

CU Denver

Student Code of Conduct

AY 2024-2025

The conduct educators in the Office of Student Conduct and Community Standards work with CU Denver faculty, staff, students, and other stakeholders to address behavior that negatively impacts the university community.

We help students learn and grow, repair harm, and succeed, while creating a climate of safety and support across campus.

We create better tomorrows.

Office of Student Conduct & Community Standards

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Denver

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I. Introduction

A. How to Utilize this Document

This document outlines CU Denver’s standards of student conduct and related procedures. While some aspects of this Student Code of Conduct (Code) may reflect standards codified by laws, this document outlines the CU Denver student conduct procedures, which is an administrative function and separate from any legal standards or proceedings. Words utilized in this document are not based on the legal definition, but instead will be referring to the administrative definition of the word found in this document (Appendix A — Definitions).

B. Inclusive Practices/Restorative Practices

The Office of Student Conduct & Community Standards (SCCS) is committed to carrying out the Conduct Process in a manner that meets the needs of our diverse community. This is accomplished by:

1. Continually educating ourselves and our stakeholders about social justice and how our identities may influence our experience in hierarchical systems; particularly for individuals with historically marginalized identities.
2. Intentionally engaging in inclusive and restorative practices to cultivate a culture of belonging in our Community (the CU System and the Auraria Campus specifically).
3. Striving to refine our procedures to reduce bias and ensure equitable treatment throughout the conduct process.
4. Appreciating students’ intersecting identities and various perspectives, and acknowledging our own power and privilege both personally and professionally.
5. Treating all involved parties with dignity and respect throughout the conduct process.

Inclusive practices are always evolving, and thus we commit to regularly revisiting these strategies.

C. Our Student Conduct Philosophy

CU Denver strives to make the campus community a place where people can learn from one another in a residential and educational environment that upholds mutual respect for individuals and self-responsibility for behavioral choices.

The University views the Student Conduct Process as a learning and growth experience that aims to repair harm and can result in personal understanding of one’s responsibilities and privileges. The Procedures are designed to provide learning opportunities dedicated to fairness to all involved in the Conduct Process.

As members of the CU Denver community, students are responsible to uphold standards of conduct that assist in promoting a safe and welcoming community. These standards include, but are not limited to, local state, and federal laws, as well as University laws, policies, and regulations.

Students who engage in behavior that conflicts with established standards, laws, policies, and regulations may be referred to the Student Conduct Procedures described in this Code.

D. Learning Objectives

In alignment with the vision of CU Denver, the SCCS has established a set of learning objectives. These statements identify the knowledge and skills students should acquire by participating in the Conduct Process. The fourteen (14) learning objectives are grouped into four (4) domains:

1. Increase Knowledge
 - a. Increase understanding of how their behavior affects/impacts others.
 - b. Evaluate the level of administrator/community concern as a result of their behavior.
 - c. Understand the expectations for behavior as a member of the CU Denver community as described in the Code.
 - d. Engage with institutional process by self-reflecting and asking questions.
2. Accept Responsibility
 - a. Accept personal responsibility for their behavior.
 - b. Acknowledge their responsibility to the CU Denver community.
 - c. Articulate their personal values.
3. Consider Consequences
 - a. Understand how their behavior could impact their academic career.
 - b. Understand how their behavior could impact their emotional well-being.
 - c. Understand the legal implications of their behavior.
 - d. Understand for their behavior can impact their physical safety
4. Future Behavior
 - a. Use their personal values in their decision-making before engaging in future behavior.
 - b. Learn, or more fully develop, one or more skills which may help them avoid being involved in similar behavior in the future.
 - c. Identify ways to move forward after the incident.

E. Authority & Jurisdiction

[CU Regent Law 7.B](https://www.cu.edu/regents/article-7)¹ requires each campus to develop a Student Code of Conduct and related procedures. The Dean of Students is the designated authority to establish and enforce the CU Denver Student Code of Conduct. Any questions

¹ <https://www.cu.edu/regents/article-7>

regarding interpretation of this document, or any of its provisions, should be directed to the Dean of Students, or their designee, for final determination.

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The Dean of Students, and/or their designee, shall appoint Conduct Educators and Appeal Readers. The Director of the Office of Student Conduct & Community Standards, or their designee, shall determine which Conduct Educator will be assigned to resolve each referral.

The Dean of Students, and/or their designees, shall develop policies for the administration of the Student Code of Conduct and procedures. Decisions made by a Conduct Educator shall be final, pending the appeal process. Proceedings initiated under this Code are separate from civil or criminal proceedings that may exist in connection to the same incident. Preliminary Inquiries, Conduct Conferences, or Conduct Outcomes made by the University may not be postponed while criminal or civil proceedings are pending, unless otherwise determined by the assigned Conduct Educator.

A student, or organization's, behavior may be addressed through the Student Conduct Process if it occurs on-campus, off-campus, or at University-sponsored programs or activities, including but not limited to: study abroad programs, alternative break trips, and student organization sponsored events and programming.

An organization's behavior may be addressed through the Student Conduct Process if it occurs in connection with campus or meets the terms of the above. An organization's involvement in the Organizational Conduct Process does not preclude one or more individuals from being held independently accountable through the Student Conduct Process for behavior connected to the same incident.

The SCCS believes that when a student, or organization's, behavior violates local, state, federal laws, or University laws, policies, or regulations it adversely impacts the Community by damaging our reputation and effecting our relationships with one another.

II. Code of Conduct

A. **Prohibited Student Behavior**

The following has been developed in accordance with [CU Regent Law 7.B.1](#)² and [CU Regent Policy 7.B.1](#)³. All behaviors contained in this Code are subject to the Conduct Process. Any student, or organization, under CU Denver's jurisdiction that is alleged to violate the Student Code of Conduct will be subject to the Student Conduct or Organizational Conduct Process. Any student under CU Denver's jurisdiction found responsible for committing, or attempting to commit, the prohibited student behavior in the Code is subject to disciplinary action(s).

The following behaviors listed in this Section (II)(A) are prohibited.

1. **Abusive Behavior**: Any severe, persistent, pervasive, intimidating, or coercive conduct which caused a person substantial emotional distress and where the circumstances would cause a reasonable person to suffer substantial emotional distress.

Abusive conduct based only on verbal or written communication is prohibited only when there was also a conscious disregard of the risk that the communication could be viewed as emotionally distressing to the person.

Note: This policy should be construed, and will not be enacted, to deny any student the right of free speech and expression.

2. **Aiding & Abetting**: Attempting to commit, aid, abet, or incite others to engage in behavior prohibited by law, the Code of Conduct, CU Denver Housing & Dining Handbook, or other AHEC or other University policies.
3. **Alcohol**: Possession, using, providing, manufacturing, distributing, or selling alcoholic beverages in violation of the law, Code of Conduct, the CU Denver Housing & Dining Handbook, AHEC or other University policies. Violations include but are not limited to:
 - a. Using alcohol on campus, regardless of age, with the exception of responsible use at an authorized restaurant or event and in compliance with the relevant policies.
 - b. Intoxication to the point of endangering oneself or another person's health or safety.
 - c. Using or possession alcohol in the presence of individual(s) under the age of 21 on campus.
 - d. Being under the age of 21 and knowing, or reasonable should have known, they were in the presence of alcohol.
 - e. Attending classes or University functions intoxicated regardless of age.

Note: Appendix B — Good Samaritan Provision/Medical Amnesty

² <https://www.cu.edu/regents/article-7>

³ <https://www.cu.edu/regents/policy-7>

4. Cyberbullying: Tormenting, threatening, harassing, humiliating, embarrassing, or otherwise targeting another person by an individual by use of the internet, interactive and digital technologies, or mobile telephones in compliance with Colorado Law ([C.R.S. § 18-9-111\(1\)\(e\)](#)⁴).
5. Disrupting Emergency Response: Interfering with, obstructing, or disrupting the response or official action of an emergency responder (medical, fire, law enforcement, etc.), including but not limited to:
 - a. Interfering with the performance of police or fire department duties
 - b. Resisting arrest
 - c. Failing to abide by the directions of a police officer or other emergency responder.
 - d. Failing to evacuate during a drill such as a fire or active shooter drill.
6. Disruption: Materially and substantially interfering with, obstructing, or disrupting a normal University or Auraria Campus activity, including but not limited to:
 - a. Behavior resulting in injury to persons or damage to property on campus
 - b. Interference, obstruction, or disruption of the freedom of movement of students or other members of the Community and their guests.
 - c. Preventing individuals from sleeping, studying, or otherwise enjoying a non-disruptive residential and academic environment.
7. Driving Under the Influence: Operating a vehicle while under the influence of, or intoxicated by, alcohol, marijuana, prescription drugs, or illicit drugs.
8. Failure to Comply: Failing to comply with the direction of employees of CU Denver, CU Denver Housing & Dining, and AHEC who are performing their duties.
9. False Application Materials: Providing materially false information, or omitting information, on an application for admission to CU Denver | Anschutz Medical Campus which would have materially impacted eligibility or conditions for admission when one knew it was false or did not use reasonable effort to determine the accuracy of the information provided.
10. False Information: Providing false or misleading information, including but not limited to:
 - a. Making a false statement or report, to emergency responders or an employee of CU Denver, CU Denver Housing & Dining, or AHEC who is performing their duties.
 - b. Using a false identification, or the identification of another, to gain entrance into a facility or event.

⁴ <https://leg.colorado.gov/sites/default/files/images/olls/crs2023-title-18.pdf>

- c. Forging, altering, falsifying or misusing documents or records.
 - d. Using or possessing forged, altered, or false documents or records.
11. Fire Safety: Violating local, state, federal laws or University laws, policies, or regulations related to fires, including but not limited to:
- a. Intentionally or recklessly causing a fire.
 - b. Tampering with, impairing, disabling, or misusing fire protection systems such as smoke detectors, fire extinguishers, sprinklers, and alarms.
 - c. Failing to evacuate a University controlled building during a fire alarm.
 - d. Improper use of University safety equipment.
12. Hazing: Engaging in or planning any act, typically associated with belonging to a group of peers, which may produce, or is intended to produce, mental or physical discomfort, embarrassment, harassment, or ridicule, or any acts which are humiliating, intimidating, or demeaning, or that endanger the health and safety of another person, including, but not limited to:
- a. Paddling in any form.
 - b. Inducement of excessive fatigue.
 - c. Required activity inconsistent with the mission of the organization, team, or group.
 - d. Physical or psychological shocks.
 - e. Personal servitude.
 - f. Forced or coerced consumption
 - g. Forced or coerced engagement in public stunts, morally degrading or humiliating games or activities, drinking games, late work sessions, or other unorganized activities, and other obligations that interfere with academic pursuits and overall well-being.

