat to the safety of the University.

a. Sexual Penetration

Any sexual penetration (anal, oral or vaginal), however slight, with any object, or sexual intercourse *without effective consent*. Sexual penetration includes vaginal or anal penetration by a penis, object, tongue, or finger and oral copulation by mouth-to-genital contact or genital or mouth contact.

b. Sexual Touching, Disrobing and/or Exposure

Any intentional sexual touching, however slight, with any object *without effective consent*. Sexual touching includes any bodily contact with the breasts, groin, genitals, mouth or other bodily orifice of another or any other bodily contact in a sexual manner. Any disrobing of another or exposure to another by another without effective consent.

c. Sexual Misconduct by Incapacity

It is a violation of this policy if the initiator has sex with someone the initiator knows, or reasonably should know, to be incapacitated by alcohol, drugs, sleep, or illness. An incapacitated person is not able to make rational, reasonable judgments and, therefore, is incapable of giving effective consent. Someone is incapacitated when they cannot understand who, what, when, where, why, or how, with respect to the sexual interaction.

d. Sex Discrimination

Sex discrimination is unfavorable treatment of a person based on sex or gender when the unfavorable treatment unreasonably interferes with or limits:

A student's or admission applicant's ability to participate in, access or benefit from educational programs, service, or activities (e.g., enrollment, academic standing, grades, course assignment, campus housing, extracurricular activities);

Sex discrimination includes sexual and gender-based harassment, which are defined below. Sex discrimination also can involve treating someone less favorably because of his or her connection with an organization or group that is generally associated with people of a certain sex.

Discrimination against an individual because that person is transgender, gay, lesbian, or bisexual is unlawful discrimination because of sex. This is also known as gender identity discrimination. An example of gender-identity discrimination is adverse actions taken because of the person's non-conformance with sex-stereotypes.

e. Sexual Harassment

Sexual harassment is a form of sex discrimination. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct or communication of a sexual nature when:

- Submission to or rejection of such conduct or communication is a term or condition of education benefits, academic evaluations or opportunities;
- Submission to such conduct or communication has the effect of substantially interfering with a student's education;
- Such conduct is sufficiently severe, pervasive AND objectively offensive as to have the effect of creating an intimidating, hostile or offensive educational environment or negatively affects a student's educational opportunities ("hostile environment").

Allegations against students (including students who are employees) will be resolved according to the procedures in this policy. Allegations against faculty members, other employees and third parties will be handled according to the University's Policy on Sexual Misconduct: Discrimination, Harassment and Sexual Assault.

To learn more about the University's Policy on Sexual Misconduct: Discrimination, Harassment and Sexual Assault, refer to the Student Handbook.

f. Gender-based Harassment

Gender-based harassment occurs when unwelcome verbal, non-verbal, physical, electronic, or other conduct or communication, based on a person's sexual orientation, gender identity or gender expression, creates a "hostile environment," as described in the definition for sexual harassment. Examples:

- *verbal, physical or electronic conduct based on sex, gender, sexual orientation, or sex-stereotyping that creates a hostile, intimidating or abusive environment as defined above, even if those acts do not involve conduct of a sexual nature; or*
- harassment for exhibiting what is perceived as a stereotypical characteristic for one's sex or for failing to conform to stereotypical notions of masculinity and femininity, regardless of the actual or perceived sex, gender, sexual orientation, gender identity, or gender expression of the individuals involved.

g. Sexual Exploitation

Sexual exploitation occurs when a student takes non-consensual, unfair or abusive advantage of another for their own advantage or benefit, even though that behavior does not constitute one of the other sexual misconduct offenses. Examples include, but are not limited to:

- Non-consensual video or audio taping with intent to distribute videos/pictures of sexual activity;
- Stalking with a sexual component. Stalking may take many forms, including persistent calling, texting or posting on a social networking site as well as physical stalking. When the content of the messages or the nature of the physical stalking is of a sexual nature, sexual misconduct has occurred;
- Voyeurism is a form of sexual exploitation in which one individual engages in secretive observation of another for personal sexual pleasure or engages in non-consensual video or audio taping of sexual acts. Although the source for the secretive viewing or taping may be unaware of the observation, this behavior is a form of sexual misconduct and violates the integrity of the unaware student;
- Going beyond the bounds of consent (such as letting your friends hide in the closet to watch you having consensual sex);
- Knowingly exposing another person to a sexually transmitted infection, such as HIV, without disclosing your STI status;
- Threatening to disclose an individual's sexual orientation, gender identity, or gender expression;
- Knowingly failing to use contraception without the other party's knowledge;
- Inducing Incapacitation for the purpose of taking sexual advantage of another person.

