



BAITY HILL
COMMUNITY LIVING STANDARDS
&
HOUSING CONDUCT PROCESS

Updated and effective July 1, 2023

TABLE OF CONTENTS

[ALCOHOL POLICY](#)

[INDIVIDUAL-BASED STANDARDS](#)

- A. [ILLEGAL DRUGS & PARAPHERNALIA](#)
- B. [CONDUCT AFFECTING PERSONS](#)
- C. [ATTEMPT TO COMMIT](#)
- D. [IDENTIFICATION](#)
- E. [ILLEGAL ENTRY & TRESPASSING](#)
- F. [THEFT & POSSESSION OF STOLEN GOODS](#)
- G. [WEAPONS & EXPLOSIVES](#)
- H. [FAILURE TO COMPLY](#)
- I. [GAMBLING](#)
- J. [BUSINESS ENTERPRISES](#)

[COMMUNITY-BASED STANDARDS](#)

- A. [QUIET HOURS/NOISE](#)
- B. [DAMAGE/VANDALISM](#)
- C. [SMOKING & E-CIGARETTES/VAPOR PRODUCTS](#)

- D. [VISITATION & GUESTS](#)

- E. [PETS](#)

- F. [RECREATIONAL ACTIVITIES](#)

- G. [MOTORIZED VEHICLES AND BICYCLES](#)

- H. [SOLICITATION AND POSTING](#)

[FACILITIES-BASED STANDARDS](#)

- A. [FIRE SAFETY](#)

- B. [HOUSEKEEPING](#)

- C. [BUILDING STRUCTURES](#)

- D. [DECORATIONS](#)

- E. [PROHIBITED ITEMS](#)

- F. [ROOM/COMMON AREA ALTERATIONS](#)

- G. [KEYS & LOCKS](#)

[APPENDIX A. MISSION, ADJUDICATION & RESPONSE](#)

[APPENDIX B. APPLICABLE SANCTIONS](#)

[APPENDIX C. INTERIM ADMINISTRATIVE ACTIONS](#)

I. ALCOHOL POLICY OF THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL

The following standards are applicable to residential students and constitute a violation of the [Alcohol Policy of the University of North Carolina at Chapel Hill](#) ("Alcohol Policy"). Students found responsible for violating I.A – I.M are subject to the disciplinary consequences of the Housing Conduct Process, as defined in Appendices A, B, and C.

- A. No person younger than 21 years of age may purchase, possess or consume Alcoholic Beverages.
- B. Persons 21 years of age or older may not possess open containers of Alcoholic Beverages or consume Alcoholic Beverages on University Premises except in designated areas.
- C. No person may provide alcohol to a person who is younger than 21 years of age.
- D. No person of any age may possess, consume, provide, distribute, sell, and/or manufacture Alcoholic Beverages in violation of any local, state, or federal law.
- E. No person younger than 21 years of age may possess or use false identification (ID) for the purchase or procurement of Alcoholic Beverages, or to access an establishment that serves Alcoholic Beverages. This provision includes, but is not limited to, the following:
 - 1. possession or use of an altered ID
 - 2. possession or use of a forged ID
 - 3. possession or use of an ID belonging to another person
 - 4. possession or use of any form of identification which misrepresents the bearer's true identity or date of birth.
- F. No person of any age may engage in behavior as a result of consumption or use of alcohol that is disorderly, disruptive, or jeopardizes the health or safety of self or others.
- G. No person may assist, aid, or otherwise facilitate another in committing a violation of this Policy or a violation of any local, state, or federal law regulating the use of Alcoholic Beverages.
- H. No person, Student Organization, or University Administrative Unit may use federal or state-appropriated funds to purchase Alcoholic Beverages.
- I. No person, Student Organization, or University Administrative Unit may manufacture and/or sell Alcoholic Beverages except as expressly authorized pursuant to this Policy and/or state statute.
- J. Use of common source containers, including, but not limited to, kegs, punch bowls, and loose cases, are prohibited on University Premises. Use of common source containers, including, but not limited to, kegs, punch bowls, and loose cases, are prohibited at off-campus events where these containers are in any way furnished, controlled, sponsored, or otherwise provided by Student Organizations or University Administrative Units.
- K. In addition to complying with federal, state and local laws and the provisions outlined above, Student Organizations and University Administrative Units must also adhere to the following:
 - 1. No Alcoholic Beverages, for use on- or off-campus, may be purchased with student activity fees, University-collected fees, funds deposited or administered through the Student Activities Fund Office (SAFO), or with any other Student Organization funds or dues. Additionally, no Alcoholic Beverages may be purchased for a Student Organization or its members or guests in the name of or on behalf of the Student Organization (e.g., passing the hat).
 - 2. No Student Organization or University Administrative Unit may hold a fundraising event on- or off-campus where the organization or unit profits from the direct sale of Alcoholic Beverages, including collection of a cover charge that defrays the costs of Alcoholic Beverages (e.g., donate to the cause and drinks are ½ off).
- L. No Alcoholic Beverages may be advertised or merchandised on campus except when done so in accordance with all applicable University policies.
- M. Failing to comply with any disciplinary sanctions or required interventions imposed pursuant to this Policy may also be considered a violation of this Policy.

The following actions and behaviors constitute violations of the **Baity Hill Community Living Standards**. A student who is involved in an alleged violation for any of the following policies is subject to the Housing Conduct Process, as defined in Appendices A, B, and C.

