



Responsible Department: Athletics & Ritchie Center Operations

Recommended By: Vice Chancellor for Athletics & Ritchie Center Operations, Provost

Approved By: Chancellor

Policy Number
ATHL 6.10.030

Effective Date
10/19/2022

I. INTRODUCTION

- A. The University of Denver ("the University") is committed to the overall well-being and safety of our student-athletes and the University community.
B. The requirements below are subject to modification based on changes in federal or state law, and/or NCAA legislation.

II. POLICY OVERVIEW

- A. All first-time first-year, continuing, and transfer student-athletes must complete the required annual disclosure form related to their conduct that resulted in discipline through a Title IX, sexual misconduct, or student conduct proceeding or in a criminal conviction for sexual violence, interpersonal violence, or other acts of violence.
B. The Athletic Department Compliance Office or its designee is responsible for confirming that the required forms have been submitted, reviewed, and verified.

- C.** The University must inform prospective student-athletes who verbally commit to attend the University and participate in activities related to intercollegiate athletics that offers are conditioned upon the prospective student-athlete's completion of the applicable disclosure form and the University's review and verification of such form.
- D.** A student-athlete who fails to make full and accurate disclosures as required by this Policy may lose eligibility to participate in activities related to intercollegiate athletics and/or athletically related financial aid.
- E.** If the University determines, after due diligence review of the required forms, that a student-athlete has engaged in serious misconduct, the student-athlete could lose the eligibility to participate in activities related to intercollegiate athletics and/or athletically related financial aid. Athletics will make this decision in consultation with the applicable coaching staff, Athletics staff, the Deputy Title IX Coordinator, and the Director of Student Rights & Responsibilities
- F.** If the University determines, after due diligence review of the required forms, that a student-athlete has unresolved Title IX, sexual misconduct, student conduct or criminal proceedings related to acts of serious misconduct, the student-athlete could lose the eligibility to participate in activities related to intercollegiate athletics and/or athletically related financial aid. Athletics will make this decision in consultation with the applicable coaching staff, Athletics staff, the Deputy Title IX Coordinator, and the Director of Student Rights & Responsibilities.
- G.** The University shall establish an Athletics – Serious Misconduct Review Committee to review student-athletes' appeals of loss of eligibility to participate in activities related to intercollegiate athletics and/or athletically related financial aid that resulted from the University's due diligence review of serious misconduct attestation forms. The committee will be comprised of the Associate Vice Chancellor / Deputy Athletic Director, Associate Vice Chancellor for Equal Opportunity & Title IX / Title IX Coordinator, Dean of Students, Director of Campus Safety, or their respective designees. The determination of the appeal committee is final and not subject to further appeal.
- H.** A student-athlete's loss of eligibility to participate in activities related to intercollegiate athletics and/or loss of athletically related financial aid shall not affect the academic status or standing of a student at the University. However, the individual is still subject to applicable proceedings under the University policies implicated by the underlying facts that resulted in loss of eligibility to participate in activities related to intercollegiate athletics and/or athletically related financial aid.

### III. PROCESS OVERVIEW & DUE DILIGENCE REVIEW

- A. All prospective first-time, first-year, and transfer student-athletes must complete the Student-Athlete Serious Misconduct Attestation Institutional Disclosure Form prior to signing an NLI or athletic aid agreement.
- B. All prospective first-time, first-year, transfer, and continuing student-athletes must complete the Student-Athlete Serious Misconduct Attestation Form in ARMS, an online software system, on an annual basis.
- C. All student-athletes must promptly notify the Athletic Department Compliance Office of events requiring updates or other modifications to a previously-submitted Student-Athlete Serious Misconduct Attestation Form and must complete a new Student-Athlete Serious Misconduct Attestation Form as required by this Policy.
- D. Athletics, in consultation with the Associate Vice Chancellor for Equal Opportunity & Title IX/Title IX Coordinator, the Director of Student Rights & Responsibilities, and other University officials as needed, will take reasonable steps to confirm, review, and verify whether first-time first-year, continuing, and transfer student-athletes have been disciplined through a Title IX, sexual misconduct, or student conduct proceeding, or have a criminal conviction for serious misconduct and whether the student-athletes are subject to any incomplete or pending proceedings.
- E. Student-athletes must cooperate with the University's efforts to verify information related to serious misconduct, including but not limited to prompt completion of necessary consent forms and releases of information required by another Institution or entity to allow the University to timely obtain applicable records.
- F. Student-athletes may appeal determinations made by Athletics as a result of due diligence review regarding their eligibility to participate in activities related to intercollegiate athletics or receive athletically related financial aid to the Athletics – Serious Misconduct Review Committee as provided by this Policy.

### IV. DEFINITIONS

- A. **“Student-athlete”** means any first-time first-year, or transfer or continuing student who has been invited to participate or is currently participating in intercollegiate athletics for the University.
- B. **“Serious Misconduct”** means sexual violence, interpersonal violence, or other acts of violence, or other felony convictions for conduct, including but not limited

to those categorized generally under the following (or other applicable terms under the relevant policies and procedures of the respective institution):

1. **Interpersonal Violence:** Violence that is predominantly caused due to the relationship between the victim and the perpetrator, including dating and domestic violence.
2. **Sexual Violence:** A term used to include both forcible and nonforcible sex offenses, ranging from sexual battery to rape.
3. **Other Acts of Violence:** Crimes including murder, manslaughter, aggravated assault, or any assault that employs the use of a deadly weapon or causes serious bodily injury.

V. **RESOURCES:**

- A. **ARMS:** <https://my.armsoftware.com/arms/login>
- B. **NCAA Resources:** [NCAA Campus Sexual Violence Policy.pdf](#)
- C. **Student-Athlete Serious Misconduct Attestation Institutional Disclosure Form**
- D. **Student-Athlete Serious Misconduct Attestation Form**
- E. [University Policy EOIX 3.10.010 - Discrimination and Harassment](#)
- F. [Office of Equal Opportunity & Title IX \(EOIX\) Title IX Sexual Harassment Procedures](#)
- G. [Office of Equal Opportunity & Title IX \(EOIX\) Comprehensive Discrimination and Harassment Procedures](#)
- H. [University of Denver Honor Code](#)

Revision Effective Date	Purpose