h. Attempted Act

Attempts to commit sexual misconduct are also prohibited under this policy, as is aiding the commission of sexual misconduct as an accomplice.

i. Retaliation

Retaliation against the individual who initiates a sexual misconduct complaint, participates in an investigation, pursues legal action, or otherwise opposes discriminatory practices or policies, is prohibited. Independent action may be taken against anyone engaging in retaliation.

j. Stalking

Stalking is a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her safety or the safety of others, or to suffer emotional distress. Stalking may include repeatedly following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device or method.

k. Dating Violence

Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship will be based on the length and type of relationship and the frequency of interaction with the persons involved in the relationship. It is important to recognize that emotional, verbal and economic abuse are part of the web of dating violence and can exist without the presence of physical abuse.

l. Domestic Violence

Domestic violence includes crimes of violence committed against a victim by: (i) a current or former spouse; (ii) a person with whom the victim shares a child; (iii) a person who is or has cohabitated with the victim as a spouse; (iv) a person similarly situated to a spouse of the victim; or (v) any other person against whom the victim is protected under North Carolina's domestic and family violence laws. It is important to recognize that emotional, verbal and economic abuse are part of the web of domestic violence and can exist without the presence of physical abuse.

m. Complicity

Complicity is any act that knowingly aids, facilitates, promotes, or encourages the commission of prohibited conduct by another person.

V. If You Believe that an Incident of Sexual Misconduct has Occurred

A person who has experienced an incident of sexual misconduct should seek help, support and information immediately. There are many sources for information, assistance and support. If you have experienced an incident of sexual misconduct, you should consider the following immediate actions:

Get to a safe place as quickly as possible. Individuals are encouraged to seek medical attention on-campus at the Student Health Center located on 112 North Benbow Road, 336-334-7880 as soon as possible after an act of sexual misconduct.

If you can, avoid showering, bathing, douching, urinating, or cleaning up in any way. This will prevent the loss of valuable evidence, though evidence can still be collected even if you do. Do not wash any clothes, towels or sheets that may contain evidence.

If you are considering reporting to law enforcement, **preserve all evidence (clothing, debris, etc.) in a paper bag (not plastic).** If you are certain you wish to report the incident, you may also **deliver evidence to law enforcement directly.**

Don't blame yourself; this was not your fault.

Utilize campus and community resources for immediate and long-term assistance.

Go to area hospitals and/or resource center. *(At the hospitals, rape kits are provided at no cost.)*

- Cone Health Hospital (Main), 1200 North Elm Street
Greensboro, N.C. 27401; 336-832-7000
- Cone Health-Wesley Long, 501 N. Elam Avenue
Greensboro, N.C. 27403; 336-832-1000
- Women's Hospital, 801 Green Valley Road
Greensboro, N.C. 27408; 336-832-6500
- Women's Resource Center of Greensboro, 628 Summit Ave.
Greensboro, N.C. 27405; 336-275-6090

Consider notifying a member of the A&T Coordinated Community Response Team, which includes the Title IX coordinator, trained sexual misconduct advisors, and the University Police Department.

Many of these resources have after-hours and emergency contacts. The victim will be notified if an investigation is initiated.

a. Statement of Confidentiality

With respect to any report or complaint of sexual misconduct, A&T will endeavor to maintain the confidentiality of the matter and all individuals involved to the extent permitted by law. A&T will balance the needs of individuals involved with its obligation to protect the safety and well-being of the community at large. In all cases, A&T will respect the privacy and dignity of all individuals involved.

b. Reporting Sources

A&T is committed to creating an environment in which students who have experienced an incident of prohibited conduct are encouraged to come forward and make a report. Members of the University community are strongly encouraged to seek support and information from available reporting sources. Immediate reporting is essential for the protection of students. All sources will provide the reporting student with information about obtaining support, resources and the process associated with making a report or a complaint with the University and/or with a law enforcement agency.

While we support the desires of all A&T victims, reporting may help you gain some control over the situation and make informed decisions using information provided by the reporting source. Your prompt reporting will not only benefit and support you, but will also help the University in maintaining a safe community.

c. Important Reporting Sources Information

- University Police Department, Ward Hall, A&T, 336-334-7675 (on-campus)
- Greensboro Police Department, 2602 South Elm-Eugene Street, 911 (off-campus)

