



UNIVERSITY *of*
DENVER

HONOR CODE with the
**STUDENT RIGHTS &
RESPONSIBILITIES**

Policies and Procedures
2019 -2020

Table of Contents

University of Denver Honor Code	4
Honor Code Community Values	4
Pioneer Pledge	4
Jurisdiction	5
Students as Employees	6
Students as Scholars	6
Interpretation	6
Implementation	6
Revision & Amendment	7
University of Denver Processes	9
University Equal Opportunity Policy - Discrimination, Harassment, and Gender-Based Violence	9
Americans with Disabilities Act Statement	9
Protests & Demonstrations Statement	9
Medical Amnesty Statement	10
Parental Notification Policy	10
Student Rights & Responsibilities Records Policy	11
Student Rights & Responsibilities Purpose	12
Mission Statement	12
Restorative Practice	13
Restorative Justice	13
Policies & Procedures Statement	13
Rights & Responsibilities of Involved Parties	14
Fair Treatment	14
Privacy	15
Presence of a Support Person	15
Written Notice	16
Respond to Allegations and Provide Statement	17
Written Decision and Appeal	18
Student Rights & Responsibilities Policies	19
Student Rights & Responsibilities/University of Denver Procedures	27
Interim Measures	27
Interim Suspension	28
No Contact and Location Restriction Orders	29
Case Resolution Procedures	34

Report Submission..... 34

Assess for Interim Measures 35

Referral of Incident Report..... 35

Determination of Alleged Policy Violations 36

Notification of Case Resolution Meeting..... 36

Case Resolution Bodies 36

Attending the Case Resolution Meeting..... 41

Determinations and Decision Notice..... 42

Completing the Appeal Process..... 43

Case Completion 45

Outcome Council 45

Outcome Council Composition 46

Outcome Council Procedures 47

Imposition of Outcomes 47

Notice of Outcome 48

Group Violations 50

Academic Integrity Procedures 50

Disruptive Classroom Behavior Policy 51

Disruptive Classroom Behavior Process 52

Crisis Assessment Risk Evaluation (C.A.R.E.) Behavioral Intervention Team 54

Student Organizational Rights & Responsibilities Process 55

Authority..... 55

Jurisdiction..... 55

Process..... 55

Outcomes 56

Status Outcomes 57

Educational Outcomes..... 58

Definitions 58

University of Denver Honor Code

The Honor Code is the handbook that outlines the expectations, rights, and responsibilities of every Student at the University. This Student code of conduct provides information to support our students in developing and demonstrating integrity, respect, and individual and community responsibility. All Students at the University should review this Honor Code to understand the expectations, policies, and procedures one can expect if a policy is violated. You are expected to know and to understand your **rights** as well as your **responsibilities** to be a positive and successful community member at the University.

Honor Code Community Values

All members of the University of Denver community are expected to engage both individually and as community members with *Integrity, Respect, and Responsibility*. These values embody the standards of conduct for Students, faculty, staff, and administrators as members of the University Community. These community values are defined:

Integrity: acting in an honest and ethical manner.

Respect: honoring differences in people, ideas, experiences, and opinions; engaging with others in ways that demonstrate an appreciation of their rights and humanity.

Responsibility: accepting ownership for one's actions and choices; seeking opportunities to understand one's role in creating an inclusive environment as a University Student and global citizen; and when necessary, work to repair harm, restore trust, and acknowledge the impact of one's actions and choices.

Pioneer Pledge

As a great private university dedicated to the public good, the Pledge is an action statement that embodies the expectations of the Honor Code. The Pledge is intended as a mutual agreement between all members of the University of Denver community. Our identities, our cultures, and humanity should be honored and respected. Members of the campus community have the **RIGHT** to be treated with respect and share the **RESPONSIBILITY** to behave with **INTEGRITY**, and to create a campus climate that honors free expression and inclusion. The Pledge is as follows:

**As a member of the University of Denver community,
I pledge...**

**...to act with INTEGRITY and pursue academic excellence;
...to RESPECT differences in people, experiences, ideas and opinions; and,
...to accept my RESPONSIBILITIES as a local and global ethical citizen.**

**Because I take pride in being a member of the University of Denver community,
I will uphold the *Honor Code* and encourage others to follow my example.**

Jurisdiction

The University will address alleged Student behavior and conduct that may have violated University Policies, including the Student Rights & Responsibilities (SRR) policies outlined in this document, regardless of where the alleged behavior and conduct occurred. The University has the authority to address off-campus Student behavior and conduct that disrupts neighbors or negatively impacts the reputation of the University through the [Office of Student Rights & Responsibilities](#). Students hosting parties at off-campus residences are responsible for the activities occurring at or associated with their gatherings.