- N. No one under 21 years of age may possess or display containers originally manufactured to contain alcoholic beverages (e.g. empty liquor, beer, or wine containers).
- O. Persons 21 years of age or older may only possess containers or consume alcoholic beverages in the privacy of their unit or in another unit where at least one occupant is 21 years of age and present at the time the alcohol is being consumed.
- P. Possession or use of devices and activities used for the rapid consumption of alcohol (e.g., beer bong, beer pong, etc.).
- Q. Being found voluntarily and knowingly in the presence of a violation of I.A.-I.P.

II. **INDIVIDUAL-BASED STANDARDS**

The following actions and behaviors constitute violations of the Baity Hill Community Living Standards. A student who is involved in an alleged violation for any of the following policies is subject to the Housing Conduct Process, as defined in Appendices A, B, and C.

A. **ILLEGAL DRUGS & PARAPHERNALIA**

- 1. Possession, use, or purchase of an illegal drug.
- 2. Possession with intent to transport, manufacture, sell, or deliver an illegal drug.
- 3. Use or possession of prescription drugs by an individual other than the patient to whom the drug was prescribed.
- 4. Misuse of prescription or non-prescription drugs (drugs taken in a manner inconsistent with their use as identified on the packaging or as directed by a physician).
- 5. Possession of drug-related paraphernalia (including but not limited to: rolling papers, scales, grinder, bowls, and bong, etc.).
- 6. Being found voluntarily and knowingly in the presence of a violation of II.A.1 – II.A.5.

For more information, please see UNC-Chapel Hill's [Illegal Drugs](#) policy.

For information on alcohol and other substance abuse resources, please refer to the [Student Wellness website](#).

B. **CONDUCT AFFECTING PERSONS**

- 1. Fighting.
- 2. Conduct that unreasonably endangers, inflicts, or attempts to inflict physical injury upon another.
- 3. Recording or distributing another person's image or voice, without permission, where that person had a reasonable expectation of privacy.
- 4. Behavior that is disorderly, disruptive, or jeopardizes the health or safety of self or others.

C. **ATTEMPT TO COMMIT**

- 1. Attempting to commit acts prohibited by the Community Living Standards, University Policies, and other Local, State or Federal Laws.

D. **IDENTIFICATION**

- 1. Failure to present valid University or government-issued identification to University staff in a cooperative manner when requested.
- 2. Using another person's identity, or furnishing materially false information to any University staff, including manufacturing, use or possession of false identification.
- 3. Failure to respond to University staff in a timely, respectful, and appropriate manner, including both verbal and written responses.

E. **ILLEGAL ENTRY & TRESPASSING**

- 1. Unauthorized entry into any restricted access areas of Baity Hill. These areas include, but are not limited to, apartments belonging to other students, staff rooms, mechanical rooms, telecommunication rooms, roofs, closed buildings, housekeeping closets, and storage areas.
- 2. Following a student into an apartment that is not your own ("tailgating").
- 3. Propping open exterior doors.
- 4. Entry or attempted entry during times when buildings, areas within buildings, or Baity Hill Office are closed.

F. **THEFT & POSSESSION OF STOLEN GOODS**

- 1. Stealing property or possession of stolen property belonging to UNC-Chapel Hill, an outside entity, or to another individual.

G. WEAPONS & EXPLOSIVES

1. Possessing or carrying, openly or concealed, any gun, rifle, pistol, or other firearm of any kind, or any dynamite cartridge, bomb, grenade, mine, or powerful explosive.
2. Possessing or carrying 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 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) upon any University campus or in any University-owned or operated facility.
3. Possessing or carrying, openly or concealed, any item resembling an actual weapon or prohibited item.

For more information, please see UNC-Chapel Hill's [Fireworks, Firearms, and Other Weapons](#) policy.

H. FAILURE TO COMPLY

1. Failure to comply with reasonable instructions given by University personnel.
2. Deliberately furnishing false or misleading information to University personnel.

I. GAMBLING

1. Gambling, sponsoring raffles and selling raffle tickets in the residence halls.

J. BUSINESS ENTERPRISES

1. Personal business enterprises conducted in or from UNC-Chapel Hill residential facilities, including Internet-related business operations.

III. COMMUNITY-BASED STANDARDS

The following actions and behaviors constitute violations of the Baity Hill Community Living Standards. Any resident who is involved in an alleged violation for any of the following policies is subject to the Housing Conduct Process, as defined in Appendices A, B, and C.

A. QUIET HOURS/NOISE

1. Failure to comply with a reasonable request of a community/staff member to lower the noise level during Courtesy Hours (in effect 24 hours per day).
 - a. During courtesy hours, all noise must be kept to a level which is respectful to other residents in the building.
2. Failure to comply with Quiet Hours (every day between 10pm – 8am).
 - a. During this time, noise must be kept at levels that will not interfere with the study or sleep of other students. Quiet Hours are extended to 24 hours during final exams.
3. Allowing a noise issue to recur after receiving notice to correct it.

B. DAMAGE/VANDALISM

1. Engaging in an act that damages, destroys, or defaces property of the University or another individual.
2. Failure to report damage to the building or any apartment immediately to Housing Support or Carolina Housing Staff.

C. SMOKING & E-CIGARETTES/VAPOR PRODUCTS

1. Smoking in residence halls and within 100 feet of all University facilities, including the use of electronic cigarettes, also known as vapor products.

For more information, please see [UNC Smoke Free](#) policy.

D. VISITATION & GUESTS

The Visitation and Guest Policy is a shared responsibility between the residents of a community and community staff. Residents are encouraged to notify their Community Resident Advisor or Community Director of potential violations of this policy in a timely manner.