Note: Appendix C — Colorado Law Regarding Hazing

13. Illicit Drugs: Violating any local, state, federal, or University law, policy, or regulation pertaining to illegal drugs, including but not limited to:
- a. Manufacturing, selling, providing, using, or possessing illegal drugs.
 - b. Being in the presence of illegal drugs or drug paraphernalia when knowledge of said items is reasonable.
 - c. Attending classes or University functions under the influence of illicit drugs, regardless of age.
 - d. Endangering oneself or another person's health or safety due to use of the illegal substance.

Note: Appendix B — Good Samaritan Provision/Medical Amnesty and
Appendix D — Marijuana and Psilocybin

14. Inhalants: Using household or industrial chemicals in a manner that is not intended by the manufacturer with the intention of getting high; this includes but is not limited to huffing, sniffing, or bagging.
15. Marijuana: Use or possession, even if in compliance with Colorado State law, is prohibited at CU Denver. This includes but is not limited to:
 - a. Possessing or using marijuana, including medical marijuana, or drug paraphernalia on campus regardless of age.
 - b. Manufacturing, selling, or providing without authorization or to individual(s) under the age of 21.
 - c. Possessing or using marijuana or drug paraphernalia while under the age of 21.
 - d. Being in the presence of marijuana, marijuana use, or drug paraphernalia that violates policy when knowledge of the marijuana, marijuana use, or drug paraphernalia would be reasonable.

Note: Appendix D — Marijuana and Psilocybin

16. Physical Misconduct
 - a. *Physical Contact*: No person shall strike, shove, kick, spit on, or otherwise touch or subject an individual to physical contact without their consent.
 - b. *Bodily Harm*: Any physical force, causing, or that could reasonably cause, bodily harm upon any person including but not limited to assault, fighting, brawling, or restraining someone against their will.
17. Prescription Drugs: Violating any local, state, federal law, or University law, policy or regulation pertaining to prescription drugs, including but not limited to:
 - a. Manufacturing, selling, or providing prescription drugs.
 - b. Possessing or using prescription drugs prescribed to another
 - c. Using prescription drugs in a manner not prescribed.
18. Property Damage: Any act causing or likely to cause damage to property that belongs to the University, Auraria Campus, an organization, or another person regardless of intent.
19. Public Exposure: Deliberately and publicly exposing one's intimate body parts or engaging in public urination, defecation, mooning, or sex acts that do not fall under the Office of Equity's jurisdiction.
20. Retaliation: Adverse action taken (Appendix A), or a threat to take adverse action, against someone involved in a grievance, adjudication, or resolution process, such as a CU Denver, civil, or criminal process. Protected activities include but is not limited to:
 - a. Engaging with the SCCS as a witness or impacted party.

- b. Reporting a concern to law enforcement or other relevant office.
 - c. Seeking assistance from CU Denver's Housing & Dining staff.
 - d. Requesting supportive or safety measures.
21. Rioting: Engaging in, inciting, or arming someone for a riot or public disturbance.

Note: Appendix E — Colorado Law Regarding Riots

22. Theft: Attempted or actual acquisition or possession of property, or property reasonably known to be stolen, without the permission of the owner regardless of intent to return property.
23. True Threat: Threatening the health or safety of another person(s). This includes verbal or written communication, if:
- a. A serious expression of an intent to commit an act of violence to the health and/or safety of a particular individual or identifiable group, if the individual or group would reasonably fear the threatened violence.
 - b. Its very utterance is intended to inflict immediate injury or intended to incite immediate breach of peace. This includes threat to self.
24. Unauthorized Presence or Access: Abuse of access by entering into, exiting from, being present in, accessing property, or allowing unauthorized individuals into, including but not limited to, buildings, vehicles, belongings, and digital accounts and systems, that belong to the University, an organization or another person without authorization.
25. Unauthorized Recording: Making an audio and/or video recording of another person without the person's expressed permission when such recording could, based on a reasonable person standard, cause the impacted person(s) substantial emotional distress. The storing, sharing, and/or distribution of such recordings by any means is also prohibited.
26. Violation of Law, Policy, or Regulations:
- a. *Violation of Public Regulations*: Violating any local, state, federal law, policy, or regulation; which includes but is not limited to noncompliance with a public health order.

Note: See Appendix F — Student Infectious Disease Mitigation Protocol

- b. *Violation of University Regulations*: Violating any University law, policy, regulation, or guidelines; which includes but is not limited to the CU Denver Housing & Dining Handbook and the CU Denver Student Organizations Handbook.

Note: See Appendix G — Organizational Conduct Process

27. Weapon: Possessing firearms, explosives, fireworks, incendiary devices, ammunition, or other weapons on campus except as permitted by law, or the possession of harmless instrument designed to look like a weapon with the intent to cause fear in or to assault another person. CU Denver Housing &

Dining does not permit handguns in the Residence Halls regardless of an individual's possession of a Concealed Carry Weapon permit.

Note: See Appendix H — Colorado Law regarding Concealed Carry Weapons and [CU Regents Policy 14.1](#)⁵.

B. Other Types of Prohibited Misconduct

Students are responsible to know the various policies they will be held to while they are affiliated to CU Denver. It is a violation of this Code to violate any of the policies listed below. The SCCS highly recommends each student familiarize themselves with the following policies:

1. **Academic Integrity**: Students are expected to uphold academic standards and maintain integrous completion of all aspects of their curriculum. Academic misconduct prohibited by the University are: plagiarism, cheating, fabrication or falsification, multiple submissions, misuse of academic materials, and complicity of academic misconduct. The Academic Integrity Policy ([Policy 7050](#)⁶) is administered by the Office of Student Conduct & Community Standards. For more information, please contact them at studentconduct@ucdenver.edu or by phone at 303-315-7311.
2. **Disruptive Student Behavior Policy**: Students are required to adhere to the behavioral standards listed in the Code and the course syllabus and to refrain from disrupting classes and other academic settings. The Office of Student Conduct & Community Standards oversees the Disruptive Student Behavior Policy ([Policy 7004](#)⁷). For more information, please contact them at studentconduct@ucdenver.edu or by phone at 303-315-7311.
3. **CU Denver Housing & Dining Handbook**: The [Housing & Dining Handbook](#)⁸ is a helpful resource to all residential students living on campus. As it relates to conduct, there are specific prohibited behaviors that apply to the Residence Halls. The handbook is overseen by CU Denver Housing & Dining. For more information, please contact them at housing@ucdenver.edu or by phone at 303-315-5272.
4. **Sexual Misconduct, Intimate Partner Abuse, and Stalking Policy (Sexual Misconduct Policy)**: The Sexual Misconduct Policy ([APS 5014](#)⁹) prohibits harassment on the basis of sex. Prohibited Conduct includes hostile environment harassment on the basis of gender identity, gender expression, pregnancy, sex, and sexual orientation, intimate partner abuse, quid pro quo sexual harassment, and sexual assault (including rape, non-consensual sexual contact, statutory rape, and incest), sexual exploitation, and stalking.

⁵ <https://www.cu.edu/regents/policy-14>

⁶ <https://www.ucdenver.edu/policies/home/7050>

⁷ <https://www.ucdenver.edu/policies/home/7004>

⁸ <https://www.ucdenver.edu/housing-and-dining/faq/resident-handbook>

⁹ <https://www.cu.edu/ope/aps/5014>

This policy is overseen by the Office of Equity. For more information, please contact them at equity@ucdenver.edu or by phone at 303-315-2567.

5. Protected Class Nondiscrimination Policy (Nondiscrimination Policy): The Nondiscrimination Policy ([APS 5065](https://www.cu.edu/ope/aps/5065)¹⁰) prohibits discrimination on the basis of one or more protected class such as race, color, national origin, sex, age, disability, creed, religion, sexual orientation, gender identity, gender expression, pregnancy, veteran status, marital status, political affiliation, and political philosophy. This policy is overseen by the Office of Equity. For more information, please contact them at equity@ucdenver.edu or by phone at 303-315-2567.
6. Student Organization Handbook: As described in the Code, student organizations are to comply with the Student Code of Conduct as well as the provisions listed in the [Student Organization Handbook](#)¹¹. The handbook is overseen by the Office of Student Life & Campus Community (SLCC). The procedures for addressing Organizational Conduct concerns are in Appendix G of this document. For more information about this policy, please contact the SLCC at Specifically related to organizations, the following are Prohibited Organizational Behaviors:
 - a. *SO1. Debts*: Failure of the organization to pay debts owed to the University or a University auxiliary organization after 10 days being notified.
 - b. *SO2. Dishonesty*: Collective behavior by organization members involving cheating, plagiarism, or other forms of academic dishonesty intended to gain unfair advantage or organizational involvement in facilitating academic dishonesty and misrepresenting the identity of the organization or misrepresenting the organization to be an authorized agent of the University or a University auxiliary.
 - c. *SO3. Noise*: Violating municipal noise ordinances, or excessive noise which disrupts the campus or surrounding community, including, but not limited to, use of amplified sound on campus that is not expressly permitted in compliance with AHEC or CU Denver building reservation polices.
 - d. *SO4. Organization Facilities*: Operating a facility owned, leased, occupied, or used by the organization in violation of local zoning ordinances, or failing to maintain safe and sanitary physical conditions in a facility owned, leased, occupied, or used by the organization, including student organization tabling, as required by applicable law and University/Auraria Campus policy.
 - e. *SO5. Student Organization Events*: Sponsoring, co-sponsoring or conducting an on-campus event, meeting, or activity in a scheduled event space without prior review and approval by AHEC, CU Denver, or

¹⁰ <https://www.cu.edu/ope/aps/5065>

¹¹ <https://www.ucdenver.edu/student-life/student-organizations/manage-a-student-organization>

other University offices, or failing to comply with event approval conditions imposed by AHEC, CU Denver, and other University offices, including [AHEC Event Services Policies](#)¹², and [CU Denver Policy for on Campus Use of Alcoholic Beverages](#)¹³.