- Title IX Coordinator, Office of Legal Affairs, 1601 East Market Street, Dowdy, Greensboro, 27411 336-285-3084
- Dean of Students/Associate VC, 205 Murphy Hall, A&T, 336-334-7791
- Vice Chancellor for Student Affairs: 336-334-7675
- Housing and Residence Life, Aggie Village #2, A&T 336-285-4312
- SART/CCRT Advisor, Health Services, A&T 336-334-7880

d. On-campus Confidential Reporting Sources

- Counseling Services, 109 Murphy Hall, 336-334-7727
- Student Health Center, 112 North Benbow Road, 336-334-7880

e. Off-campus Confidential Reporting Sources

Family Services-Domestic Violence and Rape Crisis Services of Greensboro: 336-273-7273
315 E. Washington Street
Greensboro, N.C. 27401
www.familyservice-piedmont.org

Rape Hotline: 336-272-7232
Available 24 hours a day/7days a week

Cone Health Hospital Emergency Room: 336-832-7000
1200 North Elm Street
Greensboro, N.C. 27401

Cone Health Wesley Long, 336-832-1000
501 N. Elam Avenue
Greensboro, N.C. 27403

Women's Hospital, 801 Green Valley Road: 336-832-6500
Greensboro, N.C. 27408

Guilford County Planned Parenthood: 336-373-0678
1704 Battleground Ave, Greensboro, N.C. 27408

North C Coalition Against Sexual Assault: 888-737-2272

811 Spring Forest Road, Suite 900
Raleigh, N.C. 27609

Legal Aid of North Carolina Inc.
919-856-2564
www.legalaidnc.org

North Carolina Coalition Against Sexual Assault
919-871-1015
www.nccasa.org

North Carolina Victim Assistance Network
800-348-5068

1. Confidential Reporting Sources (See below for telephone numbers of listed offices):

Confidential reporting sources are those individuals who, by law, are obligated to maintain confidentiality of the disclosure of sexual misconduct. Counselors in Counseling Services and staff in the Student Health Center are not required to re-disclose information shared with them except in very extreme and unusual circumstances involving evidence of a serious and imminent threat to the individual making the report or to an identifiable third party.

Family Services is an off-campus agency working to support and assist victims of sexual misconduct. Students who have experienced sexual misconduct can seek help from this agency. They also will not report identifying details about the assault.

2. Non-confidential Resources

Staff, faculty and administrators, except those who have protected confidentiality, must report incidents of student sexual misconduct to the University Police Department (UPD) and Title IX coordinator. This information is limited to the incident reported, type of incident, and general location of the incident. Statistics given to UPD will be made available through the Annual Campus Security and Fire Safety Report. Additionally, A&T may post warnings about incidents that continue to pose a potential threat of bodily harm or danger to members of the campus community.

Certain staff, faculty and administrators, referred to as “Responsible Employees” must report all incidents of sexual misconduct to the Title IX coordinator and include identifying information for the victim and the respondent. See paragraph 5 of this section.

3. Student Confidentiality

Confidentiality for all students is governed by the Family Educational Rights and Privacy Act (FERPA). FERPA provides that personally identifiable information maintained in the educational records of an institution shall not be disclosed, except as otherwise specified by law. One exception is in the case of students charged with violating institutional policy related to sexual misconduct involving violence. In such cases, all parties will be notified of the outcome of any grievance proceeding, including all sanctions imposed. In the case of students charged with sexual misconduct not involving violence, the parties will be notified of the outcome of the grievance and the sanctions that relate to them individually. Neither the victim nor the respondent will see the others’ records but can read the reports.

4. Coordinated Community Response Team (formerly SART)

A&T’s CCRT are individuals who are trained to provide students with information and assist with obtaining information and support from available resources at the University and in the Greensboro community. CCRT will also provide students with information about the process associated with making a report or a formal complaint with the University or with a law enforcement agency. Although CCRT will endeavor to maintain the privacy of the matter and the individuals involved, they may be required to disclose necessary information that is disclosed to them to other University officials. In some circumstances, CCRT may also be responsible for initiating an investigation of the alleged sexual misconduct. CCRT include:

- Title IX Coordinator
- Dean of Students and Vice Chancellor for Student Affairs
- Housing and Residence Life
- Student Health Center
- Counseling Services
- SANE Nurse (Family Services)
- UPD

5. Other Resources

Other University resources are individuals who can assist with obtaining campus resources, information and support about available resources at A&T. Although these campus resources will endeavor to maintain the privacy of the matter and the individuals involved, they will be required to disclose necessary information that is shared with them to other University officials. Victims can request that information remain confidential and/or anonymous. These other University resources are referred to as responsible employees and include the following:

- Student Affairs Administrative Staff
- Residence Hall Staff Members, Administrators, and Directors
- Resident Assistants
- Deans
- Peer Mentors
- Faculty, including adjuncts and teaching assistants
- Coaches and Athletic Trainers
- Student Organization Advisors
- Peer Health Educators

f. Title IX Coordinator

Mr. Samuel Richardson is the Interim Title IX coordinator in the Office of Legal Affairs at A&T. He oversees and provides leadership for the activities of Title IX investigations, compliance-related responsibilities, reporting, and training. His contact information is:

Mr. Samuel Richardson
Office of Legal Affairs
1601 East Market St.
Dowdy
Greensboro, N.C. 27405
Direct: 336.285.3769
Office: 336.334.7862
Email: srichardson@ncat.edu

In addition, a Title IX complaint can be filed with the United States Department of Education, Office of Civil Rights:

U.S. Department of Education
Office for Civil Rights
400 Maryland Avenue, S.W.
Washington, DC 20202-1475
Telephone: (202) 453-6020
Facsimile: (202) 453-6021
Email: OCR.DC@ed.gov
Toll Free: 800-421-3481

U.S. Department of Justice
Educational Opportunities Section of the
Civil Rights Division
Federal Coordination and Compliance Section, NWB
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
Telephone: 888-848-5306

VI. Student Conduct Process for Sexual Misconduct

a. Definitions of Participants

1. **Complainant:** Person filing a formal complaint of a violation of the Sexual Misconduct Policy by a student.
2. **Respondent:** Student accused of violating the Sexual Misconduct Policy.
3. **Trained Sexual Misconduct Advisor(s) for the Complainant and Respondent:** Advisor is an A&T staff or faculty member, appointed by the dean of students and vice chancellor for student affairs, who is trained to support the complainant and respondent. The list may be found on the dean of students' webpage.
 - Advisors are available at the request of the complainant and respondent.
 - Complainants and respondents may choose from a diverse list of potential advisors and may switch at any point should they choose.
 - While students can elect not to use an advisor, students are **strongly** encouraged to choose and work with an

advisor. Complainants can obtain supportive services without electing to use an advisor.

- The advisor may assist the complainant and respondent throughout the campus conduct process, including being present at the conduct hearing. Advisors may not speak at the conduct hearing.
- In consultation with other University officials or faculty members, where appropriate, an advisor may assist in arranging accommodations which may include:
 - Change on-campus student housing to different on-campus location;
 - Exam (paper, assignment) rescheduling;
 - Taking an incomplete in a class;
 - Transferring of sections;
 - Alternative course completion options;
 - A campus no-contact order against the respondent.

4. **Support Person:** Complainant and respondent may each bring a support person to the hearing. The support person is an ally who provides comfort and helps the complainant or respondent. The support person may include attorneys, student, faculty, or staff.

b. Filing a Complaint

A&T strongly encourages anyone to report incidences of sexual misconduct to the University at any time. If criminal activity has occurred, the University also strongly encourages you to report such incidents to law enforcement, which is a separate reporting option. While reporting is encouraged as soon as possible following an incident, the following reporting options are available to you at any time. The University, through the Student Conduct/Title IX coordinator or Equal Opportunity and Compliance office, can assist you with making a police report or, if requested, with connecting you to the court system to seek a civil no-contact order.

c. Responding to a Complaint

Upon receipt of a complaint, the Title IX coordinator will review the complaint and conduct a pre-hearing investigation. If the Title IX coordinator determines that the allegations, if true, are a violation of this

policy, the respondent shall receive written notification of the filing of a complaint, along with a copy of the complaint or report. The respondent must arrange and meet with the specified student conduct officer, or designee, within three business days after receiving the complaint in order to discuss the nature of the complaint, rights and responsibilities of the respondent and the hearing process. The respondent shall receive a written copy of this policy at that time. Complainant will also receive written notification of the hearing at the same time as the respondent.

The respondent may be accompanied by a trained sexual misconduct advisor or any member (student, faculty or staff member) of the A&T community to a meeting with the student conduct officer. If the respondent fails to arrange and meet with the student conduct officer, the complaint will either be determined by the student conduct officer or referred by the student conduct officer to the hearing board for adjudication.

d. Prehearing Process

The Title IX coordinator, or a designee, will conduct an investigation of the allegations by interviews and a review of relevant documentation.

The judicial panel of three is comprised of the dean of students, or his/her designee, and two staff members from the Division of Student Affairs.

The University reserves the right to extend any time periods identified in this policy.

All relevant reports and documents are to be made available to the respondent and complainant no later than five business days prior to the hearing.

Once the respondent has been notified of the complaint, the complainant and respondent will be kept informed of all developments and advised of the procedures that will guide the resolution of the complaint.

The respondent and complainant will be informed, in writing, of the date and time of the hearing. The complainant will be allowed the opportunity to write or verbally give an impact statement, presented during the hearing, of how the incident may have affected him/her.

