
Organization Rights and Responsibilities in the Student Conduct Process

Outlined in this document are the main rights and responsibilities provided to University of North Carolina at Pembroke (UNCP) student during the Student Conduct Process. This list is not exhaustive; therefore, a student has the sole responsibility to review the UNCP Student Handbook for all rights and responsibilities provided under the Student Conduct process. **NOTE: Organizations are not specifically provided rights under the student code of conduct; however in this case the Office of Student Conduct can provide organizations with the same type of rights and responsibilities that individual students are entitled to under the UNCP Student Code of Conduct.**

Student Rights and Responsibilities

1. Every organization is bound by the Academic Honor Code and the Student Code of Conduct. Upon enrollment, an organization receives no sanctuary from obedience to the law. In addition to the federal, state, and local laws that pertain to all citizens, a UNCP organization must accept the institutional rules and regulations (1.2).
2. Any organization charged with an alleged violation of the Student Code of Conduct shall be presumed innocent until proven responsible by a “preponderance of evidence” standard. The “preponderance of evidence” standard is interpreted as a person being held responsible based upon evidence (that evidence which is more likely than not) presented from which any reasonable person would conclude that a violation of the Code of Conduct had occurred (1.1).
3. An organization has the right to review all available information, documents, exhibits, right to appear in person, hear all testimony, present any relevant information regarding their behalf, call witnesses directly related to the incident at hand, and to ask questions of any person present at the hearing (5.6.a & 12.2.2.a.)
4. An organization has the responsibility to communicate with the Office of Student Conduct regarding their attendance and scheduling of pre-hearing meeting.
5. The organization has the responsibility to select the type of hearing they choose outlined in the Student Code of Conduct.
6. An organization has the right to elect not to appear at the hearing selected by the student. The selected hearing then shall be conducted in the absence of the organization (12.2.2.b).
7. An organization has the right to enter a plea of responsible or not responsible for the alleged violations that were charged against them in the pre-hearing notification letter.
8. An organization has the right to refuse to answer any questions or make a statement during a hearing; however the hearing authority then shall make its decisions based solely on the basis of information introduced at the hearing (12.2.2.c.).
9. An organization has the right to know the identity of witnesses who will testify against them (12.2.2.d.).
10. An organization has the right to question each witness who will testify against him/her for the purpose of clarification (12.2.2.e.).
11. An organization has the right to have all statements, information, or comments given during the hearing held in confidence by members of the board before, during, and after deliberation.

12. An organization has a right to have hearings conducted in an informal manner where technical rules of evidence will not be applied. The taking of statements of witnesses may be done by discussion, though each witness shall be subject to cross-examination. Witnesses (except for the accused) shall be present during the hearing only during the time they are testifying.
13. An organization has the right to have a summary of the hearing record. The organization has the responsibility to request a summary of the hearing record in writing by emailing the request to studentconduct@uncp.edu (12.2.2.h.).
14. An organization has the right to appeal (as outlined in the Student Code of Conduct). The organization has the responsibility to complete the appeal process as outlined in the Student Code of Conduct. All requests for appeal must be sent in writing to studentconduct@uncp.edu within 48 hours after notification of an outcome and sanctioning decision (12.2.2.e. & 16.1).
15. If an organization selects or is required to go before a Student Conduct Hearing Board (CJB) the student has a right to receive the following information:
 - a. The name of the person appointed to act as the chairperson for the CJB;
 - b. The listing of the names of witnesses who will testify against the student and a description of evidence and alleged violations that be offered against them;
 - c. A copy of the complaint. **See section 12 of Student Code for further instruction of rights.**
16. An organization has the right to an attorney/non-attorney advocate throughout the entirety of the Student Conduct process. The organization has the responsibility to notify the Office of Student Conduct if they plan to bring an attorney/non-attorney advocate with them during the Student Conduct process. The organization must provide the following information:
 - a. The complete identity of the advocate;
 - b. Whether the individual is a licensed attorney or a non-attorney advocate;
 - c. An address, telephone number, and email address where the advocate can be reached.
17. The organization has the responsibility to explain the role and the expectations of the advocate during the Student Conduct process to their advocate. If an attorney/non-attorney advocate does not comply with the requests and expectations of the student, the Director of Student Conduct, or the Student Conduct Hearing Board chair, the organization understands and accepts that the attorney/non-attorney advocate could be asked to leave and the hearing will proceed. **See Student Code for further information regarding attorney/non-attorney advocate policy.**

By signing this form, I, _____ acknowledge the organizational rights and

 Print Name (First, Last)
 Responsibilities have been provided to me.

 Student Signature

 Date

 SID#