- f. *SO6. Use of CU Denver name and logo:* Unauthorized use of University of Colorado Denver name, logo or symbols or use not in compliance with University Communications.

¹² <https://www.ahec.edu/services-departments/event-services/policies>

¹³ <https://www.ucdenver.edu/policies/home/3050>

III. Procedures

A. **Student Conduct Referral**

Formal rules of process, procedure, or evidence as established and applied to the civil or criminal justice system do not apply to this process. Instead, the following procedures will be used for student conduct proceedings when one or more individual students may have engaged in one or more prohibited student behaviors as outlined in Section (II)(A) of this document or any other local, state, federal, or university law, policy, or regulation (hereafter referred to as: Prohibited Student Behavior). This process may be conducted in consultation with the Office of University Counsel.

1. Referral Received

The Student Conduct Process can be initiated by a written or oral account of an incident (a “referral”) to the SCCS, including but not limited to, police reports, CU Denver Housing & Dining incident reports, and accounts from any University employee or student, or other member of the University or Campus Community.

Upon the receipt of a referral, the Director the SCCS, or their designee will determine if the alleged behavior may be a violation in accordance with this Code. Following a referral to the SCCS, one of the following processes will be pursued at the discretion of the Conduct Educator. As new information is learned, the Conduct Educator reserves the right to change the process if deemed necessary.:

- a. *No Further Action (Case Closed)*: If the alleged behavior would not be a violation of the Code, the student may be notified of the concern, the incident will be documented, and the case will be closed.
- b. *Alternative Dispute Resolution*: In some cases, an alternative dispute resolution such as restorative justice, conflict resolution, or mediation may be offered by mutual agreement of the parties involved, and on a basis acceptable to the Conduct Educator.
 - i. **Restorative Justice (RJ)**: As a resolution for a conduct concern, the Conduct Educator may determine RJ is appropriate. RJ can be utilized in situations where the involved parties mutually agree to the process and the person engaging in the harmful behavior is willing to accept responsibility and repair the harm they caused. Upon successful completion of this process, a written summary of the agreements reached during the process is provided to all parties (the impacted party, the person that caused the harm, and the Conduct Educator). If the terms of the agreement are not upheld by the involved parties, the matter will be referred back the SCCS to reassess which resolution process to pursue. At any point in the process, either party may decide that they wish to end the alternative dispute resolution process, and the situation may be returned to be adjudicated through the appropriate student conduct

process.

Outcomes of RJ do not reflect on a student's conduct history.

- c. *Informal Conduct Process:* If the behavior *would not* be a violation of the Code, but could be if the behavior continued or escalated, the Conduct Educator may offer a resolution through an Informal Conduct Process. The informal conduct process does not result in a finding and requests voluntary participation by the student. The Informal Conduct Process is an opportunity for the Conduct Educator to speak with the student about the alleged concerns.
- d. *Dismissal Process:* If the behavior *would* be a violation of the Code but there are extenuating circumstances, the resolution may be eligible for the dismissal process. Incidents eligible for a dismissal are only eligible if the student would be found responsible and they complete any sanctions required by the Conduct Educator. Upon completion of the sanctions, the Prohibited Student Behaviors are dismissed and are not reflected in the student's conduct history.
- e. *Formal Student Conduct Process:* If the behavior would be a violation of the Code, the Student Conduct Process will continue as described in the Code (see Section (III)(B) below).

B. The Formal Student Conduct Process

1. Student's Procedural Rights

The SCCS upholds the following procedural rights for all students participating in the Formal Student Conduct Process.

- a. *Notice:* The student alleged to have engaged in the prohibited student behavior will be provided a written notice. The notice will be sent to their University email address or known physical address if necessary. (See Section (III)(B)(3) for more information.)
- b. *Opportunity to be heard:* A student is provided the opportunity to meet with the Conduct Educator to share their perspective related to the reported misconduct. The student is not required to attend the initial Conduct Conference. (See Section (III)(C) for more information.)
- c. *Appeal:* Following the delivery of the Conduct Educators decision, the student found responsible may choose to appeal the finding(s) or the sanction(s). (See Section (III)(H) for more information).

2. Student's Procedural Responsibilities

Throughout the process, students are responsible to:

- a. Educate themselves, seeking clarification when needed on standards of conduct and other policies they are responsible for upholding as a CU Denver student.
- b. Cooperate and discuss relevant information with Conduct Educators and other SCCS staff.

- c. Communicate conscientiously and honestly in any SCCS process.
- d. Adhere to stated deadlines and attend scheduled meetings.

3. Conduct Conference Notice

All allegations shall be presented to the alleged student in a Conduct Conference Notice provided by the Conduct Educator in electronic form to the student's official CU Denver email address.

- a. "Notice" to a student is considered in effect when the Conduct Conference Notice is sent to the student either electronically, to their CU Denver email address, or to their physical address.
- b. The Conduct Conference Notice (Notice) will include:
 - i. A description of the alleged prohibited student behavior and violation.
 - ii. The specific type(s) of prohibited conduct alleged to have been violated as described in Section (II)(A).
 - iii. An explanation of the Student Conduct process
 - iv. The Conduct Conference date, time, and location.
 - v. Information about requesting accommodations for the Conduct Process with the Office of Disability Resources & Services.
 - vi. Information on how to obtain or review initiating referral(s).
 - vii. Information on how to request copies of records obtained from outside agencies, if applicable.

4. Interim Measures

The Notice may contain specific requirements, restrictions, or interim measures pending the resolution of the matter through the Student Conduct Process. The purpose of these measures is to protect the interests of involved students, other members of the Campus Community, or the University. Interim measures include but are not limited to:

- a. Temporary relocation in student housing
- b. Restriction from specific Campus locations
- c. Orders prohibiting contact with the impacted party, referring party, or witnesses; commonly referred to as "No Contact Orders" (NCO).
- d. Interim Suspension from the University.

C. Conduct Conference

The Conduct Conference serves as the student's opportunity to be heard (Section (III)(B)(1)(b)). Conduct Conferences will be facilitated by University Conduct Educators to assist in the determination of responsibility for the violation and the identification of appropriate sanctions if the student is found responsible. Conduct Conferences will focus on a balance between student success and the safety of

the Community. Topics of discussion may include but are not limited to: the reported incident from the student's perspective, the student's motivation behind their behavior, the student's goals and progress toward achieving those goals, potential harm to the campus community, and subsequent repair of the harm.

Conduct Conferences will be facilitated according to the following guidelines:

1. Scheduling

Conduct Conferences are scheduled no less than three (3) working days nor typically more than fifteen (15) working days after the Conduct Conference Notice is sent to the student.

- a. If an expedited Conduct Conference is requested by the student (occurring less than three (3) days after the Notice is sent) mutual agreement by the Conduct Educator and student is required. The student will be asked to sign a Waiver of Due Process.
- b. If an expedited process is deemed necessary by the Conduct Educator for reasons including, but not limited to, the end of the semester, the student's pending graduation, and substantial concern for the health, safety, or welfare of a member of the university community, the Conduct Educator may require that the Conduct Conference occur within a shortened timeframe.
- c. If the student is unable to participate in the Conduct Process due to incarceration or hospitalization (or similar circumstances) the conduct process will be paused until the student can participate in the process. A pending discipline hold will be placed on the student's account to ensure the Conduct Process is resolved when they are able to participate.

2. In-person Conference

Conduct Conferences are typically held in person and at a time scheduled by the Conduct Educator; however, in times of health and safety concerns (or other circumstances deemed appropriate), a Conduct Educator may alter the meeting time based on the student's availability and/or hold the meeting remotely via telephone or by utilizing an audio/video digital platform (platform to be determined by the conduct educator).

The Conduct Educator will consider making adjustments to a proposed Conduct Conference structure if appropriate based on concerns for personal safety, well-being, and/or fears of confrontation between involved parties during the Conduct Conference.

The Conduct Educator reserves the right to end the Conduct Conference if there are reasonable concerns for their safety.

3. Support Person

The referring party and/or students alleged to have engaged in the Prohibited Student Behavior(s) may each be accompanied by one (1) support person during their perspective parts of the Student Conduct Process. The support person cannot be involved in the incident(s) being addressed, this includes

being a witness or being an impacted party. This individual may be a parent/guardian, partner, lawyer, staff or faculty from the University, mental health provider, and/or friend.

- a. A support person must be selected by the individual; the SCCS will not select a support person for the process.
 - i. The individual is responsible for selecting a support person whose schedule allows attendance at the originally scheduled Conduct Conference.
- b. A support person is not permitted to speak for or on behalf of the individual at any time.
 - i. With permission from the Conduct Educator, a support person may make a statement and/or ask questions of the student to present relevant information that informs the Student Conduct Process.
- c. The Conduct Educator reserves the right to remove the support person at any time should the support person not adhere to the guidelines established or if the support person becomes disruptive to the Student Conduct Process.
- d. Inclusion of any individual other than the student(s) involved in the Conduct Conference and the student's support person shall be at the discretion of the Conduct Educator, and all parties will be notified in advance of the additional participants.

4. Multiple Involved Parties

If an incident involves more than one alleged student, the Conduct Educator will determine if the Conduct Conferences will be conducted jointly or separately.

5. FERPA

Any information or meeting connected to the Student Conduct Process falls under the guidance of the Family Educational Rights and Privacy Act (FERPA) and is therefore considered private educational interactions between the student(s) and the University. Deliberation or consultation between University officials within this process are closed.

6. Evidence

Pertinent records, exhibits, and written statements, including personal impact statements, may be accepted as information or evidence to be considered. The referring party and the alleged shall be allowed to present their own version of the incident to the Conduct Educator. The Conduct Educator reserves the right to request corroborative information or evidence from the involved parties and other relevant sources.

- a. Reports may be redacted in order to protect the privacy of educational records of all parties involved.