All buildings have open room visitation with roommate/unit consent. The following actions and behaviors are prohibited:

1. Unescorted guests in the residential facilities. Guests must call their resident host from outside the building in order to gain entry.
2. Failure to receive approval from roommate(s)/others in the unit to have guest(s). A resident's rights to privacy, sleep, and study take precedence over the rights of a host to have a guest.
3. Failing to register Overnight Guest(s) staying more than three (3) nights with the Baity Hill Staff. To begin this process, please email baityhill@unc.edu.
4. Hosting a registered overnight guest for more than the maximum of 30 nights.

5. Hosting a gathering with more than two (2) times the designated occupancy in an apartment.
6. Failing to inform or reasonably intervene to stop a guest from violating Baity Hill Community Living Standards.
7. Habitation of a room by anyone other than residents assigned to that room.
8. Guests staying or sleeping in spaces other than their host's room.

E. PETS

1. Harboring any pet(s)/animal(s) in an apartment or bringing pet(s) inside a building at any time for any length of time.
2. Residents are permitted to keep fish in their apartment provided the following conditions are met: (a) the fish tank is freshwater and it does not exceed 12 U.S. gallons; (b) all residents agree to have a fish tank; and (c) all appropriate precautions are taken to ensure that the electrical connection to the fish tank is safe.

For information regarding use of Service or Emotional Support Animals, please contact the Office of [Accessibility Resources and Service](#).

F. RECREATIONAL ACTIVITIES

1. Any activity that includes throwing an object or running inside a building.
2. Riding a bike, skateboarding, floor hockey, rollerblading, and use of all outdoor equipment including but not limited to balls, Frisbees, golf clubs, bats, squirt guns, and lacrosse sticks inside a building.
3. Pranking that causes harm or the potential for harm.

G. MOTORIZED VEHICLES AND BICYCLES

1. Operating, charging or storing motorized vehicles (including but not limited to motorcycles, mopeds, motorbikes, self-balancing scooter boards (Hoverboards), two-wheeled scooters, Segways, and University- rented motorized scooters, carts, etc.) inside residential spaces is prohibited.
2. Parking motorcycles, mopeds, motorbikes in any spaces other than designated parking areas is prohibited, including but not limited to: inside of a building, walkways, access ramps, bike racks, or under the framework of a building.
3. Failure to store bicycles in the designated rack areas provided or in an apartment.

H. SOLICITATION AND POSTING

1. Canvassing, selling, soliciting, or promoting the sale of goods or services without prior written approval from the Director of Carolina Housing or designee.
 - a. Posting materials in common areas or hallways without prior written approval from the Director of Carolina Housing or designee.
 - b. Engaging in conduct prohibited by the University's policy on [Facilities Use Standards](#).

IV. FACILITIES-BASED STANDARDS

The following actions and behaviors constitute violations of the Baity Hill Community Living Standards. A student who is involved in an alleged violation for any of the following policies is subject to the Housing Conduct Process, as defined in Appendices A, B, and C.

A. FIRE SAFETY

1. Starting a fire, including burning a candle or having any other open flame.
2. Activating a fire alarm without due cause or falsely reporting a fire emergency to University or emergency response officials.
3. Tampering with or covering smoke/heat detectors, fire extinguishers, or sprinkler heads.
4. Destroying, damaging, or misusing emergency or safety equipment.
5. Failure to evacuate the building completely and immediately in the event of an alarm. Students must remain outside until instructed by fire department officials or University staff that they may re-enter.
6. Obstructing traffic or blocking balconies, hallways, and stairwells.
7. Splicing into or altering the electrical wiring in a residence hall.
8. Failure to take precautionary steps while cooking, including turning on vents, opening windows, and closely monitoring cooking food.

B. HOUSEKEEPING

1. Failure to maintain the cleanliness of one's room and common areas.
2. Leaving personal trash in any public or shared areas (e.g., bathrooms and hallways) and/or spaces that would block the path of egress in case of an emergency.
3. Failure to remove trash and/or recycling to the appropriate designated containers.

4. Residents with repeated and/or intentional violations of these standards may experience the cancellation of their housing contract for the year.
5. Conduct which creates or contributes to unsanitary conditions in an apartment, building, or on the grounds.

C. BUILDING STRUCTURES

1. Tampering with or removing any window screens, latches, stops, or apparatus in either student rooms or public areas.
2. Breaking the plane of a window, breezeway, or balcony by a person or an object. Examples of “breaking the plane” include but are not limited to hanging items from a window or balcony, putting body parts out of a window, or sitting on a balcony with feet dangling off the ledge.
3. Throwing, dropping, propelling, pouring or hanging of anything from windows, balconies, ledges, rooftops, and landings.
4. Climbing or repelling off of any housing property.

D. PROHIBITED DECORATIONS

1. Items placed within two feet of a fire protection system component (i.e., manual pull station, smoke detector, bell/horn/strobe, sprinkler, fire extinguisher, exit sign, emergency lighting, and fire exit) or attached to or hung from any windows in the room or apartment.
2. LED Strip Lights, Christmas lights, fairy lights, or other string lights.
3. Any room and exterior room door decorations and wall hangings hung with damaging materials or non-removable hangers and/or covering more than one third of the total wall space.
4. Decorations posted in an apartment, outside of apartment doors, hallways, common areas, message boards or on the adjoining property that would constitute a violation of other UNC-Chapel Hill's [University policies](#), including Prohibited Discrimination, Harassment and Related Misconduct.

