nineteen (19) persons: six (6) members of the university faculty recommended for appointment by the Faculty Senate; seven (7) undergraduate students recommended for appointment by the Student Government Association; three (3) graduate students recommended for appointment by the Graduate Student Association; and three (3) representatives of the staff recommended for appointment by the Department of Human Resources. Members of the University Committee on Student Conduct will serve a term of two years and will be eligible for reappointment at the discretion of the vice chancellor for student affairs.

The University Committee on Student Conduct also serves in an advisory capacity to the vice chancellor for student affairs in the revision and promulgation of regulations and procedures related to matters of student conduct. Suggestions regarding potential revisions to the Code from members of the University Committee may be addressed to the dean of students for consideration by the University Committee on Student Conduct.

2.05 Residence Life Judicial Court

The Residential Life Court shall be composed of thirteen (13) members elected by the residents of the various residence halls and two (2) ex-officio, non-voting members, who shall be appointed by the director of residential life. The thirteen (13) members shall be elected by the residents in attendance at the annual residence hall meeting held in the fall semester of each academic year and scheduled by the Department of Residential Life for the purpose of electing members of the court. The term of office shall be one year. Each residence hall will have the following representation on the court.

<table>
<thead>
<tr>
<th>Residence Hall</th>
<th>Representative(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annie Day Shepard</td>
<td>1</td>
</tr>
<tr>
<td>Baynes Hall</td>
<td>2</td>
</tr>
<tr>
<td>George Street</td>
<td>1</td>
</tr>
<tr>
<td>Eagleson Hall</td>
<td>2</td>
</tr>
<tr>
<td>Eagleson Landing</td>
<td>2</td>
</tr>
<tr>
<td>Martha Street</td>
<td>1</td>
</tr>
<tr>
<td>McLean Hall</td>
<td>1</td>
</tr>
<tr>
<td>Rush Hall</td>
<td>1</td>
</tr>
<tr>
<td>Ruffin Hall</td>
<td>1</td>
</tr>
<tr>
<td>New Residence Hall I</td>
<td>1</td>
</tr>
<tr>
<td>New Residence Hall II</td>
<td>1</td>
</tr>
<tr>
<td>Campus Crossing</td>
<td>2</td>
</tr>
</tbody>
</table>

The Residence Life Judicial Court shall hear and decide cases involving violations of student Residential Life regulations and violations of judicial policies related to student conduct in the residence halls found in Section 3.03. In order to hear a case, a quorum of five (5) court members must be present. Cases heard by this court shall not result in suspension or expulsion from the university.

2.06 Student Judicial Court

The Student Judicial Court shall be composed of nine (9) members (Judges) appointed by the president of the Student Government Association for a term of one year with the consent of the Student Legislature, also known as the Student Congress, in accordance with the Constitution of the Student Government Association. The Student Judicial Court shall hear, try, and decide cases involving judicial policies outlined in Section 3.02 relating to student conduct referred to it by the vice chancellor for student affairs. Cases heard by this court shall not result in suspension or expulsion from the University.

ARTICLE III - ACTS OF MISCONDUCT

An action which disrupts or impairs the purposes of the university and its community is subject to penalty under the Student Code of Conduct. This is the general principle for determining whether a violation has occurred even if the action does not violate criminal law. Behavior which violates the Student Code of Conduct may also violate criminal or civil law and as such be subject to proceedings under the legal system. Students at North Carolina Central University are subject to the provisions of the Student Code of Conduct while on university premises or university related premises or when involved with off-campus university activities. A student who is found guilty of misconduct or is found guilty of being an accessory to misconduct shall be subject to the penalties authorized by this Code. Students alleged to have committed the following acts are subject to disciplinary procedures of this Code.

3.01 Prohibited Conduct Requiring Expulsion or Suspension.

By statute or policy of the State of North Carolina, The University of North Carolina, or North Carolina Central University, conduct which presents a clear and present danger to members of the university community is prohibited. Examples of such conduct include:

a. Participating in hazing—defined as the intentional commission of an act by an individual or a group, of physically abusing or harassing another person or creating a situation which produces physical hurt or
discomfort, severe emotional distress, embarrassment, or ridicule of another person; (minimum sanction: expulsion).

b. Falsely reporting the presence of an unlawful explosive or incendiary device with the intent to mislead, deceive, or disrupt the operation of the university or a scheduled event sponsored or co-sponsored by the university; (minimum sanction: expulsion).

c. Falsely reporting a fire or other emergency; falsely setting off a fire alarm or discharging a fire extinguisher; (minimum sanction: suspension).

d. The illegal manufacture, sale or delivery, or possession with the intent to manufacture, sell, or deliver, any controlled substance identified in Schedule I, N.C. General Statutes 90–89, or Schedule II, N.C. General Statutes 90–90 (including, but not limited to heroin, mescaline, lysergic acid, diethylamide, opium, cocaine, amphetamines, methaqualone); (minimum sanction: expulsion).

e. For the first offense involving the illegal manufacture, sale, or delivery or possession of any controlled substance identified in Schedules III through VI, General Statutes 90–91 through 90–94, (including, but not limited to marijuana, phenoobarbital, codeine, Rophynol; (minimum sanction: suspension for one regular semester).

f. For the first offense involving the possession of any controlled substance identified in Schedule I, N.C. General Statutes 90–89, or Schedule II, N.C. General Statutes 90–90, including, but not limited to heroin, mescaline, lysergic acid diethylamide, opium, cocaine, amphetamines, methaqualone; (minimum sanction: suspension for one regular semester); for any subsequent violation, progressively more severe sanctions shall be imposed.