7. Additional Information

If the information presented in the Conduct Conference creates an additional need for clarification or inquiry, the Conduct Educator may schedule additional meetings or request additional information.

8. Accommodations

Accommodations may be requested for any disability documented with the Office of Disability Resources and Services (DRS). When applicable, the Conduct Educator will work with DRS to determine appropriate and reasonable accommodations as it relates to the Student Conduct Process. Information regarding this process is included in every Conduct Conference Notice.

9. Decision in Absence

If the alleged does not choose to participate in the scheduled Conduct Conference, a decision may be made in their absence based on the totality of the information related to the alleged violations available at the time of the decision. If found responsible, a pending discipline hold may be placed on their account. The hold will not be removed until the Conduct Process has been resolved and all required sanctions have been completed.

D. Determination

After the Conduct Conference concludes, or the alleged chooses not to participate in the Conduct Conference, the Conduct Educator will review all pertinent information and make a determination related to each of the alleged violations of the Student Code of Conduct (see Section (II)(A)).

1. Preponderance of the Evidence

The determination is based on the preponderance of the information standard. The Conduct Educator will determine whether it is more likely than not that the alleged engaged in the Prohibited Student Behaviors.

2. Findings

a. *Responsible*: Based on the totality of the information, the Conduct Educator determines it is more likely than not that the alleged engaged in Prohibited Student Behavior(s). If found responsible for one or more than one violation of the Code, the alleged may be assigned Sanctions (see Section (III)(E)). Responsible findings *are* reported in the Conduct History of the alleged.

b. *Not Responsible*: Based on the totality of the information, the Conduct Educator determines it is *not* more likely than not that the alleged engaged in Prohibited Student Behavior(s). If found not responsible the alleged will not be required to complete any sanctions. “Not Responsible” findings are not reported in the Conduct History of the alleged.

- c. *Dismissed*: Based on the totality of the information, the Conduct Educators determines it is more likely than not that the alleged engaged in Prohibited Student Behaviors; however there were extenuating circumstances, and the student completes all required sanctions, the findings may be dismissed. A dismissed finding is not reported in the Conduct History of the alleged.
- d. *Dropped*: The alleged violations may be dropped if their application was a result of a clerical error. For example, in a situation of mistaken identity or due to a technological error. A dropped finding is not reported in the Conduct History of the alleged.

E. Sanctions

Sanctions are based on a consideration of the totality of the information in a particular case including, but not limited to, the individual student's prior conduct history, mitigating and aggravating factors, the severity of the violation, and the impact on individuals or the Campus and greater community.

1. Progressive Discipline

In situations where there are repeated violations of the Code, it is more likely that the sanctions will be progressively more severe.

2. Assigning Sanctions

In all cases, the Conduct Educator reserves the right to use their discretion in determining the appropriate sanction(s) for a case. The Conduct Educator may impose one or more sanctions.

3. Electronic Delivery

All decisions regarding responsibility and appropriate sanctions will be provided to a student in writing in electronic form to the student's official CU Denver email address.

4. Types of Sanctions

The following types of sanctions may be applied when appropriate to individuals found Responsible for engaging in Prohibited Student Behaviors.

- a. *Advocacy*: Sanctions that may seem to be disconnected to the Prohibited Student Behavior but are intended to help the student be successful at CU Denver.
- b. *Educational*: Sanctions that aim to help a student learn information about a specific topic or to show their self-reflection, including, but not limited to, reflection or research papers, and educational courses about alcohol and marijuana.
- c. *Disciplinary*: Sanctions that acknowledge that the behavior does not meet community expectations, or that provide boundaries to help prevent the behavior from occurring again in the future, including, but not limited to, restitution, parent/guardian notification, probation, housing

removal, No Contact Orders, suspension, Auraria Campus exclusion¹⁴, and expulsion.

- i. Disciplinary suspension and expulsion result in a transcript notation and these sanctions apply to all University of Colorado campuses in accordance with [CU Regent Policy 7.B.2¹⁵](#), see Section (IV)(A).
- ii. In cases that involve serious threats of violence, suspension, or expulsion, records are kept indefinitely.
- iii. An Auraria Campus Exclusion may impact a student's ability to attend MSU Denver, Community College of Denver, or the greater Colorado Community College System.

F. Conduct Decision Letter

The Conduct Decision Letter is written notice of the Conduct Educator's decision. The Conduct Decision Letter is comprised of two main components, the Determination of Findings and, if applicable, the Sanctions. The Conduct Decision Letter will generally be sent to the student within fifteen (15) working days of the Conduct Conference. The Conduct Decision Letter shall be sent electronically to the student's official CU Denver email address.

1. **Not Responsible:** If the alleged is found "Not Responsible" for all alleged prohibited behaviors, the Student Conduct Process concludes. The Conduct Decision Letter will consist of:
 - a. The determination of "Not Responsible".
 - b. A summary of the basis for the determination.
2. **Responsible:** If the alleged is found "Responsible" for any of the alleged prohibited behaviors, the Student Conduct Process will continue until the Sanctions are complete. The Decision Letter will consist of:
 - a. The determination of "Responsible" for at least one violation of the Code.
 - b. A summary of the basis for the determination.
 - c. A complete description of any sanctions and requirements, such as deadlines, assigned activities, or restrictions. If the sanctions are unclear, it is the responsibility of the student to request clarification.
 - d. Information about how to submit an appeal if the alleged disagrees with the determination(s) or the sanction(s). (See Section (III)(H).)

Conduct Educators may communicate conduct outcomes to the referring party and with appropriate Campus offices when relevant to academic, financial, student involvement, or issues specific to FERPA guidelines.

G. Completion of Sanctions

The Student Conduct Process concludes when all sanctions assigned by the

¹⁴ <https://www.ucdenver.edu/policies/home/3052>

¹⁵ <https://www.cu.edu/regents/policy/7>

Conduct Educator, or Appeal Reader, have been successfully completed by the student.

1. Does Not Meet Expectations

Conduct Educators reserve the right to inform a student that an attempt at a sanction completion does not meet the expectations outlined in the Conduct Decision Letter. The Conduct Educator can request the student resubmit the sanction prior to the sanction being considered complete.

2. Incomplete Sanctions

Failure to complete sanctions within the required deadline will result in a pending discipline hold being placed on the student's registration status and/or additional violations that will initiate a new process based on the Code.

H. **Appeal**

A student who is found "Responsible" for Student Code of Conduct violation(s) may appeal the Conduct Decision to the Dean of Students, or their designee (Appeal Reader), by submitting a written request for an appeal through the [CU Denver Student Conduct Appeal Form](#)¹⁶.

1. Timeline

The student requesting the appeal, must submit the appeal form within five (5) working days of the date the Conduct Decision Letter is issued by the Conduct Educator.

- a. Failure to submit a request for appeal within the specified time will render the decision of the Conduct Educator final and conclusive.
- b. An extension may be granted upon appellant's written request at the discretion of the Appeal Reader.

2. Grounds for Appeal

The appeal must be specific and clearly state the reasons for the request. Except as necessary to explain the basis of new information, an appeal shall generally be limited to a review of the record of the Conduct Conference and supporting documents for one or more of the following reasons:

- a. To determine whether the **Conduct Conference was not conducted fairly** in light of the alleged violations and information presented and in conformity with proscribed procedures giving both the alleged and referring parties the opportunity to prepare and present relevant information to be considered in the determination of an appropriate outcome.
 - i. Minor deviations from designated procedures will not be a basis for sustaining an appeal unless there is a demonstrable adverse effect on the outcome of the Conduct Conference.

¹⁶ https://cm.maxient.com/reportingform.php?UnivofColoradoDenver&layout_id=3

- b. To determine whether the **sanction(s) imposed were appropriate** for the student code of conduct violation(s) for which the student was found responsible.
 - c. To consider **new information** sufficient to alter the Conduct Decision, or other relevant facts not brought out in the original Conduct Conference, because such information and/or facts were not known to the appellant at the time of the original Conduct Conference.
 - i. Information that was known to the appellant, but not presented during the Conduct Conference will not be accepted.
3. Assessment of Grounds for Appeal
The Appeal Reader will review the written request for appeal to determine if one or more of the acceptable grounds for the appeal are met.
- a. *Denial*: If the appeal does not meet one or more of the acceptable grounds for appeal, the appeal will be denied, and the matter shall be considered final and binding upon all involved.
 - b. *Approval*: If the appeal meets one or more of the acceptable grounds for appeal, the Appeal Reader will do one of the following:
 - i. Affirm the decision, meaning that the Appeal Reader agrees that the information supports the decision reached by the Conduct Educator, and the matter shall be considered final and binding upon all involved.
 - ii. Return the case to the Conduct Educator or another Conduct Educator (if available) for further consideration, meaning that the Student Conduct Process will begin again and will address any concerns that arose from the appeal criteria.
 - iii. Overturn the decision or adjust the sanctions assigned by the Conduct Educator, and the matter shall be considered final and binding upon all involved.
4. Communicate the Decision
The Appeal Reader will communicate their decision in writing electronically to appellant's official CU Denver email address generally within fifteen (15) working days unless circumstances exist that require additional time for the decision to be made.
- a. If an extension is necessary, the parties involved will be notified accordingly.

IV. Additional Information

A. **Disciplinary Record Disclosures**

Student disciplinary records will be maintained in accordance with the Family Educational Rights and Privacy Act of 1974 (FERPA) and subsequent amendments and the guidelines for implementation. The student and/or those university officials who demonstrate a legitimate educational need for disciplinary information may have access to the student's conduct record.

1. Right to Request Records

Every student may review, upon written request, the contents of their conduct record, to the extent permitted by law.

- a. Students may submit a [Request to Inspect Records form](#)¹⁷.
- b. The SCCS will comply with the request within a reasonable time frame, not to exceed 45 days.
 - i. Certain parts of the record may be redacted pursuant to laws, like FERPA.
- c. The SCCS does not permit the copying of these records through any medium including, but not limited to screenshots, videos, or photos, does not allow the education records to be removed from our offices, does not allow unauthorized individuals to inspect education records, and the records may have certain information redacted pursuant to law.