E. PROHIBITED ITEMS

1. Storing item(s) that may pose a fire hazard in an apartment or common space. Such items include but are not limited to any open flame source (e.g., candles), incense, live cut trees (e.g., Christmas trees) or flammable liquids.
2. Failure to comply with the Approved/Not Approved Items policy, as defined by the [Housing website](#).

F. ROOM/Common AREA ALTERATIONS

1. Adhesive tape, staples, screws, adhesive holders, brackets, tacks, and nails are not to be used on the walls, woodwork, floors, or ceilings.
2. Removing common area furniture for use in a space other than its original location.
3. Painting any interior or exterior area of any space at Baity Hill.
4. Damaging or making any apartment or common area alterations that require repair. (Damages will be billed to the appropriate Resident(s)).

Students are responsible for returning their room and apartment furniture to the designated positions at the end of the year as set forth by the community office. Damages that result from making room or common area alterations will be billed to the appropriate students. For more information, see the [Housing Website](#) for Decorating Policies.

G. KEYS & LOCKS

1. Failure to prevent security risks associated with keys & locks i.e:
 - a. Unauthorized use, possession, or duplication of residence hall keys and/or Flex Passes.
 - b. Unauthorized switching of keys and/or Flex Passes for the purpose of a room change.
 - c. Leaving brass keys in lock cores
 - d. Allowing people to tailgate into residential buildings after you, etc
2. Tampering with locks.
3. Additional locks added to doors or other University property or equipment.

APPENDIX A. MISSION, ADJUDICATION & RESPONSE

A. MISSION

Carolina Housing works to provide convenient housing that is secure, inclusive and supportive. Students create a home in our on-campus communities, build life-long friendships and develop skills for their current and future successes as they journey through their Carolina experience. To uphold this mission, we have established a set of Community Living Standards. These policies are designed to create a safe and welcoming environment conducive to academic success.

Furthermore, each student has the following rights and responsibilities while living on-campus.

You have the right:

- to rest and study in your residence.
- to access one's living space during all times the building is open.
- to be informed of community events or planned disruptions.
- to have well-maintained facilities.
- to privacy.
- to be informed of the rules that apply to your conduct.
- to due process in the event that you are involved in an alleged conduct violation.
- to expect other residents to conduct themselves in accordance with the *Baity Hill Community Living Standards*.
- to redress grievances.

You have the responsibility:

- to conduct yourself in accordance with the *Baity Hill Community Living Standards*.
- to inform yourself on the rules that apply to your conduct.
- to respond in a timely fashion to correspondence from a University Official concerning your conduct.
- to confront others whose conduct violates your rights.

In addition to the policies outlined in the Community Living Standards, students must adhere to all [University and Administrative Policies](#), and other Local, State and Federal Laws.

B. AUTHORITY

Pursuant to Section nineteen (19) of the University of North Carolina at Chapel Hill Carolina Baity Hill Housing Contract: All students and their guests are expected to be familiar with and abide by the Community Living Standards as published on the Carolina Housing website. These Standards are incorporated by reference into this Contract and constitute a legally binding contractual agreement between the student and the University. Residents and their guests must adhere to the Baity Hill Community Living Standards within all University owned and/or operated residential facilities including Granville Towers and adjacent areas that serve the residential facility. Adjacent areas are at the discretion of Carolina Housing staff. Violations of the Baity Hill Community Living Standards will be adjudicated through the Housing Conduct Process. Violations which compromise the safety and security of students may result in contract termination and other appropriate disciplinary action.

Alleged Baity Hill Community Living Standards violations that occur in or around Baity Hill property will be addressed through the Carolina Housing conduct process and may also be referred to the Office of Student Conduct.

Pursuant to the *Alcohol Policy of the University of North Carolina at Chapel Hill*, University Officials shall include Community Directors or other designated Housing Officials who shall serve as Hearing Officers in the adjudication of this policy, with all of the rights and authority that entails.

C. HOUSING CONDUCT PHILOSOPHY

The Housing Conduct process strives to be a fair and judicious conduct process grounded in *education, ethical decision making, and accountability*.

D. HOUSING CONDUCT LEARNING OUTCOMES

After participating in the Housing Conduct Process, students will be able to:

1. Articulate their rights as they pertain to the Housing Conduct Process
2. Discuss how their personal values and principles impact decision-making
3. Recognize the effect of their behavior on others in the residential community

E. HOUSING CONDUCT GOALS

Administrators of the Housing Conduct Process aim to achieve the following goals:

1. Foster a residential culture that encourages healthy choices and behaviors
2. Encourage ethical development and personal accountability
3. Develop educational interventions that foster individual insight and growth

4. Increase the awareness of the Baity Hill Community Living Standards

F. PROCEDURAL RIGHTS

A student accused of violating the Baity Hill Community Living Standards is afforded procedural rights in the Housing Conduct Process. An accused student has the right:

1. To receive a notice of the charge(s);
2. To be informed of the procedural alternatives applicable to their case;
3. To review the Incident Report regarding the charges against them. They may request to view the report in advance of their hearing;
4. To be presumed not responsible until evidence of their involvement in the violation is proven by a preponderance of the evidence standard (more likely than not);
5. To have an objective and impartial hearing; if a Student feels that the Hearing Officer cannot consider the case impartially, they may request that a different Hearing Officer be assigned to their case;
6. To have their hearing held within a reasonable amount of time;
7. To be represented by an attorney or non-attorney advocate. Further information can be found at: <https://housing.unc.edu/residence-life/housing-conduct-process>.
8. To present witnesses or evidence on their behalf at the hearing.
9. To appeal the outcomes of this process.