The Student Rights & Responsibilities process at the University is not intended to replace criminal or civil proceedings. It is a University administrative process and does not follow formal rules of evidence or rules of criminal or civil procedure as set forth in any federal, state, or local statute or regulation. Case Resolution Bodies will review and give appropriate weight to the information provided to them related to the incident. **Case Resolution Bodies will make determinations of responsibility for violations of the Honor Code based upon a finding of preponderance of evidence – that the violation is more than likely or less than likely to have occurred.**

In cases of criminal or civil charges, the University may proceed with the SRR process as the University deems appropriate, regardless of any pending criminal charges or civil proceedings relating to the alleged violation. The University will not defer or postpone the SRR process based on concurrent criminal or civil proceedings. The University may still proceed with the SRR process even after the dismissal or reduction in criminal charges or civil proceedings related to the alleged violations. Additionally, the University may continue with the SRR process even if the Student withdraws from the University.

The University encourages the prompt Reporting of alleged violations of any policy; however, the University reserves the right to review any alleged violations, at any time, in furtherance of its goal to achieve a safe and productive environment for all University Community members.

With approval from the [Vice Chancellor for Campus Life & Inclusive Excellence](#), the [Office of Student Rights & Responsibilities](#) reserves the authority to pilot new programs and procedures, to best meet the needs of the ever-changing University Community. Participation in such piloted programs and procedures is voluntary.

The [Office of Equal Opportunity & Title IX](#) has the responsibility for addressing alleged violations of University Policies related to discrimination and equal opportunity through its own procedures.

Students as Employees

Students may be involved in the University community in different ways, such as Students who are also University employees. Such Students may be subject to other University Policies and expectations of behavior related to those other roles.

Students as Scholars

Students are also members of academic programs with professional standards of conduct in addition to the University standards. The University may hold a Student responsible for alleged violations of both University Policies and the applicable professional standards through the SRR process. Students are responsible for knowing and following all applicable policies and standards.

Interpretation

The purpose of publishing the Honor Code is to give the University community general notice of policies and procedures related to SSR. The Honor Code is designed to be an educational process and is not written with the specificity of a criminal statute and should not be interpreted as such. The [Director of SRR](#) has the authority to interpret the Honor Code as it applies to Students with the [Vice Chancellor for Campus Life & Inclusive Excellence](#) retaining the final authority to resolve disputes regarding the interpretation of the Honor Code.

Implementation

In order to better foster an environment of ethical conduct in the University community, all community members are expected to take “Constructive Action,” that is, any effort to Report any behavior and conduct contrary to the Honor Code.

The [Chancellor](#) and the [Provost & Executive Vice Chancellor](#) grant authority to the [Office of Student Rights & Responsibilities](#) to resolve alleged violations of the Honor Code by Students. SRR is responsible for reviewing and evaluating Reports, assigning Alleged Policy Violations, investigating the incident(s), assessing findings, assigning status and educational Outcomes, and resolution of the incident. The [SRR staff](#) may delegate this authority, or portions thereof, as necessary to maintain efficiency or address conflicts of interest. The SRR process is educational and provides Students the opportunity to learn from their choices and actions and wherever possible repair any harm, restore trust, and acknowledge the impact of their choices and actions. The Office of [Equal Opportunity & Title IX](#) has jurisdiction to address conduct prohibited under the applicable University Policies & procedures.