2. Parental/Guardian Access

Parent/guardian who provide proof that a student is a dependent as defined in [Section 152](#)¹⁸ of the Internal Revenue Code of 1954 (i.e., a copy of the last Federal Income Tax Return listing the student as a dependent) can have access to the student's conduct record without the student's consent. In this case, guardians may have access to a conduct record even if the student has requested otherwise.

3. Disclosure of Conduct Outcomes

Parent/guardian may be notified if a student under 21 years of age and is found responsible for a violation involving alcohol or other drugs. (See Appendix I — Parent/Guardian Contact Policy.)

4. Third-party Inquiries

Inquiries, including, but not limited to, inquiries from employers, government agencies, news media, family, friends, or police agencies, require a written release from the student before access to any student conduct records is granted.

5. Subpoenas

Information may be released pursuant to a lawfully issued subpoena, and as

¹⁷ https://cm.maxient.com/reportingform.php?UnivofColoradoDenver&layout_id=100

¹⁸ <https://www.irs.gov/pub/irs-drop/n-08-05.pdf>

provided by the [Campus Security Act](#)¹⁹ as amended by the Higher Education Amendments of 1992. This Act permits higher education institutions to disclose to alleged victims of any crime of violence (murder, robbery, sexual assault, assault, burglary, motor vehicle theft, arson) the results of the conduct proceedings conducted by the institution against an alleged perpetrator with respect to such crime.

6. Other Institutions of Higher Education

FERPA allows disclosures of educational records between other institutions of higher education in cases where a student intends on transferring. CU Denver will provide conduct records when requested by the other institution for students seeking admittance to other schools, and will not report said requests to the student.

7. Within the CU System

Other CU School officials with legitimate educational interests may be given access to personally identifiable information, particularly in situations where the student or the campus' health or safety is at risk.

B. Disciplinary Record Retention

The record of disciplinary actions will be kept by the Office of Student Conduct & Community Standards. Conduct records are actively maintained for a minimum period of seven (7) years from the date that the conduct case is concluded.

1. Suspension and expulsion records will be kept indefinitely. There is no process to have conduct records expunged prior to this timeframe or to have suspension and expulsion records expunged.
2. Suspension is noted on official transcripts until the suspension, including any additional or associated sanctions, is completed.
 - a. If after 7 years, assuming the allotted suspension time has passed, and only low-level sanctions are incomplete (such as reflection papers) the Director may remove the suspension as a transcript notation and replace it with a pending discipline hold in the event the student attempts to return to CU Denver in the future. Prior to their reenrollment the required sanctions are to be completed. The removal of the suspension notation will not occur when the required sanctions are threat assessments, psychological evaluations, court compliance, treatment, or other higher-level sanctions.
3. Expulsion is a permanent notation on the official transcript.

C. Refund Policy After Disciplinary Action

The University may withdrawal financial assistance, regardless of form to students who have been sanctioned for violating the standards of conduct ([CU Regent Policy 7.B.2\(E\)](#)²⁰). If a student is suspended or expelled from the university, assessment or refund of tuition and fees are made in the same way as when a

¹⁹ <https://www.ucdenver.edu/legal/right-to-know>

²⁰ <https://www.cu.edu/regents/policy/7>

student voluntarily withdraws. The date used for determining the amount due will be the first day of the suspension or expulsion, as decided upon by the Conduct Educator. Should a student wish to appeal their tuition charges, they may complete the tuition appeal process through the university. This is a separate process and will not be initiated by the university on the student's behalf. The student is solely responsible for initiating a tuition appeal.

D. Pending Discipline Hold

Pending Discipline Holds may be applied to a student's account until a Conduct matter is resolved. The pending discipline hold Specifically, pending discipline hold prevents a student from registering for any classes in the CU System. A pending discipline hold may be applied in the following situations:

1. Closed Not Enrolled: If a CU Denver student is alleged to have engaged in prohibited student behavior(s) while not actively enrolled in CU Denver courses, a pending discipline hold may be applied to the student's account until the Conduct Process has been resolved. Resolution of the Conduct Process may include the completion of all required sanctions.
2. Interim Suspension: If a CU Denver student is interim suspended by the SCCS, the pending discipline hold will remain on the student's account until the Conduct Process has been resolved. Resolution of the Conduct Process may include the completion of all required sanctions.
3. Incomplete Sanctions: If a CU Denver student is assigned sanction(s) as an outcome of the Conduct Process, it is the expectation of the SCCS that the sanctions be completed in a timely manner and in compliance with any stated deadlines. If the sanction(s) are not completed, a pending discipline hold will be applied to the student's account until the required sanctions are confirmed to be completed by the SCCS.

The University of Colorado Denver Student Code of Conduct is adapted in part from the NCHERM Group Model Developmental Code of Student Conduct and is used here with permission.

Appendix A

Definitions

1. Acceptance of Responsibility: The student alleged to have violated the Code (as defined Section (II)(A) of the Code) agrees that their behavior constitutes a violation of the CU Denver Student Code of Conduct as outlined in the Conduct Conference Notice.
2. Adverse action: An action that would dissuade a reasonable person from reporting a violation, and includes, but is not limited to, property damage, intimidation, threats, or coercion. A determination of whether an action is adverse is a fact-dependent inquiry made after an individualized review by the Conduct Educator.
3. Aggravating Factor: Any circumstance(s) accompanying the violation that add(s) to its seriousness, including, but not limited to, use of violence or force, serious injury, violation of a trust or duty, premeditation of an incident, and the existence of a previous conduct history violation.
4. Alleged: Any student (or student organization) accused of violating the Student Code of Conduct or other relevant policy.
5. Appeal Reader: An individual appointed and trained by the University to process Student Conduct appeals (Section (III)(H)).
6. Behavior: The way in which one acts or conducts oneself to respond to a particular situation or stimulus, including, but not limited to, those listed in Section (II)(A) of this Student Code of Conduct.
7. Campus: The Auraria Campus in Denver, Colorado and all buildings associated with CU Denver on and/or adjacent to that campus, including, but not limited to, Lynx Crossing, City Heights, the CU Building, the Lawrence Street Center, the Business School, and Anschutz Medical Campus.
8. Community College of Denver (CCD): An institution of the Colorado Community College System on the Auraria Campus.
9. Conduct Educator: Any individual appointed by the Director of Student Conduct & Community Standards to process student conduct matters, including the Director. Members of the SCCS and Housing & Dining, among others, may be appointed to resolve conduct concerns.
10. Conduct Conference: A meeting between the student who is alleged to have violated the Code and the Conduct Educator.

11. Conduct Conference Notice: Notification sent to a student containing information about alleged violation(s) of the CU Denver Student Code of Conduct and meeting date, time, and location (see Section (III)(B)(3) for more information).
12. Conduct Procedure: Any process outlined in the CU Denver Student Code of Conduct (see Section (III)).
13. CU Denver Housing & Dining (H&D): The office that oversees on-campus residence life, specifically Lynx Crossing and City Heights. Referred to in this document as CU Denver Housing & Dining or H&D.
14. Designation: A student's classification within the University, including, but not limited to, graduate, undergraduate, continuing education, and non-degree seeking.
15. Disciplinary Suspension: Conduct sanction resulting in the separation of a student from CU Denver for a specified period of time. While suspended, the student is not entitled to attend classes, use University facilities, participate in University activities, or be employed by the University. If the suspension is accompanied by other sanctions, the suspension is not completed until all sanctions are completed (see Section (III)(E)(4)(c)).
16. Faculty Member: Any person hired by the University to facilitate classroom or teaching activities or has evaluative authority over students.
17. Force: The use of physical violence and/or imposing on someone physically, including, but not limited to, threats, intimidation, implied threats, and coercion that overcomes resistance or produces consent.
18. Interim Suspension: Interim conduct sanction resulting in an intervening removal of a student from the CU Denver Community on a provisional basis pending final disposition of the conduct case.
19. Investigated or Involved Parties: Individuals or organizations whose behavior is being examined as a part of the Student Conduct Process or the Organizational Conduct Process.
20. Member of the Community: Any person who is connected to the University, including, but not limited to, a CU Denver student, faculty member, University official, any other person employed by CU Denver, CU Denver Housing & Dining, the Metropolitan State University of Denver, the Community College of Denver, and the Auraria Higher Education Center.
21. Metropolitan State University of Denver (MSU Denver): An institution of higher ed on the Auraria Campus.

22. Mitigating Factor: Extenuating circumstances that may be taken into consideration to reduce a sanction, but does not constitute a justification or excuse for the charged behavior.
23. Normal University Activity: Any activity that regularly occurs or can be presumed to occur within a University setting and on the Auraria campus, including, but not limited to, teaching, research, recreation, meetings, public events, and conduct proceedings.
24. Not Responsible: A finding which indicates, by using a preponderance of the information, that an individual student or organization is not more likely than not to have violated the Code (see Section (III)(D)(2)(b)).
25. Parent: A student's parent or legal guardian.
26. Peace Officer: A person designated by the University of Colorado, its agents, or the state or federal government with the responsibility of enforcing laws or policies (C.R.S. 16-2.5-101).
27. Policy: The written regulations of the university or a local, state, or federal authority found in documents that include, but are not limited to, the CU Denver Student Code of Conduct, Laws and Policies of the Board of Regents, policies of CU Denver offices, the CU Denver Housing & Dining Resident Handbook, Student Organizations Handbook, the university web page and computer use policy, graduate/undergraduate catalogs, expectations, protocols, and public health orders.
28. Preponderance of the Information: The standard of proof used in all conduct proceedings under the CU Denver Student Code of Conduct, which means if it is *more likely than not* that a student engaged in a prohibited behavior, the student will be found responsible during the conduct process (see Section (III)(D)(1)).
29. Prohibited Student Behaviors: Alleged behaviors that could be considered a violation of the Student Code of Conduct. Historically was used synonymously with "Charges". See Section (II)(A) for a list of Prohibited Student Behaviors.
30. Referring Party: Any person who submits a report or referral, orally or in writing, alleging that a student violated the CU Denver Student Code of Conduct (see Section (III)(A)).
31. Responsible: A finding which indicates, using a preponderance of the information, that an individual student (or organization) is accountable for the alleged violation (see Section (III)(D)(2)(a)).
32. Student: Any person with a current or continuing academic relationship with CU Denver, including, but not limited to, a person taking full-time, part-time, non-

degree seeking, and concurrent high school enrollment coursework at CU Denver, a person active in an academic program, a person pursuing undergraduate, graduate, or professional studies, a person admitted to or in the process of admission to CU Denver, and a person attending orientation at CU Denver.