G. INITIAL INVESTIGATION

A Hearing Officer shall be assigned to each reported violation and shall be a designee of the Vice Chancellor for Student Affairs.

The Hearing Officer will review documented incidents and referrals of alleged Student violations of the Alcohol Policy and/or Baity Hill Community Living Standards. The Hearing Officer will send the Student a written notice of the alleged violation(s), including factual information supporting the allegation. The written notice shall also contain a scheduled initial meeting date and time, as well as a listing of the potential charges, including a statement that additional charges may be assigned as additional evidence becomes available.

H. INITIAL MEETING

The purpose of the initial meeting is to gain the Student's perspective on the alleged violation(s) and to determine whether there exists a reasonable basis to formally charge the Student with a violation. In the initial meeting, the Hearing Officer shall inform the Student of the alleged violation(s), of the evidence within the Hearing Officer's possession, of the alternatives available to the Student in responding to any charge(s) including acknowledgement of responsibility and its implications, of possible sanctions, and of applicable procedural and appeal rights. Additionally, the Hearing Officer and the Student will review any applicable evidence, including the incident report, and the Student may also choose to make a statement. If the Student fails to attend the initial meeting without prior written notice and the Student's failure to attend is not otherwise due to extraordinary circumstances, the Hearing Officer will review the evidence and determine if a reasonable basis exists for a charge.

During the initial meeting, the Hearing Officer will exercise one of the following options:

1. Determine that no reasonable basis exists to formally charge the Student with violating the Alcohol Policy and/or Baity Hill Community Living Standards, thereby dismissing the case;
2. Determine that additional information is needed to make a formal charge decision;
3. Determine that a reasonable basis exists to formally charge the Student with violating the Alcohol Policy and/or Baity Hill Community Living Standards and provide the student the opportunity to resolve the matter immediately;
 - a. If a Student chooses to resolve the matter immediately, the initial meeting becomes the mutual resolution in lieu of the administrative hearing, wherein the student mutually agrees to resolve and the case becomes final with no further right to appeal. Mutual resolution means the student and the hearing officer are in agreement of the charges, of the alleged violations and, if applicable, the appropriate sanctions. If there is no mutual agreement, the student can choose b. (below);
 - b. If the Student chooses to resolve their charges through an administrative hearing at a later date, or if no mutual resolution can be found, the Hearing Officer will send the Student a written notice of all charge(s) with a scheduled administrative hearing date and time. The administrative hearing will occur at least five (5) business days after the issuance of the formal charge(s), unless extraordinary circumstances apply. If the Student wishes to hold the administrative hearing on a date prior to five (5) business days after the issuance of the formal charge, the Student may make this request in writing. This written request must be submitted to the Hearing Officer; or
4. Determine that a reasonable basis exists to formally charge a student with violating the Alcohol Policy and/or Baity Community Living Standards, and determine that this matter be resolved through an

administrative hearing to be scheduled no sooner than five (5) business day after the issuance of the formal charge(s); or

5. Determine that due to the circumstances surrounding the incident, University Medical Amnesty should apply.

I. ADMINISTRATIVE HEARING

Students may request a copy of the incident report in advance of the hearing. During an administrative hearing, the Hearing Officer shall present the evidence within the Hearing Officer's possession and the Student may provide any information or statements that they deem important for the Hearing Officer to consider, including witnesses. Should a student wish to present witnesses or evidence, it is the responsibility of the student to secure these items and notify the Hearing Officer. If a student has a reasonable basis to conclude the Hearing Officer cannot consider the case impartially, they may request that a different Hearing Officer be assigned to their case prior to the start of the hearing.

If the Student fails to attend the administrative hearing without prior written notice and the accused student's failure to attend is not otherwise due to extraordinary circumstances, the Hearing Officer will conduct the hearing in the Student's absence and render a decision based on the information available.

In determining a finding of responsibility, the Hearing Officer shall utilize a "preponderance of the evidence" standard. This standard means that after careful and impartial consideration of the evidence and witness testimony presented during the administrative hearing, the Hearing Officer determines it is more likely than not that the Student committed the alleged violation(s) of the Alcohol Policy and/or Baity Hill Community Living Standards. The Hearing Officer's decision shall rest solely on the evidence contained in the record of the administrative hearing. The Hearing Officer may reach one of the following decisions for each charge: (a) not responsible, (b) responsible, or (c) deferred. The Hearing Officer shall submit a resolution letter containing a notification of the outcome and any assigned sanctions to the accused student within ten (10) business days, unless extraordinary circumstances require a longer period of time. The written notice shall also include, if applicable, the deadline by which the Student must complete the assigned sanction(s) and any appeal rights.

J. UNIVERSITY MEDICAL AMNESTY

The University is committed to upholding the law as well as prioritizing student safety. The University wishes to promote an environment where students are not afraid to seek help due to the added fear of disciplinary repercussions from the University. The University cannot guarantee amnesty from any civil or criminal legal action, or from any legal consequences arising from a student's violation of local, state, or federal law. With these priorities in mind, the Hearing Officer acting pursuant to this Policy may defer or decline formal University disciplinary action for violations of this Policy.

The following are situations in which a student will be granted amnesty:

1. Student in need of emergency medical attention: A Student who seeks medical attention or a Student for whom medical assistance was sought by another person as a result of the consumption of alcohol and who fully cooperates with emergency responders.
2. Victim of a crime: A Student who has been the victim of a crime after consuming alcohol and reports the crime to law enforcement or University officials.
3. Reporting party: A Student who has experienced sexual violence, interpersonal violence, or other violation of the *Policy on Prohibited Discrimination, Harassment, and Related Misconduct*.
4. Caller or support person: A Student, who calls on behalf of or accompanies an impaired individual, remains with that individual until assistance arrives, and fully cooperates with emergency responders.