For alleged violations of the Honor Code by members of the University community who are not Students, the following policies and procedures govern:

- For faculty members: The University's Faculty Personnel Guidelines Relating to Appointment, Promotion, and Tenure
- For non-faculty employees: The University of Denver's [Human Resources](#) Policies and Procedures
- For trustees or the Chancellor: The By-Laws or other Board policies of Colorado Seminary or the University of Denver

If there is any conflict or dispute concerning which policies and procedures govern in the enforcement of the Honor Code, the following University Officials shall resolve the conflict or dispute:

- Regarding faculty: The [Provost & Executive Vice Chancellor](#)
- Regarding non-faculty employees: The Vice Chancellor for [Human Resources and Inclusive Community](#)
- Regarding trustees or the Chancellor: The [Board of Trustees](#)

For alleged violations of the Honor Code by non-University community members (e.g. guests), the [Vice Chancellor for Campus Life & Inclusive Excellence](#) designates the [Office Student Rights & Responsibilities](#) and the [Division of Campus Safety](#) to consult regarding further action to recommend to the [Vice Chancellor for Campus Life & Inclusive Excellence](#) or their designee.

If there is any conflict or dispute concerning which policies and procedures govern in the enforcement of the Honor Code regarding non-University community members, the [Vice Chancellor for Campus Life & Inclusive Excellence](#) shall resolve the conflict or dispute.

Revision & Amendment

The Honor Code was developed and has been revised following discussions among a broad range of constituencies within the University encompassing Students, faculty, staff, administrators, and trustees. Revisions to the Honor Code may be made to reflect the ever-changing community.

As it pertains to Students, the Honor Code is subject to annual review by the Office of Student Rights & Responsibilities [staff](#), who may recommend changes. All

recommendations for substantive changes will be forwarded to the appropriate University administration (e.g., Athletics & Recreation, Internationalization), [Faculty Senate](#), Undergraduate Student Government ([USG](#)), and the Graduate Student Government ([GSG](#)) for comment. The [Provost & Executive Vice Chancellor](#) and the [Vice Chancellor for Campus Life & Inclusive Excellence](#) hold final authority to revise or amend the Honor Code.

In addition, upon recommendation from a Dean or the Faculty Senate, the [Provost & Executive Vice Chancellor](#), in their sole discretion and through consultations with other relevant administrators, may permit individual units or divisions of the University to create more stringent Professional Standards that pertain directly to the unit or division involved. However, individual units or divisions cannot lessen the standards set forth by the Honor Code. These additions must be published on an official University of Denver website and provided to those impacted including to the [Office of Student Rights & Responsibilities](#) to be utilized in the Student Rights & Responsibilities process when appropriate.

Any modification of the Honor Code for staff, faculty, and administrators, other than to the procedures governing its enforcement, must be approved by the [Board of Trustees](#). Modifications and variations in procedures governing enforcement of the Honor Code, including the use of alternative procedures in specific context as mandated by federal or state law, are subject to the approval of the [Provost & Executive Vice Chancellor](#) and the [Vice Chancellor for Campus Life & Inclusive Excellence](#).

Any substantial changes to the Honor Code will be communicated to the University community no later than ten (10) Business Days prior to the beginning of the academic term in which the changes are to take effect.

Please note, at times, changes to the Honor Code are made necessary outside the annual review due to changes in federal, state, or local statutes or regulations or to address pressing University needs. The [Office of Student Rights & Responsibilities](#) will recommend such changes to the [Provost & Executive Vice Chancellor](#) and the [Vice Chancellor for Campus Life & Inclusive Excellence](#) for final approval. These changes will be communicated to the University Community upon approval.

University of Denver Processes

University Equal Opportunity Policy - Discrimination, Harassment, and Gender-Based Violence

The University of Denver strives to create and maintain a community in which people are treated with dignity, decency and respect. The environment of the University should be characterized by mutual trust, freedom of inquiry and expression, and the absence of intimidation, oppression and exploitation. Members of the University community should be able to work and learn in a safe, yet invigorating and thought-provoking atmosphere.

The accomplishment of this goal is essential to the academic mission of the University. The University will not tolerate unlawful discrimination and/or harassment of any kind, including gender-based violence. When a Student is alleged to have violated the Discrimination/Equal Opportunity Policy, 3.10.010, SRR will forward the incident Report to the [Office of Equal Opportunity & Title IX](#) for evaluation, investigation, and findings on all violations of University Policy addressed in the complaint, including those policies outlined in this document. Status and Educational Outcomes are determined by the Outcome Council. Appeals follow the Appeal Process outlined in the Honor Code.