33. Support Person: An individual selected by a student involved in the Student or Organizational Conduct Process who provides support, advice, and guidance to the student who is not involved in the incident(s) being addressed. This individual may be a parent/guardian, partner, lawyer, staff or faculty from the university, therapist, and friend. See Section (III)(C)(3) for more information.
34. University: The University of Colorado Denver.
35. University Employee: Full-time, part-time and contract employees, and student workers of CU Denver, CU Denver Housing & Dining, MSU Denver, CCD, and the Auraria Higher Education Center (AHEC) who are performing their duly authorized duties.
36. Weapon: An instrument of offensive or defensive combat, anything used or designed to be used in destroying, defeating, or injuring a person, an instrument designed or likely to produce bodily harm, including, but not limited to, any firearm, slingshot, cross-knuckles, knuckles of lead, brass or other metal, any bowie knife, dirk, dagger or similar knife, or any knife having the appearance of a pocket knife from which the blade can be opened by a flick of a button, pressure on the handle, or other mechanical contrivance. See Section (II)(A) and Appendix D, for more information.
37. Witness: Any individual who may have information relating to a Conduct case.
38. Working Day: Any day, Monday through Friday, except for official University holidays.

Appendix B

Good Samaritan & Medical Amnesty

The health and safety of members of the University of Colorado Denver are of high concern to the University. The University is committed to ensuring that students obtain timely medical assistance for themselves and for their peers. To this end, we have instituted a “Good Samaritan & Medical Amnesty” Provision to the Code. This Provision offers a health-related response to the incident rather than a disciplinary consequence.

The Auraria Campus Police Department or Denver Police Department will assist those individuals whose judgment or health is severely affected due to drug or alcohol consumption by facilitating transport to a local detox center or hospital, or by taking other protective measures. Students are encouraged to immediately inform police, CU Denver Housing staff, and/or security when assistance is needed.

When a student assists an intoxicated individual in obtaining the assistance from police, security, residence life staff, or other medical professionals, neither the intoxicated individual, nor the student who assists, will be subject to formal University disciplinary action (such as probation, suspension, or expulsion) with respect to the drug or alcohol incident. Rather the student would be eligible to participate in an informal or dismissal process. Based on the totality of the incident, the Conduct Educator will make the final determination as to the applicability of this Provision and reserves the right to reduce sanctions or dismiss charges.

For this Provision to apply, the intoxicated student(s), or involved organizations, must agree to a timely discussion focused on the level of concern for student health and safety to identify avenues of support and necessary resources. Serious or repeated incidents will prompt a higher degree of health and safety concern. Failure to complete recommended follow-up may result in disciplinary action and could prompt the imposition of a medical withdrawal, or suspension of the student organization.

This Provision only applies to CU Denver’s Student Code of Conduct and has no status in other jurisdictions such as local or state courts. It should also be noted that this Provision may only be invoked by a student when their own case is being heard or investigated by a Conduct Educator or investigator.

This Provision does not limit the authority of law enforcement personnel or CU Denver/AHEC staff to act as required at the time of the alleged violation. The Provision does not excuse or protect those individuals or organizations that deliberately or repeatedly violate the Alcohol or Drug provisions in the Code. This provision does not preclude disciplinary action regarding other violations of University standards, such as theft, sexual harassment/assault, vandalism, harassment, etc.

Appendix C

Colorado Law Regarding Hazing

C.R.S. § 18-9-124(2) defines hazing as follows:

(2) As used in this section, unless otherwise requires:

(a) 'Hazing' means any activity by which a person recklessly endangers the health or safety of or causes a risk of bodily injury to an individual for purposes of initiation or admission into or affiliation with any student organization; except that "hazing" does not include customary athletic events or other similar contests or competitions, or authorized training activities conducted by members of the armed forces of the state of Colorado or the United States.

(b) 'Hazing' includes but is not limited to:

- (I) Forced and prolonged physical activity;
- (II) Forced consumption of any food, beverage, medication or controlled substance, whether or not prescribed, in excess of the usual amounts for human consumption or forced consumption of any substance not generally intended for human consumption;
- (III) Prolonged deprivation of sleep, food, or drink.

Appendix D

Marijuana and Psilocybin

Students may have questions about how the laws and regulations of CU Denver, the State of Colorado, and the Federal drug laws interact with one another and more specifically how it affects them as students. CU Denver is located in the City and County of Denver and in the State of Colorado. These jurisdictions have laws that are in compliance with, and may challenge, CU Denver's policies and Federal laws. There are two substances that students frequently have questions about: marijuana and psilocybin.

Federal Laws: Marijuana, psilocybin, and other drugs are all still considered Federally illegal.

Colorado Laws: Marijuana and psilocybin (and other psychedelics) have been decriminalized to some degree by the State. Marijuana and psilocybin both have a few specific restrictions such as needing to be over +21 to use the substance, having specific amounts that are acceptable to be in possession of, or requiring some type of a prescription from a medical physician, among other restrictions.

CU Denver Policies: Use, possession, cultivation, distribution, etc. of marijuana, psilocybin, or other drugs is prohibited on and off-campus.

The Drug-Free Schools and Community Act (DFSCA) "bars an institution of higher education from receiving funds or any other Federal financial assistance, including any federally funded or guaranteed student loans, unless it certifies to the Secretary that it has adopted and implemented a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees."

CU Denver acknowledges that while in school, students deserve the best chance at success. We know for our students there is a strong correlation between decreased academic performance and the use/abuse of alcohol and other drugs. We also acknowledge that compliance with the DFSCA will lead to a healthier and safer campus. While our students may live in a place where certain substances have been decriminalized we urge all students, staff, and faculty to consider the potential harms of drug and alcohol use.

Appendix E

Colorado Law Regarding Riots

Colorado Revised Statutes (C.R.S) §18-9-101(2), states:

“Riot means a public disturbance involving an assemblage of three or more persons which by tumultuous and violent conduct creates grave danger of damage, destruction or death.”

C.R.S. § 18-9-102, states:

“Inciting riot.

1. A person commits inciting riot if he:
 - a. Incites or urges a group of five or more persons to engage in a current or impending riot; or
 - b. Gives commands, instructions, or signals to a group of five or more persons in furtherance of a riot.
2. A person may be convicted under sections 18-2-101, 18-2-201, or 18-2-301 of attempt, conspiracy, or solicitation to incite a riot only if he engages in the prohibited conduct with respect to a current or impending riot.
3. Inciting riot is a class 1 misdemeanor, but, if injury to a person or damage to property results therefrom, it is a class 5 felony.”

C.R.S. § 18-9-103, states:

“Arming rioters.

1. A person commits arming rioters if he:
 - a. Knowingly supplies a deadly weapon or destructive device for use in a riot; or
 - b. Teaches another to prepare or use a deadly weapon or destructive device with intent that any such thing be used in a riot.
2. Arming rioters is a class 4 felony.”

C.R.S. § 18-9-104, states:

“Engaging in a riot.

1. A person commits an offense if he or she engages in a riot. The offense is a class 4 felony if in the course of rioting the actor employs a deadly weapon, a destructive device, or any article used or fashioned in a manner to cause a person to reasonably believe that the article is a deadly weapon, or if in the course of rioting the actor represents verbally or otherwise that he or she is armed with a deadly weapon; otherwise, it is a class 2 misdemeanor.
2. The provisions of section 18-9-102 (2) are applicable to attempt, solicitation, and conspiracy to commit an offense under this section.”

C.R.S. § 23-5-124, states:

“Student enrollment - prohibition - public peace and order convictions.

1. No person who is convicted of a riot offense shall be enrolled in a state-supported institution of higher education for a period of twelve months following the date of conviction.
2. A student who is enrolled in a state-supported institution of higher education and who is convicted of a riot offense shall be immediately suspended from the institution upon the institution's notification of such conviction for a period of twelve months following the date of conviction; except that if a student has been suspended prior to the date of conviction by the state-supported institution of higher education for the same riot activity, the twelve month suspension shall run from the start of the suspension imposed by the institution.
3. Nothing in this section shall be construed to prohibit a state-supported institution of higher education from implementing its own policies and procedures or disciplinary actions, in addition to the suspension in subsection (2) of this section, regarding students involved in riots.
4. The court in each judicial district shall report to the Colorado commission on higher education the name of any person who is convicted in the judicial district of a riot offense.
 - a. The Colorado commission on higher education shall make the conviction reports received pursuant to paragraph (a) of this subsection (4) available to all state-supported institutions of higher education with the notification that the persons included in the conviction reports are subject to the provisions of this section and that the state-supported institution of higher education in which any of such persons are enrolled shall consider appropriate disciplinary action against the student.
5. Each state-supported institution of higher education shall notify its students and prospective students of the requirements of this section. The governing board of each state-supported institution of higher education shall prescribe the manner in which this information shall be disseminated.
6. For purposes of this section, unless the context otherwise requires:
 - a. ‘Convicted’ means having received a verdict of guilty, pleaded guilty or nolo contendere, or having received a deferred judgment and sentence.
 - b. ‘Riot offense’ means:
 - i. Inciting riot, as described in section 18-9-102, C.R.S.;
 - ii. Arming rioters, as described in section 18-9-103, C.R.S.;
 - iii. Engaging in a riot, as described in section 18-9-104, C.R.S.”