Amnesty applies to the Conduct Process pursuant to the Alcohol Policy. A Student may be required to meet with a Hearing Officer or other University staff person for the purpose of providing support, resources, educational counseling, or other non-disciplinary interventions as may be appropriate.

K. PARENTAL NOTIFICATION

The University reserves the right to notify the parents/guardians of dependent Students of violations of the Alcohol Policy. The University may also notify parents/guardians of non-dependent Students who are under the age of 21 of violations of the Alcohol Policy. Parental notification may also be utilized at the discretion of appropriate University officials when permitted by FERPA or consent of the Student.

L. SAFE HARBOR CLAUSE

The University has a Safe Harbor rule for students. The University believes that students who have an alcohol, drug, and/or addiction problem deserve help. If any University student brings their own use, addiction, or dependency to the attention of University officials outside the threat of drug tests or conduct sanctions and seeks assistance, a conduct complaint will not be pursued. A written action plan may be used to track cooperation with the Safe Harbor program by the student. Failure to follow the action plan will nullify the Safe Harbor protection and campus conduct processes will be initiated.

M. SANCTIONING

In keeping with the mission of Carolina Housing and the Housing Conduct Philosophy, sanctions are intended to educate students as to why their actions were inappropriate, help students improve their ethical decision making, and hold students accountable to their contractual obligations of living in campus housing.

Sanctions and Interventions will be determined by balancing the following criteria:

1. The gravity of the violation in question including, but not limited to: intent and deliberation involved in committing the offense; implications for other members of the University community; and University interests impacted by the offense.
2. The importance of learning through the Conduct Process in order to develop a greater sense of responsibility for one's actions and consequences to others, including but not limited to: demonstrated sense of responsibility, demonstrated respect for the importance of integrity; existence of plans to correct the violation and/or prevent future violations.
3. The importance of equitable treatment for similar violations.
4. Other compelling circumstances, including but not limited to: the Student's relevant previous conduct history (e.g., recurring patterns of similar misconduct), extraordinary personal circumstances, and the educational goals of the University.

N. APPEALS

1. GROUNDS FOR APPEAL

A student may appeal the Hearing Outcome only on the following grounds:

Procedural Rights: A violation of procedural due process rights as afforded in Appendix C, Section IV of the Alcohol Policy and Appendix A, Section 5 of the Community Living Standards. The Student shall be required to show, by a preponderance of the evidence, that there was a material deviation from established procedures that would substantially affect the outcome;

Newly Discovered Information: Newly discovered information becomes available that was not previously available during the initial investigation or the administrative hearing process through the exercise of due diligence, and this newly discovered information would substantially affect the outcome.

Mere dissatisfaction with the Hearing Outcome is not a valid basis for appeal.

2. APPEAL SUBMISSIONS

All appeals are to be submitted via <http://tinyurl.com/DHREAppeal>. All appeals are to be submitted electronically. The Appellate Officer will be a designated official from Carolina Housing or Student Affairs. Appeals must be filed no later than five (5) business days from the delivery of the resolution letter. For purposes of appeals, delivery shall mean transmission of the written summary by electronic mail.

The appeal shall consist of a plain, concise, and complete written statement outlining the grounds for appeal and all relevant information to substantiate the basis for the appeal. Receipt of the written appeal will be acknowledged in writing. Once a Student submits a request for an appeal, the sanction(s) will not be enforced until after the determination of a final appeal decision. Interim Administrative Actions will continue to be in place pending a final appeal decision outcome.

On appeal, students must specify the reason for their appeal in the written request. Students should be specific and provide a basis for their appeal.

3. APPEAL REVIEW

The Appellate Officer will assess the written appeal to determine whether the appeal is timely filed and, if so, whether the appeal is properly framed based on the two permissible grounds. If the Appellate Officer determines that the appeal was not timely filed or does not state one of the two permissible grounds for appeal, the appeal will be denied. If the appeal is timely filed and meets one or more of the grounds for appeal, the Appellate Officer shall review and consider solely the evidence contained in the case file. If necessary, the Appellate Officer may request to meet with the Student to discuss the appeal further in order to make a determination. No new evidence may be entered during the appeal process unless strictly outlined as a ground for appeal. New evidence may be entered if the case is remanded for a new Administrative Hearing.

4. APPEAL DECISION

After the Appeal Review, the Appellate Officer will reach a decision after reviewing the case file, the grounds for appeal as stated in the written appeal, and any applicable discussion with the Student or other relevant witnesses. The decision of the Appellate Officer is final, and the Appellate Officer shall submit a written rationale of the decision within ten (10) business days after the Appeal Hearing, unless extraordinary circumstances require a longer period of

time. When making a determination, the Appellate Officer may:

1. Uphold the decision of the Hearing Officer; or
2. Overturn the decision of the Hearing Officer by:
 - a. Dismissing the case;
 - b. Remanding the case for a new Administrative Hearing; or
 - c. Modifying the sanctions. The Appellate Officer may not increase a sanction or other penalty, but may assign a lesser sanction if appropriate.

O. MAINTENANCE OF RECORDS

Access to any Student's alcohol conduct records will be governed by the provisions of the Family Educational Rights and Privacy Act of 1974 ("FERPA"). University officials or faculty members with a legitimate educational interest may have access to conduct records. University offices may request this information if the student submits applications for study abroad, entrance into professional schools, and/or student employment positions.