The respondent and complainant shall have the opportunity to make a request for witnesses to speak on their behalf. The University shall determine at the beginning of the hearing which witnesses shall be allowed to testify based on the relevance of their testimony. Up to three witnesses may provide information relative to the incident, whereas there may also be three character witnesses or three signed written character letters.

The respondent and complainant must notify the student conduct officer of any advisors and witnesses attending the hearing three business days prior to the hearing.

Any additional scheduling requests must be directed to the student conduct officer to be determined.

If a sexual misconduct case is also being heard by a civil or criminal court, A&T retains the right to hear the case before the civil or criminal case, and to implement appropriate action (such as no contact orders, removal from campus residence facilities, removing a student from a class or classes, or suspension) to maintain the safety of the campus. Please be advised that A&T will not wait for the outcome of civil or criminal court proceedings.

The campus conduct process shall be confidential to the extent possible and as allowed by law.

If the findings of the investigation deem it necessary, the University will attempt to schedule a hearing within 10 business days after the respondent has received the complaint, but will be completed within 30 business days. The appeal process is not included in the process and may take an additional 30 days.

e. Rights of the Complainant

The right to be assisted by a sexual misconduct advisor throughout the campus conduct process.

The right to have a support person (a member of A&T community) accompany and assist throughout the campus conduct process. The support person may not speak at the conduct hearing.

An attorney may fully participate in the conduct hearing provided that any questions directed at witnesses will be asked through the chair.

The right to make an impact statement at the conclusion of the hearing provided the respondent was found to have violated the Sexual Misconduct Policy.

The right to request a campus no contact order against a student who has engaged in or threatens to engage in an act of sexual misconduct which presents a danger to the welfare of the complainant or others.

f. Rights of the Respondent

The right to be assisted by a sexual misconduct advisor throughout the campus conduct process.

The right to have a support person (a member of A&T community) and assistance throughout the campus conduct process. The support person may not speak at the conduct hearing.

An attorney may participate in the conduct hearing in accordance to the student conduct procedure.

The right to request a campus no contact order against a student who has engaged in, or threatens to engage in, an act of sexual misconduct, which presents a danger to the welfare of the respondent or others.

g. Rights of Both the Complainant and Respondent (Pre-, During and Post Hearing)

1. Pre-hearing Rights

The right to a reasonable investigation and appropriate resolution of all credible formal complaints.

The right to petition that any member of the hearing board be removed on the basis of knowledge of the participants in the case that may impair - or may be perceived to impair – their ability to hear and determine a case impartially.

The right to have a hearing.

The right to bring a support person and sexual misconduct advisor to all phases of the investigation and hearing.

The right to challenge documentary evidence.

The right to present relevant witnesses to the hearing board, including expert witnesses.

The right to present student, faculty and staff witnesses, and to ask questions of witnesses through the chair.

The right to be informed, in advance, of any public release of information regarding the formal complaint to the extent possible and as allowed by law.

The complainant and respondent have the right to consult with an attorney at their own expense.

The right to present up to three material and three character witnesses to the hearing board.

2. Hearing Rights

The right to be present for all testimony given and evidence presented before the hearing board.

The right to have a support person and sexual misconduct advisor present during a hearing. The support person and sexual misconduct advisor may not take part directly in the hearing itself, though the student may request a recess to confer with their respective support person and sexual misconduct advisor.

In the event that responsibility is found, both respondent and complainant will be given the option to be excused from the hearing room during the reading of impact statements.

The right to ask the chair of the hearing board to ask questions of witnesses.

3. Post Hearing Rights

The right to receive written notice of the outcome and sanction(s) of the sexual misconduct hearing to the extent permitted in the Notice of Determination.

The right to appeal the finding and sanction of the hearing board in accordance with the provisions of this policy.

The right to be free from retaliation.

h. Special Procedures

1. False Reports

A&T will not tolerate intentional false reporting of incidents. It is a violation of the *Student Code of Conduct* to make an intentionally false report of any policy violation, and it violates state criminal statutes and civil defamation laws.

2. Amnesty for Other Violations

a. For the Complainant:

A&T encourages reporting of incidents of sexual misconduct. Sometimes, complainants are hesitant to make reports because they fear that they may be charged with violations of the *Student Code of Conduct*, such as underage drinking at the time of the incident. To encourage reporting of sexual misconduct incidents, the University may exercise leniency towards a complainant with respect to taking action for other violations of the *Student Code of Conduct*.

b. For the Good Samaritan:

The welfare of students in our community is of paramount importance. At times, students on- and off-campus may need assistance. A&T encourages students to offer help and assistance to others in need. Sometimes, students are hesitant to offer assistance to others, for fear that they may get themselves in trouble (for example, a student who has been drinking underage might hesitate to assist another student

who experienced an incident of sexual misconduct). A&T may exercise leniency towards the Good Samaritan with respect to taking action for other violations of the *Student Code of Conduct*.

