

## The Code of Student Conduct at the University of Denver

Revised August 2009

*The complete text of the Code of Student Conduct can be  
found here <http://www.du.edu/ccs/>*

### IV. Standards of Conduct

#### A. Civility

**1. Disorderly Conduct.** Violations of this policy include, but are not limited to:

a.) Any act that is disruptive, lewd, indecent, or otherwise breaches the peace, regardless of intent, when such an act is conducted on University premises.

b.) Any unauthorized use of electronic or other devices to make an audio or video record of any person while on University premises without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom.

**2. Harassment.** Violations of this policy include, but are not limited to:

a.) Any act, display, or communication that would cause a reasonable person to fear for his/her personal safety. This includes, but is not limited to, physical coercion and/or restraint.

b.) Any act, display, or communication that causes substantial injury and/or distress on the part of the person or persons to whom it is specifically directed. This includes, but is not limited to, unwanted sexual advances and/or requests for sexual favors.

c.) Any attempt to repeatedly make contact with a person over his/her stated objections, when such contact serves no legitimate purpose. This includes, but is not limited to, intentionally following another person in or about a public place or places.

**3. Provocation.** Violations of this policy include, but are not limited to:

a.) Any act, display, or communication that may reasonably be expected to cause an immediate breach of the peace by the person or persons to whom it is specifically directed.

e.) Any student who contacts campus and/or local authorities to assist with a potentially life-threatening situation shall not be subject to disciplinary action based solely on the possession and/or use of alcohol in violation of relevant University policies. Students may be required to complete appropriate educational sanctions in lieu of formal disciplinary action.

f.) Any student who commits violations of other sections of this Code while intoxicated, and/or is intoxicated to the point of jeopardizing his/her own health or safety, may be held responsible for violating this policy, even if the student is otherwise entitled to consume alcohol.

**2. Drug Misuse.** Violations of this policy include, but are not limited to:

a.) Any possession or use of any illegal drug, or any possession or use of any prescription drug or other controlled substance except under the direction of a licensed physician.

b.) Any manufacture or distribution of any illegal drug, or any manufacture or distribution of any prescription drug or other controlled substance without a license for such conduct.

c.) Any act which causes a person to ingest any illegal or prescription drug or other controlled substance without his/her effective consent.

d.) Any possession on University premises of any item designed, fashioned, or modified to facilitate and/or disguise the use of any illegal drug or other controlled substance in violation of this policy, whether or not the item has been used for such purposes.

e.) Any student who contacts campus and/or local authorities to assist with a potentially life-threatening situation shall not be subject to disciplinary action based solely on the possession and/or use of illegal drugs or other controlled substances. Students may be required to complete appropriate educational sanctions in lieu of formal disciplinary action.

f.) Any student who commits violations of other sections of this Code while under the influence of one or more drugs, and/or abuses one or more drugs to the point of jeopardizing his/her own health or safety, may be held responsible for violating this policy, even if the student is otherwise entitled to take the drug(s).

**3. Physical Misconduct.** Violations of this policy include, but are not limited to:

a.) Any act causing, or intended or likely to cause, bodily harm and/or unwanted physical contact upon any person, regardless of intent.

**4. Property Damage.** Violations of this policy include, but are not limited to:

a.) Any act causing, or intended or likely to cause, damage to property without the effective consent of the owner or person legally responsible for such property, regardless of intent.

b.) Any intentional destruction, defacement, or unauthorized alteration of approved materials posted in accordance with University policies. This includes, but is not limited to, residence hall bulletin boards.

**5. Sexual Misconduct.** Violations of this policy include, but are not limited to:

a.) Any physical act that is sexual in nature and performed without the effective consent of all parties. For purposes of this policy, physical acts of a sexual nature include:

1. Sexual intercourse, defined as anal or vaginal penetration by a penis, tongue, finger, or other object, and/or any mouth to genital contact.

2. Sexual contact, defined as fondling and/or touching the genitalia, buttocks, and/or breasts of any person.

3. Any other act which a reasonable person would associate with sexual conduct.

b.) Any physical act that is sexual in nature and intentionally performed in view of one or more uninvolved persons without the effective consent of all parties. This includes, but is not limited to, the surreptitious recording and/or broadcasting of sexual acts.

c.) Any physical act that is sexual in nature when such an act is likely to threaten any party's health and/or safety without his/her effective consent. This includes, but is not limited to, any act that may reasonably be expected to transmit HIV or other sexually transmitted diseases and performed when a party has failed to divulge his/her infection with such a disease.

d.) Any physical act that is sexual in nature and performed in a public setting or without the effective consent of all persons reasonably in a position to observe such conduct. This includes, but is not limited to, the public fondling and/or exposure of one's own genitalia, buttocks, or breasts.

b.) Any act, display, or communication that may reasonably be expected to cause a disruption of a University event. This includes, but is not limited to, the use of racial epithets or other patently offensive language in a manner that is likely to provoke an immediate breach of the peace.

c.) Any display or communication, whether aural or visual, that encourages an audience to take immediate action, when such action may reasonably be expected to inflict harm upon a person or persons and/or cause damage to property.