Disciplinary Sanctions are assigned to hold Students accountable for conduct that violates the Alcohol Policy. Disciplinary sanctions ranging from warning to expulsion are reflected in a student's Disciplinary Record maintained by the University.

Results of proceedings for alleged violations of the Community Living Standards may be disclosed to the alleged victim of the offense if the offense involved the use, attempted use, or threatened use of physical force against the person or property of another; or is a felony that, by its nature, involves a substantial risk that physical force may be used against the person or property of another in the course of committing the offense.

A student's Housing Conduct case record will be maintained in Carolina Housing for seven years from the date of resolution, after which they are destroyed.

Per University policy, Carolina Housing does not provide copies of incident reports. Pursuant to the Policies and Procedures Under the Family Educational Rights and Privacy Act of 1974 ("FERPA"), a student has the right to inspect their educational record. Students will review their educational record in person, unless the student cannot reasonably come to campus to view the report. For further information, policy, and procedures, visit: <https://catalog.unc.edu/policies-procedures/university-policies/#text>.

APPENDIX B. APPLICABLE SANCTIONS

A. PURPOSE

In keeping with the mission of Carolina Housing and the Housing Conduct Philosophy, sanctions are intended to educate students why their actions were inappropriate, help students improve their ethical decision making, and hold students accountable to their contractual obligations of living in campus housing. If a student is found responsible for a violation of the Baity Hill Community Living Standards, the Hearing Officer will assign sanctions. There are categories of sanctions that may be assigned.

1. Educational Sanctions are assigned to educate students as to why their actions were inappropriate, help students improve their ethical decision making, and help them grow from the incident.
2. Contractual Sanctions are assigned to hold students accountable to their contractual obligations of living in campus housing.
3. Disciplinary Sanctions are assigned to hold students accountable for behavior that is in violation of the Alcohol Policy.
4. Other Requirements are assigned to remedy the effects of the misconduct and prevent similar conduct from occurring in the future.

Except for disciplinary probation, a record of the outcome or sanction will not appear on a student's official University academic or disciplinary record. However, other University offices may request this information if the student submits applications for study abroad, entrance into professional schools, and/or student employment positions. See Appendix A.O. for information regarding records maintenance.

B. EDUCATIONAL SANCTIONS

1. Administrative Follow up: A required follow up meeting with whomever served as the Hearing Officer for the case to evaluate the Student's progress and to provide ongoing support.
2. Community Service: A service learning experience for a designated amount of time, to be specified by the Hearing Officer. The student must provide documentation to the Hearing Officer confirming the completion of the community service experience.
3. Decisions Course: UNC's Decisions is a student-centered workshop focused on ethical and critical decision making, and on understanding readiness for behavior and attitude change through self-awareness. The program helps Students align personal and University core values with their actions in an atmosphere of responsibility and accountability. The program engages participants in a process of self-awareness and critical reflection. Students will learn applied skills and have opportunities to practice these skills to make better choices moving forward.
4. Educational Experience and/or Reflection: A student must complete an educational experience and/or reflection aimed at helping the student learn from the incident and adding value to their experience as a student.

5. Referral: A required follow up with a campus partner or community agency. Referrals are typically made in order to connect Students to resources or to help Students manage issues that led to the violation by connecting them with an individual who is specialized in the area of concern.
6. Tar Heel BASICS: Brief Alcohol Screening and Intervention for College Students is a preventive AOD (alcohol and other drugs) misuse screening, education, goal setting and skill building program for college students. It is aimed at students who have had negative experiences or other problems related to AOD use. The program is designed to help students make more informed and intentional decisions about potential future substance use and to reduce their overall risks for AOD related harm. The program's style is casual, relational, non-confrontational and non-judgmental.

C. CONTRACTUAL SANCTIONS

1. Housing Warning: An official written warning that a student has been found in violation of the Baity Hill Community Living Standards. A warning serves as notice to the student that any further violations of the Baity Hill Community Living Standards will be handled more stringently.
2. Housing Contract Probation: A Housing Contract probationary period, typically 6 months or 12 months, during which any additional violations of the Community Living Standards may result in additional sanctioning or contract termination.
3. Deferred Housing Contract Termination from Baity Hill: A one-year period of probation during which the student must demonstrate the ability to comply with University and Housing rules, regulations, and all other stipulated requirements. If, during the deferred housing contract termination period, the student is again found responsible for violating the Baity Hill Community Living Standards and/or University policies, the case will be reviewed for immediate housing contract termination.
4. Housing Contract Termination: A student's housing contract is cancelled for being found responsible for violating the Baity Hill Community Living Standards. In cases of Housing Contract Termination, the violation is usually of an egregious nature, or repeated offenses. A student's contract will be cancelled for the remainder of the current academic year, including summer terms. Should a student wish to rejoin the residential community, the student may petition the Senior Director of Carolina Housing to return to on-campus housing.
The student is responsible for prorated rent charges and the cancellation charges for the semester applied to their student account. For a detailed proration schedule, please refer to the Housing Contract. They must vacate their space after 5 business days, allowing for the appeal window.
5. Administrative Reassignment: A required relocation from one community, floor, or room assignment to another.
6. Loss of Privileges: A loss of specified privileges for a designated period of time (definite or indefinite), including but not limited to: restriction of access to specific buildings or residential spaces, break housing permissions, loaner flex and key usage, visitation and/or guest privileges, or equipment check out, restrictions on participation in athletic competitions or practices or other activities or events sponsored by the University or Student Organizations, restrictions on use of University facilities for meetings or other activities, removal from University housing.
7. Housing No Contact Order: The student is prohibited from any form of contact within the residence halls (such as verbal contact, contact via any electronic medium, contact via a third party, etc.) with a specific person or persons.
8. Restitution: A monetary sanction imposed on students when there is a cost associated with their behavior (i.e. if a student vandalizes a wall by spray painting it, the student would be responsible for the cost of repainting the wall.)