g. Sex offenses, forcible or non-forcible—defined as any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent (e.g., intoxicated). Non-forcible sex offenses are acts of unlawful non-forcible sexual intercourse; (minimum sanction: suspension for one regular semester).

h. Felonies—the commission of an act that is classified under North Carolina General Statutes as a felony; (minimum sanction: suspension for one regular semester).

i. Threats of violence directed toward groups on campus that disrupt University activities, whether communicated to one or more individuals; (minimum sanction: suspension).

j. Unauthorized entry into an elevator shaft and/or riding on top of an elevator car is prohibited; (minimum sanction: suspension).

k. Violation of the Alcoholic Beverage Policy, inclusive of binge drinking, use or personal possession of alcoholic beverages by undergraduate students, sale or deliveries of alcoholic beverages to undergraduate students, or, serving alcoholic beverages to undergraduate students is prohibited; (minimum sanction: suspension for two semesters).

l. Possession and/or use of firearms, fireworks, dangerous weapons, explosives, and hazardous chemicals; while some objects are clearly dangerous, what is used dangerously may also be considered a weapon; (minimum sanction: suspension for two semesters).

3.02 Prohibited Conduct: General

Generally speaking, students alleged to have committed the following acts are subject to disciplinary procedures of this Code.

a. Academic misconduct—includes but is not limited to any forms of cheating and plagiarism, doing unauthorized academic work for which another person will receive credit or be evaluated;

b. Disruption of classes or activities of the university;

c. Actual or threatened physical assault or injury to persons;

d. Actual or threatened sexual assault—this includes, but is not limited to unwanted sexual touching, even between acquaintances;

e. Harassment or intimidation, including sexual harassment engaging in conduct which threatens to cause physical harm or emotional harm to persons or damage to their property. This also covers harassment or intimidation of persons involved in a university disciplinary hearing and of persons in authority who are in the process of discharging their responsibilities;

f. Disorderly conduct—disruptive conduct in game rooms or during intramural play (e.g.) use of profanity, display of violent temper, refusal to leave the building or area when asked to do so by appropriate university officials); includes conduct which infringes upon privacy, rights, privileges, health or safety of members of the university community;

g. Any act of arson or behavior/activity which endangers the safety of oneself or others;

h. Assault and/or battery;
i. Violation of Policy on Lewd, Indecent, or Obscene conduct in university’s sponsored or student
sponsored events/activities;

j. Gambling in any form as defined by North Carolina General Statues;

k. Intentionally delaying, obstructing, or resisting a person who identifies himself/herself as a member of the
faculty, Student Affairs, campus police person or other university employees in the performance of their duties;

l. Trespassing—defined as unauthorized presence in or forcible entry into a university facility or university
related premises;

m. Rioting, inciting to riot, assembling to riot, raiding, inciting to raid, and assembling to raid university units;

n. Vandalism, malicious destruction, damage, misuse or abuse of public or private property, including library
materials and computer programs and equipment;

o. Forging, transferring, altering or misusing any university documents, records or identification cards;

p. Failure to comply with or carry out the official regulations, or order of a duly designated authority, agency
or agent of the university, inclusive of failure to identify oneself when requested by person(s) in authority;

q. Theft, larceny, shoplifting, embezzlement, conversion or the unauthorized possession of the property of
another;

r. Knowingly furnishing false information to a judicial board, to a judicial hearing officer or to any other
university official in the discharge of their duties;

s. Lewd, indecent, or obscene conduct (whether public or private);

t. Excessive or disruptive noise, the public use of unapproved amplified sound, the amplification of sound
in a manner that disrupts or disturbs the normal functioning of the university.

u. Making or assisting in making unauthorized or annoying telephone calls or otherwise misuse or abuse of
electronic equipment;

v. Unauthorized solicitation or unauthorized fund-raising of any type;

w. Unauthorized use of the name of the university, the name of university officials or the likeness, image,
logo, or seal of the university, or the names of members of organizations in the university community;

x. Violation of the Policy Concerning Films at NCCU;

y. Possession of firearms, ammunition, explosives, fireworks, bows and arrows, knives longer than four
inches, swords, or other dangerous weapons;

z. 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
or injure the character and/or reputation of another.

3.03 Prohibited Conduct in Residence Halls

To insure that the on-campus living facilities of the university are educational, safe, and conducive to the
academic and personal enrichment of all students, the university prohibits the following conduct:

a. Disruption of a residential hall through vandalism, excessive noise, practical jokes, and/or the flagrant
violation of other rules and regulations established by the Department of Residential Life or the
university;

b. Violation of residence hall visitation policies by a member of the opposite sex or a member of the same
sex;

c. The use of open flames or combustible materials (e.g. candles, incense or any other open flame apparatus)
or the possession or use of combustible materials (e.g. hay, straw, Spanish moss, cloth ceiling coverings) in
a residence hall;

d. Possession and use of appliances prohibited in the residence halls in violation of university and/or North
Carolina state fire code regulations;

e. Possession of pets of any kind in the university residence hall is strictly prohibited;

f. Failure to control the conduct of one’s non-NCCU visitor(s) or guest(s) whose behavior violates
provisions of the Code;

g. Tampering, damaging, or misusing fire equipment, inclusive of preventing fire doors from properly
closing; removing from its proper location any fire extinguisher, except when done with a reasonable
belief of real need for such equipment;

h. Failure to use designated entrances or exits after residence hall closing hours;

i. The throwing of any type of object(s) from residence hall windows.