For more information, please see the full policies and procedures governing the separate resolution process handled by the [Office of Equal Opportunity & Title IX](#).

Americans with Disabilities Act Statement

In accordance with the University's commitment to equitable access, the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act and other applicable statutes and regulations, the University includes this statement to inform Students of their right to request reasonable accommodations for a documented disability or medical condition. Students should contact the **Disability Services Program (DSP)** at 303.871.3241, dsp@du.edu; 1999 E. Evans Ave.; Room 440 Ruffatto Hall. Information is also available online at www.du.edu/disability/dsp. ***DSP is the only office on campus approved to review a student's self-disclosure of a disability/medical condition and request for accommodations.***

Protests & Demonstrations Statement

The University recognizes the right to freedom of expression and the free interchange of ideas, including the right to peaceful and orderly protests and demonstrations. The University also recognizes that protests and demonstrations should not disrupt University operations, restrict movement of members of the University Community on and around campus, and/or interfere with the safety or security of members of the University

community. Students are expected to uphold the policies contained within the Honor Code, other University Policies, as well as applicable laws, and will be held accountable for any violations, including, but not limited to University Policies of Interference, Noncompliance, and Property Damage. The University values providing Students the opportunity to exercise these rights and the Division of Campus Life & Inclusive Excellence desires to help Students do so effectively. Students should reach out to the [Director for Student Engagement](#) for assistance in this regard.

Medical Amnesty Statement

Because the health and safety of Students are of primary importance to the University, Students are expected to take immediate action when a person's health or safety is threatened due to excessive alcohol consumption or drug use.

When a student undertakes an intentional action to seek assistance from a University Official or emergency services for themselves or others as a result of excessive alcohol consumption or drug use, the reporting Student or at risk Student(s) involved will not be found responsible for an alcohol- or drug-related violation of the Honor Code, nor will an alcohol- or drug-related violation appear on their Student Rights & Responsibilities record. This amnesty does extend to any Student who provides a statement to the [Office of Equal Opportunity & Title IX](#) in the course of an investigation addressing alleged violations of University Policies related to discrimination and equal opportunity through its own procedures. However, this amnesty does not extend to the distribution, sale, or otherwise providing another individual with alcohol or illegal drugs for the purposes of inducing incapacitation, as defined in those procedures.

The Students involved may be referred for an Educational Outcome or evaluation related to their health status or substance use. This referral will not constitute a reportable violation of the Honor Code. Medical Amnesty may or may not be offered on a repeated basis, but the University expects that Students will always prioritize their own and others' health and safety. Moreover, this commitment does not preclude legal consequences or Alleged Policy Violations for non-alcohol or drug-related Honor Code violations related to the incident.

Parental Notification Policy

The University considers Student Rights & Responsibilities records to be part of a Student's educational record. Accordingly, the University complies with all applicable statutes and regulations, including but not limited to the [Family Educational Rights and Privacy Act](#) (FERPA).

The University recognizes that parents or guardians maintain an interest in their Student's behavior and conduct while at the University, and that parents or guardians can play a positive role in addressing these issues. Therefore, the University may notify the parents or guardians of any Student under the age of twenty-one (21) whose current enrollment ends due to suspension or dismissal. The University also reserves the right to notify the parents or guardians of any dependent Student under the age of twenty-one (21) who has been found responsible for violating any drug or alcohol policies. The [Director of Student Rights & Responsibilities](#) has the discretion to decline notification under certain circumstances.

This notification is intended as a means to encourage communication between Students and their parents or guardians to provide the greatest level of support for the Student. Nevertheless, the University's primary relationship is with its Students, rather than with their parents or guardians, and the University's priority and obligation is to correspond and otherwise conduct business directly with Students, and not through parents, guardians, or any other third party.

Student Rights & Responsibilities Records Policy

The [Office of Student Rights & Responsibilities](#) will be responsible for maintaining all official University records related to Student Rights & Responsibilities. A Student Rights & Responsibilities record will include copies of all Cases in which a Student is found responsible for violating at least one Student Rights & Responsibilities policy, as well as copies of all relevant correspondence and other documentation related to the Case.

