

Section 17: Appeals

1. Each student who has received a disciplinary sanction shall be notified in writing of his or her appeal rights. This notice must be given no later than the date the written decision is delivered, whether emailed or by hand. Only the student who has been found responsible for a violation under the Code may appeal, except as allowed in cases involving relationship violence, sexual misconduct, or stalking, where the reporting party also has the right to file an appeal.
2. Any disciplinary decision resulting in sanctions less than suspension, except where the responding party has waived his or her right to appeal, may be appealed to the Associate Vice Chancellor for Student Affairs/Dean of Students or designee whose decision is final, and no further appeal of the decision is permitted.
3. Any disciplinary decision resulting in suspension, except where the responding party has waived his or her right to appeal, may be appealed to the Associate Vice Chancellor for Student Affairs/Dean of Students or designee, whose decision is final, and no further appeal of the decision is permitted.
4. Expulsion decisions may be appealed to the Vice Chancellor for Student Affairs or designee. This decision on appeal shall be the final decision at the University. A further appeal may be made to the UNC Board of Governors. Appeals to the Board of Governors should be sent by certified mail, return receipt requested, to the President of the University of North Carolina within ten (10) calendar days after the student receives the final University decision. The mailing address for appeals to the Board of Governors is: c/o Vice President and General Counsel, Office of the President, University of North Carolina, P.O. Box 2688, Chapel Hill, NC 27515-2688. A copy of the written notice of appeal to the Board of Governors must also be delivered to the Office of Student Rights and Responsibilities.
5. Under the appeal rights set by the UNC Board of Governors and applicable at the University of North Carolina at Greensboro, an appeal of a disciplinary decision is limited to allegations that the decision violates due process rights, meaning there has been a material deviation from the procedural and/or substantive due process standards adopted by the UNC Board of Governors. Therefore, the appeal must allege a violation of
 1. Procedural Standards; and/or
 2. Substantive Standards.
6. On appeal, a responding party has the burden of showing that the disciplinary decision violates Procedural and/or Substantive Standards.
 1. Violation of Procedural Standards means that the responding party was not provided the required notice or an opportunity for a fair hearing due to specified procedural errors, or errors in interpretation of University policies or regulations, that were so substantial as to effectively deny the responding party a fair hearing. Reasonable deviations from the procedures set out in this regulation will not invalidate a decision or proceeding unless the responding party can show that, but for the deviation or error, there likely would have been a different outcome in the case.
 2. Violation of Substantive Standards means there is a lack of information in the record that could support the decision or sanction(s). This last ground for appeal does not mean the information presented at the hearing can be re-argued on appeal; rather, it requires a showing that no reasonable person could have determined the responding party was responsible or could have imposed the sanction that was issued.
7. In all cases resulting in an appeal, the decision, the complete record of the proceeding (including documentary evidence and any recording or transcript of testimony), the appeal materials filed by the student, and any other relevant information, will be compiled by the Office of Student Rights and Responsibilities and delivered to the person designated to review the appeal.
8. Written notice of appeal must be submitted by the responding party or the reporting party (when applicable) to the Office of Student Rights and Responsibilities within three (3) business days of the date of written notification of the decision of the hearing panel or the conduct officer provided at the time of the decision. Failure to submit the appeal within this time limit will render the original decision final and conclusive. Appeals that fail to cite one or more criteria as listed in Section 17.5. of this Code, or to allege facts supporting at least one of the above criteria, shall be dismissed without further action. When a student

group/organization makes an appeal, that group's/organization's president or chief officer will be required to submit the notice of appeal.

9. The appeal must be submitted via the [online Notice of Appeal Form](#) available from the Office of Student Rights and Responsibilities.
10. The imposition of sanctions will go into effect immediately, but may be deferred during the pendency of appellate proceedings, at the discretion of the person(s) reviewing the appeal, upon written request of the responding party. Where sanctions are deferred during the pendency of the appellate proceedings and the student's appeal is ultimately unsuccessful, students may fail to receive grades or credit for courses or assignments already completed while awaiting a decision, or, in cases resulting in the sanction of suspension or expulsion, cause a student to pay back previously received financial aid for the semester completed.
11. Appeals will be decided on the record of the original proceedings. New hearings will not be conducted on appeal.
12. Following their review, the official reviewing the appeal may:
 1. Uphold the original decision;
 2. Overturn the original decision;
 3. Modify the sanction (s); or
 4. Remand for a new hearing. (In all remanded cases, the conduct officer may elect to dismiss the case rather than re-hear it).
13. A student group/organization aggrieved by a decision covered by this section of the Code may appeal to the Vice Chancellor for Student Affairs or designee by giving written notice within three (3) business days after the decision of the hearing panel/conduct officer is announced. The decision of the Vice Chancellor for Student Affairs or designee shall be final, and conclusive, and the sanction(s) will be imposed as directed if previously held in abeyance.