3. Notification of Determination

The determination made after a hearing is part of the education record of the respondent and is protected from disclosure under federal law. However, there are two exceptions, as follows:

Complainants shall be informed of formal charges against the respondent, the determination made after a hearing, and any sanctions imposed that directly relate to the complainant, unless the determination involves sexual violence, in which case the complainant shall be informed of any sanctions imposed..

Students who bring any sort of sexual violence complaint against faculty or staff may be informed of the determinations made and sanction imposed.

4. Alternative Testimony Options

For complainants, alternative testimony options will be provided. Options include placing a privacy screen in the hearing room or other options that provide a safe space for participation while not depriving the respondent of their rights in the process. While these options are intended to help make the complainant more comfortable, they are not intended to work to the disadvantage of the respondent.

5. Past Sexual History/Character

- a. The past sexual history or sexual character of a student will not be admissible in a sexual misconduct hearing.
- b. If, in the past, a respondent was found to have violated the Sexual Misconduct Policy (“past violation”), the information related to the past violation may be considered by the hearing board if:
 - I. The previous violation was substantially similar to the present complaint; and

- II. The previous violation indicates a pattern of behavior and substantial conformity with that pattern by the respondent.

- i. The Hearing

1. The student conduct officer shall assemble a hearing board of three trained members of A&T's Student Affairs administration or staff to hear sexual conduct cases. Each board shall be composed of representatives of both genders. A board member can recuse themselves, as appropriate, if requested.
2. All hearings shall be closed to the public.
3. Board members must indicate to the student conduct officer, within three days prior to the hearing, whether they have knowledge of the participants in the case that may impair – or may be perceived to impair – their ability to hear and determine a case impartially, and to recuse themselves if their participation might compromise the integrity of the hearing process.
4. All hearings will be, at least, audio-recorded. A digital file/transcript will be made available (i.e., read or take notes) to the complainant and respondent in the event a request for an appeal is filed. The recordings/transcripts are kept in the dean of students/associate vice chancellor's office.
5. Board members shall be provided with access to written information and evidence when they arrive for the hearing.
6. The respondent and complainant may be accompanied by their support person and sexual misconduct advisor. The support person and sexual misconduct advisor are present to act as counselors and support the respondent and complainant, and to provide advice on procedural matters. The support person and sexual misconduct advisor do not have speaking privileges during the hearing. A hearing will not be cancelled or postponed in the event a scheduled support person or sexual misconduct advisor does not attend. If the scheduled support person or sexual misconduct advisor is not able to attend, the complainant/respondent should arrange for a substitute.
7. If the respondent or complainant fails to appear at the hearing, the hearing will move forward in their absence.
8. Witnesses may be present at the hearing only at the time they are called to speak. A hearing will not be canceled or postponed if a scheduled witness does not attend.

9. Written and notarized statements of witnesses not in attendance due to extraordinary circumstances shall be considered by the board if approved by the chair.
10. At the start of the hearing, the chair shall ask the respondent if they have received the complaint, and if they understand the nature of the complaint.
11. The remainder of the hearing shall customarily proceed in the following order:
 - The Title IX coordinator or a UPD officer will present the complaint or incident report, along with information obtained through the investigative process to the hearing board. The hearing board shall consider only the information and evidence related to the alleged violations set forth in the formal complaint.
 - The Title IX coordinator or UPD officer will present both the accepted and disputed facts.
 - Board will, if applicable, ask the Title IX coordinator to present sexual misconduct violations.
 - Board will ask the complainant if he/she has any information to add, including specific witnesses.
 - Board will ask the respondent if he/she has any information to add.
 - Board will ask either the complainant and/or respondent any clarifying questions.
 - Board will deliberate in private to decide “in violation” or “no violation.”
 - If the respondent is found in violation, both complainant and respondent are given the opportunity to make an impact statement prior to the rendering of sanctions.
 - Board, if respondent is found in violation, will render a sanction, unless when the hearing board recommends suspension or expulsion.
 - In cases where there is a violation of this policy and the hearing board recommends suspension, the recommendation is forwarded to the vice chancellor for student affairs for review, evaluation and decision.
 - Whenever the hearing board recommends expulsion, the recommendation is forwarded to the chancellor for a decision.