## **B. Community:**

**1. Endangerment.** Violations of this policy include, but are not limited to:

a.) Any act that directly or indirectly creates a substantial risk to the safety of a person or persons and/or the University community. This includes, but is not limited to, falsely reporting an emergency and/or engaging in the unauthorized possession, use, or alteration of any University-owned emergency or safety equipment.

b.) Any possession and/or use of weapons, explosives, fireworks, or other object designed and/or used to inflict injury or damage while on University premises. This includes, but is not limited to, items which simulate such dangerous objects. The possession of non-lethal self-defense instruments (such as mace) is not prohibited; however, the reckless use of such devices may be considered a violation of this policy.

**2. Hazing.** Violations of this policy include, but are not limited to:

a.) Any act, even if committed with the informed consent of all parties, which endangers the mental, emotional, or physical health or safety of a person, or by which a person is encouraged to engage in conduct of an unbecoming or humiliating nature, when the act is explicitly or implicitly a condition of admission into, affiliation with, or continued membership in any organization or athletic team. Both those encouraging such acts and those committing them may be in violation of this policy.

**3. Interference.** Violations of this policy include, but are not limited to:

a.) Any act that disrupts or interferes with any educational, administrative, or other aspect of the University's mission and/or operations. This policy is not intended to prohibit organized, peaceful, and orderly protests.

**4. Non-Compliance.** Violations of this policy include, but are not limited to:

a.) Any failure to comply with a reasonable request of a University official in the performance of his/her duties. This includes, but is not limited to, any written or oral instructions communicated as part of the disciplinary process.

b.) Any failure to provide one's University identification card upon request to any University official.

c.) Any failure to abide by signs, placards, and/or other official University postings.

**5. Violation of University Policies.** Violations of this policy include, but are not limited to:

a.) Any act which is in violation of University policies not outlined in this *Code*. These include, but are not limited to, residence hall policies, parking regulations, and policies governing the appropriate use of University technology.

b.) Any failure to report violations of these standards of conduct which occur in one's presence and/or in one's designated living area on University premises. Students who endorse such misconduct through inaction may also be held responsible for violating the appropriate standards of conduct.

c.) Any failure to take reasonable steps to prevent one's guest or visitor to the University from violating these standards of conduct. Students who allow such misconduct may also be held responsible for violating the appropriate standards of conduct.

## **C. Integrity:**

**1. Academic Misconduct.** Violations of this policy include, but are not limited to:

a.) Any act that is contrary to the University's *Honor Code*.

**2. Dishonesty.** Violations of this policy include, but are not limited to:

a.) Any conscious and/or deliberate provision of false or misleading information to a University official in the performance of his/her duties.

b.) Any forgery, misuse, misrepresentation, and/or unauthorized alteration of any University documents, records, or credentials. This includes, but is not limited to, the inclusion of false information on any official form or document submitted to the University.

c.) Any possession or use of forged or falsified identification. This includes, but is not limited to, use of another person's identification and/or the possession of "novelty" identification that misrepresents one's age.

**3. Theft.** Violations of this policy include, but are not limited to:

a.) Any appropriation or possession of property (including intellectual property) without the consent of the owner or person legally responsible for such property. This includes, but is not limited to, the possession of property a student should reasonably know to have been stolen.

b.) Any appropriation of items provided without charge when such appropriation exceeds reasonable limits and/or restrictions imposed by the owner or person legally responsible for such materials. This includes, but is not limited to, the taking of excessive numbers of free newspapers.

c.) Any utilization of labor and/or services by unauthorized and/or deceitful methods.

## **D. Responsibility:**

**1. Alcohol Misuse.** Violations of this policy include, but are not limited to:

a.) Any possession or use of alcohol by any person under the age of twenty-one, or any possession or use of alcohol by any person in violation of relevant University policies.

b.) Any unauthorized manufacture or distribution of alcohol while on University premises, or any distribution of alcohol to any person under the age of twenty-one.

c.) Any act which causes a person to ingest alcohol without his/her effective consent.

d.) Any possession on University premises of any item designed, fashioned, or modified to facilitate and/or disguise the use of alcohol in violation of this policy, whether or not the item has been used for such purposes.

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