Appendix F

Student Infectious Disease Mitigation Protocols

1. Purpose and scope of Student Conduct Code
 - a. The health and safety of members of the university community are the primary concerns of CU Denver. To this end, CU Denver has instituted protocols for students pertaining to the mitigation of the spread of infectious disease. The Office of Student Conduct & Community Standards outlines prohibited conduct for students to provide the structures necessary to maintain an in-person academic experience, while mitigating the spread of infectious disease.
 - b. Within the Student Code of Conduct there are three specific statements of prohibited behavior which apply to noncompliance of the established protocols to mitigate the spread of disease (See Section (II)(A) of the Code):
 - i. (II)(A)(6) – Disruption: Materially and substantially interfering with, obstructing, or disrupting a normal University or Auraria Campus activity.
 - ii. (II)(A)(8) – Failing to comply with the direction of employees of CU Denver, CU Denver Housing & Dining, and AHEC who are performing their duties.
 - iii. (II)(A)(26) – Violation of Law, Policy, or Regulations: Violating Public Regulations or University Regulations
2. Beyond the expectations found in the Student Code of Conduct and to mitigate the risk of spread of infectious diseases, students are strongly encouraged to take personal responsibility for the health and safety of themselves and others by following these recommendations:
 - a. Educating oneself about infectious diseases present in the community and following all CDC guidelines as well as any local, regional and statewide public health orders.
 - b. Understanding the campus safety protocols. Visit the Public Health Response website: <https://www.ucdenver.edu/public-health-response>
 - c. If contacted by an individual performing contact tracing/case investigation (from the university and/or from a state/local health department), students are strongly urged to participate in a timely manner.
3. Reasonable Accommodations to the Student Code of Conduct:
 - a. If a student feels they may require an accommodation due to a disability to comply with all or parts of these protocols, they should contact Office of Disability Resources and Services (DRS) at disabilityresources@ucdenver.edu. DRS will go through their normal accommodation process and provide a student with an accommodations letter if appropriate.

- b. If a student feels they may require an accommodation due to religion or creed to comply with all or parts of these protocols, they should contact The Office of Equity at equity@ucdenver.edu.

Appendix G

Organizational Student Conduct Process

Organizations registered with the CU Denver Office of Student Life & Campus Community are required to abide by the CU Denver Student Code of Conduct. Behavior displayed in connection to, on behalf of, or organized by a registered student organization, or behavior engaged in by one or more individual(s) who are members of a registered student organization that potentially indicates one or more prohibited student behaviors as outlined in Section F of this Code or any other local, state, federal, or university law, policy, or regulation (hereafter referred to as: prohibited student behaviors) could result in the organization being involved in the Organizational Conduct Process.

The initiation of the Organizational Conduct Process does not prohibit the Office of Student Conduct and Community Standards from initiating the Student Conduct Process outlined in Section G of this Code in connection to the behavior of individual student(s) who may have engaged in one or more prohibited student behaviors or any other local, state, federal, or university law, policy, or regulation.

The following procedures will be used during the Organizational Conduct Process.

For incidents involving allegations of sexual misconduct, discrimination, and bias including, but not limited to, sexual assault, sexual harassment, intimate partner violence, and stalking, and/or nondiscrimination, accompanied by other alleged violations of the CU Denver Student Code of Conduct, the Office of Equity and the Office of Student Conduct and Community Standards will determine the most appropriate way to address these incidents. For more information about the University's Sexual Misconduct and Nondiscrimination process and procedures visit the Office of Equity website.

1. **Report Received**

- a. The Organizational Conduct Process can be initiated by any written or oral account of an incident to the Office of Student Conduct and Community Standards or the Office of Student Life & Campus Community, including, but not limited to, police reports, CU Denver Housing & Dining incident reports, and accounts from any university employee, student, or other member of the university or campus community. The above mentioned offices will communicate with each other regarding the existence of a report involving a registered student organization.
- b. Upon receipt of a report, the Director of Student Conduct and Community Standards (Director) or their designee will determine if the behavior alleged may be a Prohibited Student Behavior.

- i. If the behavior would be a violation of prohibited student behavior, the Organizational Conduct Process will continue.
 - 1. In some cases, an alternative dispute resolution such as restorative justice or mediation may be offered by mutual agreement of the parties involved, and on a basis acceptable to the conduct educator. Upon successful completion of this process, a written summary of the agreements reached during the process will be sent. At any point in this process, either party may decide that they wish to end the alternative dispute resolution process, and the situation may be returned to be adjudicated through conduct process for resolution.
- ii. If the behavior would not be a Prohibited Student Behavior, the reporting party will be notified, the incident will be documented, and the case will be closed.

2. Initial Investigation

- a. The Director or their designee will select one or more staff members to facilitate the investigation (Facilitator).
- b. The Facilitator(s) shall conduct a preliminary review into any alleged violation(s) to determine if interim restrictions, including, but not limited to, interim suspension of the organization, no contact orders between all members of an organization, and no contact orders between specific individuals, will be assigned.
 - i. Interim restrictions may be deemed necessary to protect the health or safety of members of the CU Denver community, or to protect the integrity of the investigation.
- c. The Facilitator(s) shall conduct an initial investigation into any alleged violation(s) to establish a timeline of events and determine whether to initiate the Conduct Conferences with relevant organization members.
 - i. The initiation of an investigation, the alleged violations, and any interim restrictions will be communicated via email based on official CU Denver email records to the president of the involved organization and any students, advisors, or other stakeholders who have a specific need to know, including, but not limited to, the alleged, reporting parties, witnesses, the national organization's office headquarters, and other appropriate university officials.
- d. The Facilitator(s) will hold investigative meetings with involved parties, including, but not limited to, the alleged, the reporting party, witnesses, and any other relevant individuals.
 - i. Individuals who are requested to attend an investigative meeting have the right to decline the opportunity to have their perspective heard.

- ii. The Office of Student Life & Campus Community may determine that any individual who does not participate in an investigative meeting may be interim suspended from participation in any registered student organization.
- e. After the investigative meeting and upon completion of the initial investigation, the Facilitator(s) will provide a summary of investigative findings to the Director or their designee.
- f. The Director or their designee reviews the summary of investigative findings to determine if continuing the Organizational Conduct Process is warranted.
 - i. If the summary of investigative findings indicates that, based on the preponderance of information standard, behavior that occurred is a Prohibited Student Behavior, the Organizational Conduct Process will continue.
 - ii. If the summary of investigative findings indicates that, based on the preponderance of information standard, behavior that occurred is not a Prohibited Student Behavior, the investigated parties, advisors, other stakeholders, and the reporting parties will be notified and the case will conclude.
 - iii. If the summary of investigative findings indicates that, based on the preponderance of information standard, individuals have displayed behaviors that are allegedly Prohibited Student Behavior, the Student Conduct Process will be initiated with the involved students if that process has not already been initiated by the Office of Student Conduct and Community Standards.

3. Organizational Conduct Conference Notice

- a. All allegations against a registered student organization shall be presented to the president of the said organization based on the records held by the Office of Student Life & Campus Community via email.
 - i. A copy of the Organizational Conduct Conference Notice will be sent to the following individuals as applicable:
 - 1. Faculty/staff advisor of the registered student organization based on the records held by the Office of Student Life & Campus Community
 - 2. The national organization's office headquarters
 - 3. Other appropriate university officials
 - ii. This notice to the president, and will set will include:
 - 1. Information on how to obtain or review the official summary of investigative findings (redacted as legally necessary)
 - 2. The date, time, and location for the Conduct Conference
 - 3. A description of the alleged behavior and violation

4. The Prohibited Student Behavior(s) that are alleged to have been engaged in
 5. Instructions on how to request copies of records obtained from outside agencies
 6. An explanation of the Organizational Conduct Process
- iii. Organizational Conduct Conferences are scheduled not less than three (3) working days nor typically more than fifteen (15) working days after the president of the organization has been sent the Organization Conduct Conference Notice. If less than the three (3) day minimum is necessary in the president's perspective, such an expedited process would require mutual agreement between the president and the Conduct Educator and a signed Waiver of Due Process by the president.
1. Expedited Process – When the Conduct Educator determines that a prompt review is essential (e.g., end of the semester, or there is substantial concern for the health, safety, or welfare of a member of the university community), the Conduct Educator may require that the Organization Conduct Conference occur within a much shorter period of time.
- iv. The Organizational Conduct Conference Notice may reiterate previously initiated restrictions or sanctions and/or assign new interim restrictions pending the resolution of the matter.

4. Conduct Conference

Conduct Conferences shall be facilitated by a university Conduct Educator according to the following guidelines:

- a. The purpose of the Conduct Conference is focused on a balance between student organization success and the safety of students and the campus community. The organization's president, or another member of the organization in the instance that the president cannot perform this duty, and the Conduct Educator will have a face-to-face discussion. However, in times of health and safety concerns (or other circumstances deemed appropriate), a Conduct Educator may alter the meeting time based on the student's availability and/or hold the meeting remotely via telephone or by utilizing an audio/video digital platform (platform to be determined by the conduct educator). The organization's president will be expected to honestly discuss the incident to the best of their understanding as the organization's leader, goals the organization has set, the progress toward achieving those goals, the organization's responsibility and/or involvement in the behavior, and the potential harm to the campus community. When a violation is present the discussion will concentrate on determination of responsibility as well as the identification of appropriate sanctions.

- b. The organization's president may be accompanied by one support person of their choosing during the Conduct Conference (this person cannot be a student who was involved in the incident).
- c. If it is determined by the Conduct Educator that more members of the recognized organization should be involved in the Organizational Conduct Conference, the Conduct Educator may hold Conduct Conferences either jointly or separately.
- d. Conduct Conferences, investigative meetings, and administrative meetings are considered private, educational interactions between the student(s) and the university. The alleged and their support person shall be allowed to attend the Organizational Conduct Conference(s). Inclusion of any other person in the Organizational Conduct Conference(s) shall be at the discretion of the Conduct Educator and all parties will be notified, in advance, of additional participants. Deliberations between university officials are closed.
- e. If the organization's president does not appear for the scheduled Organizational Conduct Conference, a decision may be made in their absence, taking into consideration the totality of the information related to the alleged violations available at the time of the decision.
 - i. The Conduct Educator may inform the Faculty/staff advisor of the registered student organization, national organization, and/or other relevant university officials if the president does not appear.
- f. If information presented in the Organizational Conduct Conference creates additional need for clarification or investigation the Conduct Educator may seek more information, which may include, but is not limited to, scheduling additional meetings and requesting that the Facilitator provide additional detail.
- g. The Conduct Educator may accommodate availability and/or remote location of the alleged, the reporting party, or witnesses through conference phone calls or other alternate means. Accommodations may also be made related to concerns for the personal safety, well-being, and/or fears of confrontation of the reporting party, the alleged, and/or or other witness during the Conduct Conference. Accommodations may also be requested for any disability documented with the Office of Disability Resources and Services (DRS), and, when applicable, the Conduct Educator will work with DRS to determine appropriate and reasonable accommodations.
- h. Formal rules of process, procedure, or evidence as established and applied in the civil or criminal justice system do not apply to this process.