12. The hearing board, by majority decision, will determine whether, or not, the respondent violated the Sexual Misconduct Policy as alleged in the formal complaint by finding either "in violation" or "no violation" of the Sexual Misconduct Policy. The board's determination shall be based on a "preponderance of the evidence" standard which means "it is more likely than not" that a violation of the Sexual Misconduct Policy occurred.
13. If the board renders a determination of "in violation," the board will recommend a sanction consistent with those specified in the A&T Code of Conduct, as set forth below.
14. The board shall have up to 2-3 business days to render a decision. However, with the more serious expulsions and suspensions, they may have up to 10 business days.
15. The chair of the hearing board will notify both the complainant and respondent, in writing, of the hearing board's decision.
16. Both the complainant and the respondent may file a written appeal of the hearing board's decision. The appeal must be based on one or more of the following:
 - New information directly related to the case that was unavailable during the investigation period or the hearing itself.
 - Procedural error that might have affected the decision.
17. The purpose of the appeal is not to re-hear the underlying case; rather, it is to determine if there is sufficient information presented to allow a reconsideration of the hearing board's decision.
18. Appeals must be made, in writing, to the vice chancellor for student affairs (for suspensions) or chancellor (for expulsions) within seven business days of the notification of the decision.
19. The vice chancellor for student affairs may decide the appeal or ask the original hearing board to reconsider the case based on new information presented.
20. The vice chancellor for student affairs will review the appeal and render its decision within ten business days after receiving the notice of appeal.
21. The decision of the vice chancellor for student affairs is final in cases that do not involve suspension or expulsion. Suspension decisions may be appealed up through the University's Board of

Trustees, whose decision is final. Expulsion decisions may be appealed up through the board of governors.

j. Guidelines for Sanctions

Sanctions preserve individual and institutional safety and integrity and, whenever possible and appropriate, help offenders to learn from their mistakes. Individuals found to be in violation of sexual misconduct offenses involving penetration will likely face a recommended sanction of suspension or expulsion. Individuals found to be in repeat violation for sexual misconduct offenses will likely face a recommended sanction of suspension or expulsion

The dean of students/associate vice chancellor for student affairs (DoS/AVCSA) maintain a record of all disciplinary hearings and sanctions applied, and these are admissible in subsequent student conduct proceedings involving the student(s) in question. Violations of the *Student Code of Conduct* may have an impact on eligibility for academic prizes and honors, eligibility to hold a student leadership position, participation and/or status in the room selection process, law school applications, security clearances, etc.

The board may sanction students found in violation of the Sexual Misconduct Policy in a variety of ways. Most sanctions either restrict student activities or require the student to complete specific reparative tasks within a specific time frame. During the period from hearing to completion of sanctions, the student is on "disciplinary probation."

As determined by the board or the DoS/AVCSA, a student on disciplinary probation may not be eligible to register for the ensuing semester of study at A&T, or pursue work at another academic institution or participate in A&T room selection. A student who violates the *Student Code of Code* while on disciplinary probation, or fails to comply with assigned sanctions, will generally receive additional, more substantial sanctions. In the case of graduating seniors, students may not receive diplomas or transcripts or participate in the graduation ceremony until completion of all sanction requirements, unless specifically permitted by the administrative hearing board.

- **Education:** Students may be required to participate in educational activities. Such activities include, but are not limited

to, completion of a report or attendance at a seminar or other educational program or presentation

- **Professional Assessment:** Completion of a professional assessment that could help the student or the University ascertain the student's ongoing supervision or support needs to successfully participate in the University community.
- **Specific Restriction(s):** The board may impose specific restrictions on an individual to prevent either access to an area of campus, participation in some aspect of the University's operation and life, and/or restriction from all forms of contact with certain persons. Note that some campus organizations, such as SGA, do not permit its members to serve in leadership positions if they are on disciplinary probation.
- **Suspension:** The board may recommend suspension, specifically in sexual misconduct cases involving penetration, to the DoS/AVCSA. The board may also assign specific sanctions, such as community service, for completion during the suspension period. While suspended, students may transfer up to two courses (maximum of eleven credit hours) taken at another institution, subject to the usual review by the registrar. The board may recommend suspension in cases where:
 1. public safety or disruption of the academic and educational process is a concern;
 2. the respondents demonstrate an unwillingness to take responsibility for their behavior by failing to complete sanction-related tasks or by committing new social or academic violations;
 3. the respondent's infraction is too egregious relative to the University's academic or social value system; or
 4. the respondent has committed multiple offenses that warrant a serious sanction.
- **Suspension in Abeyance:** In cases of suspension, the board or administration may decide that there are circumstances which mitigate against the immediate separation of the student from the University. Such circumstances may include, but are not limited to, timing of the violation or the student's intent at the time of incident. However, should the student be found in violation of A&T rules or regulations during the period of abeyance, the abeyance will be automatically lifted and the

suspension shall take effect immediately for the remainder of the original sanction.