D. DISCIPLINARY SANCTIONS

1. Warning: An official written reprimand that is formally communicated by a letter giving the Student notice that any subsequent violations will result in more stringent sanctions, up to and including disciplinary suspension.
2. Disciplinary Probation: Assigned for a definite or indefinite period, including probation with associated conditions or requirements. Probation means that a Student may remain at the University, but may be required to satisfy specified conditions or requirements, report regularly to appropriate University officials or community professionals, and may be barred from holding any office or participating in any activity in which the student represents the University or University-recognized Student Organizations either within or outside the University community. The sanction of probation prohibits graduation until the period of probation has ended and the Student has complied with all requirements of the sanctions. Disciplinary probation shall be reflected on a Student's academic transcript while active, but will be removed upon successful completion of disciplinary probation.

While on probation a student CANNOT:

- Participate in varsity, club, or intramural athletics
- Participate in study abroad
- Rush or pledge a fraternity or sorority (social, professional, or honors)
- Hold a leadership role in a student organization, fraternity, or sorority
- Hold a university job such as a fellowship or assistantship where the student must represent the university as a part of the job (i.e. teaching assistant)
- Write for or be published in a campus publication

- Perform publicly as a member of a campus performing group
 - Participate in select off campus activities where the student publicly represents the university (i.e. student representative position on a town committee)
3. **Disciplinary Suspension:** for a definite or indefinite period means that the Student is removed from good standing and must leave the University for a definite or indefinite period. Suspension anticipates that the student may eventually return if applicable conditions are satisfied. Academic work completed at another institution during a period in which a Student is under suspension from the University may not be transferred toward the degree, but applicable health care or insurance benefits may be continued.
 4. **Permanent Suspension:** Permanent removal from good standing and the Student must leave the University permanently without an expectation that the Student may eventually return to the Chapel Hill campus. A Student permanently suspended from the campus is not barred from seeking admission to another UNC system university, if that university wishes to permit such application following disclosure of the Student's disciplinary record at UNC-Chapel Hill. Permanent suspension may only be imposed with the concurrence of the Chancellor and will remain in effect unless and until the Chancellor who imposed or approved the sanction or the Chancellor's successor concludes on the basis of the former Student's petition and any supportive documentation that the individual should be given a new opportunity to pursue higher education at UNC-Chapel Hill.
 5. **Expulsion:** Permanent removal from good standing and the University and may not be admitted to any UNC system university. Expulsion may only be imposed with the concurrence of the Chancellor and will remain in effect unless and until the Chancellor who imposed or approved the sanction or the Chancellor's successor concludes on the basis of the former Student's petition and any supportive documentation that the individual should be given a new opportunity to pursue higher education at UNC-Chapel Hill.

E. ADMINISTRATION OF EDUCATIONAL INTERVENTIONS AND DISCIPLINARY SANCTIONS

It is the responsibility of a Student found responsible for violating this Policy to inform the Hearing Officer in a timely manner of extenuating circumstances preventing the Student from completing the assigned sanction(s) by the assigned deadline and, if necessary, to request that the Hearing Officer grant an extension of the assigned deadline.

The Hearing Officer, in the Hearing Officer's sole discretion and in taking into consideration the particular facts and circumstances supporting the extension request, may choose to extend the deadline.

If a Student fails to complete the assigned sanction(s) by the established deadline, the Hearing Officer may take any of the following actions:

In cases involving violations committed by individual students:

1. Take administrative action against the Student, to be removed by the Hearing Officer upon the Student's successful completion of the assigned sanctions or interventions. This includes any combination of administrative actions affecting the student's ability to enroll in classes, to receive an official transcript, to graduate, or to sign up for campus housing; or
2. Refer the student's non-compliance to the appropriate authority as a potential violation of the Alcohol Policy.

APPENDIX C. INTERIM ADMINISTRATIVE ACTIONS

A. PURPOSE

Interim administrative actions are assigned in serious or severe alleged violations of the Community Living Standards. These interim actions are assigned before a conduct hearing in cases where it is in the best interest of the community and/or the alleged to be removed from the community and/or to prohibit contact between individuals. Interim actions are in place until the matter is resolved via the Housing Conduct Process (including the appellate process, if applicable), and do not replace the hearing process. A hearing will be granted in a reasonable amount of time. The Director of Carolina Housing or designee may defer procedural due process and enforce an interim measure. The following actions may be taken to facilitate student conduct processes. Violations of these interim actions may result in additional charges, including failure to comply.

B. INTERIM ADMINISTRATIVE ACTIONS

1. **Interim Housing No Contact Order:** The student is prohibited from any form of contact within the residence halls (such as verbal contact, contact via any electronic medium, contact via a third party, etc.) with a specific person or persons.
2. **Interim Housing Suspension of Privileges:** The student is prohibited from utilizing privileges such as, but not limited to, restriction of access to specific buildings or residential spaces, break housing permissions, loaner flex and key usage, visitation and guest privileges, or equipment check out. The privilege that is suspended will be specified.
3. **Interim Housing Administrative Reassignment:** The student is temporary relocated from one community to another. Residents who receive an interim administrative reassignment are prohibited from entering the floor, wing, or building which they were originally assigned.