5. **Decisions**

- a. After the Organizational Conduct Conference concludes, the Conduct Educator will review all pertinent information and make a determination

- related to each of the allegations specified from the Student Code Of Conduct or any other local, state, federal, or university law, policy, or regulation. The determination is based on the preponderance of information standard, whether it is more likely than not that the alleged engaged in a prohibited student behavior or any other local, state, federal, or university law, policy, or regulation.
- b. Written notice of the conduct educator's decision will typically be sent to the president within fifteen (15) working days of the Organizational Conduct Conference via email to the president of the organization's official CU Denver email account. The notification shall consist of the determination of responsibility, and a complete description of any sanctions or requirements. If the recognized organization is found responsible for the charges, the notification will also include a summary of the basis for the determination.
 - c. Conduct educators may communicate conduct outcomes with appropriate campus offices when relevant to academic, financial, student involvement, or safety issues.

6. Sanctions

- a. Sanctions imposed when an organization is found responsible for one or more violations of the Student Code of Conduct will be based upon a consideration of all of the circumstances, including the individual organization's prior conduct history. Mitigating and aggravating factors will be considered. Repeated violations are likely to result in progressively severe sanctions.
- b. In all cases, the Conduct Educator reserves the right to use their discretion in determining the appropriate sanction(s) for a case.
- c. The Conduct Educator may consult with the Office of Student Life & Campus Community.
- d. The following describe the types and examples of sanctions that may be assigned when appropriate. Failure to complete disciplinary sanctions within required deadlines will result in the Office of Student Life & Campus Community removing the organization's registered student organization status.
 - i. Advocacy Sanctions: sanctions that may seem to be disconnected to the prohibited student behavior but is intended to help an organization be successful at CU Denver
 - ii. Educational Sanctions: sanctions that aim to help an organization learn information about a specific topic, including, but not limited to, reflection or research papers, policy development, and educational courses
 - iii. Disciplinary Sanctions: sanctions that acknowledge that the organization's members behavior does not meet community

expectations or provide boundaries to help prevent the behavior from occurring again in the future, including, but not limited to, restitution, probation, suspension as related to the student organization

7. **Appeal of an Organization Conduct Decision**

- a. A student organization found responsible for a violation of the Student Code of Conduct may appeal the decision if at least one of the criteria listed below is satisfied.
- b. The Appeal Panel shall consist of the Assistant Vice Chancellor for Student Community and the Dean of Students.
- c. Except as necessary to explain the basis of new information, an appeal shall generally be limited to a review of the record of the Organization Conduct Investigation, Organization Conduct Conference(s), and supporting documents for one or more of the following reasons:
 - i. To determine whether the **Organizational Conduct Conference(s) was/were conducted fairly** in light of the charges and information presented, and in conformity with proscribed procedures giving both the alleged and reporting parties the opportunity to prepare and present relevant information to be considered in the determination of an appropriate outcome. Minor deviations from designated procedures will not be a basis for sustaining an appeal unless there is a demonstrable adverse effect on the outcome of the Organizational Conduct Conference.
 - ii. To determine whether the **sanctions(s) imposed were appropriate** for prohibited organizational behavior or any other local, state, federal, or university law, policy, or regulation which the recognized student organization was found to have violated.
 - iii. To consider **new information** sufficient to alter the decision, or other relevant facts not brought out in the original Organizational Conduct Conference, because such information and/or facts were not known to the appealing organization at the time of the original Organizational Conduct Conference. NOTE: This does not include information that was known by the organization at the time of the Organizational Conduct Conference but was not shared.
- d. If the organization wishes to appeal the decision (the appellant organization), the appellant organization must submit a written request for an appeal through the [Student Conduct and Community Standards website](#). The appeal must be specific and clearly state the reasons for the request. The appeal request must be submitted within three (3) working days of the date the Conduct Decision Notice is sent to the appellant organization by the Conduct Educator. Failure to submit a request for appeal within the specified time will

- render the decision of the Conduct Educator final and conclusive. An extension may be granted upon written request of the appellant organization at the discretion of the Appeal Panel.
- e. The Appeal Panel will review the written request for appeal to determine if the acceptable grounds for the appeal are met.
 - i. If one or more of the acceptable grounds for appeal is not satisfied, the appeal will be denied.
 - ii. If one or more of the acceptable grounds for appeal document is satisfied, the Appeal Panel shall take one of the following actions:
 - 1. Affirm the decision: the Appeal Panel agrees that the information before him or her supports the decision reached by the conduct educator.
 - 2. Return the case to the original Conduct Educator, or another conduct educator for further consideration.
If an appeal is returned to a Conduct Educator to consider new information, the general organization Conduct Process will be used.
 - 3. Overturn the decision or adjust the sanctions assigned by the original Conduct Educator.
 - f. The Appeal Panel will communicate their Appeal Decision to appellant in writing electronically to appellant's official CU Denver email address generally within fifteen (15) working days unless circumstances exist that require additional time for the decision to be made. If an extension is necessary, the parties will be notified accordingly. The matter shall be considered final and binding upon all involved after the Appeal Decision is issued, unless the matter is returned to the Conduct Educator for further consideration.

Appendix H

Colorado Law Regarding Concealed Carry Weapons

In May 2024, Colorado Governor Jared Polis signed a law making it a misdemeanor to knowingly carry a firearm onto certain sensitive areas, which includes school grounds. The law took effect July 1, 2024 and includes the open and concealed carry of firearms on University and College Campuses. Those carrying out the duties of university employment requiring the use of a firearm (e.g., state certified police officers) are an exception to this change. On June 21, 2024, members of the Board of Regents resolved to amend weapons policies to align with State law. Please review [CU Regent Policy 14.I](#) for more information.

Colorado Revised Statute § 18-12-105.5, states:

(1) A person commits a class 6 felony if such person knowingly and unlawfully and without legal authority carries, brings, or has in such person's possession a deadly weapon as defined in section 18-1-901 (3)(e) in or on the real estate and all improvements erected thereon of any public or private elementary, middle, junior high, high, or vocational school or any public or private college, university, or seminary, except for the purpose of presenting an authorized public demonstration or exhibition pursuant to instruction in conjunction with an organized school or class, for the purpose of carrying out the necessary duties and functions of an employee of an educational institution that require the use of a deadly weapon, or for the purpose of participation in an authorized extracurricular activity or on an athletic team.

(2) (Deleted by amendment, L. 2000, p. 709, § 45, effective July 1, 2000.)

(3) It shall not be an offense under this section if:

(a) The weapon is unloaded and remains inside a motor vehicle while upon the real estate of any public or private college, university, or seminary; or

(b) The person is in that person's own dwelling or place of business or on property owned or under that person's control at the time of the act of carrying; or

(c) The person is in a private automobile or other private means of conveyance and is carrying a weapon for lawful protection of that person's or another person's or property while traveling; or

(d) The person, at the time of carrying a concealed weapon, held a valid written permit to carry a concealed weapon issued pursuant to section 18-12-105.1, as said section existed prior to its repeal; except that it shall be an offense under this section if the person was carrying a concealed handgun in violation of the provisions of section 18-12-214 (3); or

(d.5) The weapon involved was a handgun and the person held a valid permit to carry a concealed handgun or a temporary emergency permit issued pursuant to part 2 of this article; except that it shall be an offense under this section if the person was carrying a concealed handgun in violation of the provisions of section 18-12-214 (3); or

(e) The person is a school resource officer, as defined in section 22-32-109.1 (1)(g.5), C.R.S., or a peace officer, as described in section 16-2.5-101, C.R.S., when carrying a weapon in conformance with the policy of the employing agency as provided in section 16-2.5-101 (2), C.R.S.; or

(f) and (g) (Deleted by amendment, L. 2003, p. 1626, § 51, effective August 6, 2003.)

(h) The person has possession of the weapon for use in an educational program approved by a school which program includes, but shall not be limited to, any course designed for the repair or maintenance of weapons.

Appendix I

Parent/Guardian Contact Policy

Pursuant to FERPA, the SCCS can communicate with a student's parent or guardian in specific situations. For more information about FERPA, please visit

<https://www.ucdenver.edu/registrar/student-resources/ferpa>.

If a Parent/Guardian contacts CU Denver seeking information regarding a student's alcohol or drug-related conduct record, and the student is under 21 years of age, information may be shared by an informed, full-time staff member in the Office of Student Conduct & Community Standards, or their designee.

The designated staff member may share information regarding any alcohol or drug-related infraction in which a student, afforded due process through the conduct procedures, has been found responsible for the violation. Parents seeking information regarding behaviors for which an outcome is pending, or the student was not found responsible, must have their student's written consent to the disclosure. The Release of Information form can be downloaded from the Student Conduct & Community Standards Office website, or you can follow this link to the [Release of Information](#).

When CU Denver is aware of an alcohol or drug overdose requiring hospitalization, and the student is personally unable to make contact with family, an informed CU Denver staff member may notify the Parents or guardians, regardless of whether or not the student has been found responsible for the violation.

Further, notification to Parents/guardians is allowed when:

- The violation involved was of sufficient severity or related to a pattern of drug or alcohol related violations which warrant a drug or alcohol evaluation; or
- The violation involved was of sufficient severity or related to a pattern of drug or alcohol related violations which, should a further infraction occur, would likely result in suspension or expulsion from the University; or
- The violation involved harm, or threat of harm, to self or another person; or
- There was a significant risk to the health or safety of the student as a result of consumption of alcohol or use of drugs.

Any student may request that information not be disclosed to Parent/Guardians, if the nondisclosure request is related to personal safety or other serious family circumstances. This request must be made in writing to the Conduct Educator prior to the Conduct Decision Letter being issued in the conduct case. The Conduct Educator may, at their discretion, honor the non-disclosure request.

To best facilitate communication with Parents/Guardians, Conduct Educators should encourage students to speak first to their Parents/Guardians regarding conduct issues.