- **Expulsion:** The board may recommend expulsion to the DoS/AVCSA. Expulsion is a permanent status. The respondent must leave A&T immediately and cannot register again as a student. Expulsion is warranted when the student's conduct is so disturbing to community values that making amends is not possible. Students who are suspended or expelled from the University are also trespassed from all University property and sponsored events.
- Please be advised that transfer notification will be made on your transcript.

Date policy is effective: upon approval and applies to all matters first reported thereafter.

Approved by the Chancellor

First approved: July 13, 2015

I. [Improper Relationships Between Students and Employees](#)

ADMINISTRATIVE POLICY

Statement of Policy

This policy applies to all employees.

The University does not condone amorous relationships between students and employees. Members of the University community should avoid such liaisons, which can harm affected students and damage the integrity of the academic enterprise. Further, sexual relationships between unmarried persons can result in criminal liability. In two types of situations, University prohibition and punishment of amorous relationships is deemed necessary: (1) when the employee is responsible for evaluating or supervising the affected student; (2) when the student is a minor as defined by North Carolina law.

It is misconduct, subject to disciplinary action, for a University employee, incident to any instructional, research, administrative or other University employment responsibility or authority, to evaluate or supervise any enrolled student of the institution with whom he or she has an amorous relationship or to whom he or she is related by blood, law or marriage. It is misconduct, subject to disciplinary action, for a University employee to engage in sexual activity with any enrolled student of the institution, other than his or her spouse, who is a minor below the age of 18 years.

Definition of Terms

a. "Amorous relationship." An amorous relationship exists when, without the benefit of marriage, two persons as consenting partners (a) have a sexual union or (b) engage in a romantic partnering or courtship that may or may not have been consummated sexually.

b. "Related by blood, law or marriage" means:

- i. Parent and child
- ii. Brothers and sisters
- iii. Grandparent and grandchild

- iv. Aunt and/or uncle and niece and/or nephew
- v. First cousins
- vi. Step-parent and step-child
- vii. Step-brothers and step-sisters
- viii. Half-brothers and half-sisters
- ix. Husband and wife
- x. Parents-in-law and children-in-law
- xi. Brothers-in-law and sisters-in-law
- xii. Guardian and ward
- xiii. People living in the same household, who share a relationship comparable to immediate family members,

c. "Evaluate or supervise" means:

- i. To assess, determine or influence (1) one's academic performance, progress, or potential or (2) one's entitlement to or eligibility for any institutionally conferred right, benefit or opportunity, or
- ii. To oversee, manage or direct one's academic or other institutionally prescribed activities.

d. "Direct Supervisory Relationship" shall be interpreted to include any situation where the supervisor effectively controls the terms and conditions of the relative's employment, including promotion opportunities, rates of compensation, work assignments and evaluation of performance. The following types of relationships would violate the restriction against "direct supervision":

- Department Chair and member of the instructional staff of the same department
- Member of instructional or research faculty and his or her teaching assistant
- Dean of a college and a Chair of a department within the college
- Chancellor and Vice Chancellor

Corrective Action

Violations of the provisions of this policy on Improper Relationships shall be addressed in accordance with remedial measures prescribed by the University, up to and including discharge; if disciplinary action is brought against an affected employee, it shall be conducted in accordance with existing institutional policies and procedures prescribed for prosecuting misconduct charges against members of the class of employment of which the affected employee is a member.

Anyone who believes this policy is being violated should report the concern to the supervisor of the alleged violator, to a higher level supervisor in A&T's administration, to the Title IX Coordinator in the Office of Legal Affairs, the Office of the Vice Chancellor for Student Affairs, or to A&T's Office of Internal Auditor's anonymous hotline, at 877-507-7313.

REPEAL OF OTHER POLICIES

This policy repeals Secs. 6.21 through 6.21.2, of The Faculty Handbook's Chapter VI, the policy "Employment of Related Persons" currently on the Human Resources policy webpage (January 9, 2008), and any other policy on this topic that is not posted on the A&T "Approved Policies" website.

Date revised policy is effective: upon approval

Approved by the Chancellor

First approved: Prior to February 21,

2007 Revised: April 8, 2011

July 20, 2018

N.C. A&T does not discriminate against any person on the basis of age, color, disability, gender identity, genetic information, national origin, race, religion, sex, sexual orientation, veteran status, or any other basis protected by law. For inquiries regarding non-discrimination policies, contact Samuel Richardson, Interim Title IX Coordinator, Office of Legal Affairs at srichardson@ncat.edu

N.C. A&T is an AA/EEO- and ADA-compliant institution. Printed with non-state funds.