- The policies regarding the retention of Student Rights & Responsibilities records are as follows:
 - The University will maintain Student Rights & Responsibilities files for a period of no less than seven (7) years following the most recent finding of violation and completion of all Outcomes, consistent with the University's obligations under the [Clery Act](#).
 - The University will maintain Student Rights & Responsibilities files of Students who have been dismissed from the University indefinitely.
- The University will retain, as necessary, appropriate statistical information related to Student Rights & Responsibilities policy violations consistent with the University's obligations under the [Clery Act](#) and any other applicable statutes or regulations. The [Office of Student Rights & Responsibilities](#) will work with the [Office of the Registrar](#) in complying with the Family Educational Rights and

Privacy Act ([FERPA](#)) and other applicable statutes and regulations regarding access to and release of Student Rights & Responsibilities records.

- Members of the University faculty and staff who receive requests from Students or former Students to complete a request for information about Student Rights & Responsibilities records should direct all inquiries to the [Office of the Registrar](#). Purposes for such requests can include undergraduate transfer to another institution; graduate/professional/law school admission; admission to the Bar (by state); and security clearances for employment.
- When a Student requests and authorizes the release of information through the online “[Institutional Action Letter Request Form](#)”, the University will provide a brief statement with an overview of the Student’s conduct history. The information released will include the findings, Outcomes, and will indicate whether or not a Student is in good conduct standing.
- Pursuant to University Policy, and consistent with [FERPA](#), Students may review their Student Rights & Responsibilities Record in person by making an appointment with the [Office of the Registrar](#) or, for a summary, they can complete the online request “[Institutional Action Letter Request Form](#)”.
- The [Office of Student Rights & Responsibilities](#) does not release records for alternative resolution processes, such as Medical Amnesty, which are considered internal records for University purposes, through the release of records process unless required by law.

Student Rights & Responsibilities Purpose

Mission Statement

The [Office of Student Rights & Responsibilities](#) at the University of Denver supports the University’s mission by providing programs and services designed to foster an inclusive campus community and promote opportunities for holistic student living, learning, and growth. We strive to achieve a safe campus community in which Students:

- respect themselves, others, the University, and surrounding community;
- honor differences and gain an appreciation for living in a diverse society;
- maintain high standards of their personal and academic integrity;

- understand the impact of their actions and choices upon themselves, others, the University, and surrounding communities; and
- seek opportunities to repair harm, restore trust, and acknowledge the impact of their actions and choices.

The [Office of Student Rights & Responsibilities](#) strives to be educational and restorative in our processes by offering educational Outcomes, workshops and alternate case resolution options. Through the Outcomes assigned to Students, we hope to encourage self-awareness, social engagement, and provide opportunities for reflection and meaning-making.

Restorative Practice

At the University of Denver, we strive to take a restorative approach to support our Students in learning how to strengthen relationships both interpersonally and as a community. By strengthening relationships, Students learn how to intentionally and thoughtfully interact with each other, communicate, and address any conflict that may arise to repair harm in that individual relationship and the impact on the community as whole.

Restorative Justice

At times, Students may make decisions that are violations of the Honor Code that may negatively impact and/or disrupt the University Community. SRR strives to promote opportunities for holistic student learning and growth when Students take responsibility for their mistakes and decide they would like to repair harm in their community; this is referred to as Restorative Justice. The Restorative Justice process can only be used if the Respondent accepts responsibility for their actions and choices and the Complainant is able to participate fully as well. During a Restorative Justice process, impacted parties have an opportunity to share their perspective, confront the behavior, express the impact of the actions on them, and help develop Outcomes. Throughout this process, Students have an opportunity to reflect on this experience and learn how to move forward in a positive and productive way.

Policies & Procedures Statement

These policies and procedures govern all Student behavior and conduct at the University of Denver. Students are expected to uphold the values of the University and the Honor Code by exhibiting behavior and conduct that supports the spirit under which these values were established. Student's actions that are contrary to the core values of the Honor Code

may be addressed through the Student Rights & Responsibilities policies and procedures as administered by the [Office of Student Rights & Responsibilities](#).

Rights & Responsibilities of Involved Parties

The Student Rights & Responsibilities process is designed to be educational in nature and to fairly determine if a Student is responsible for violating the Honor Code. If the Student is found responsible, the goal is to hold the Student accountable for violations and assist the Student in understanding the impact their behavior has had on others, provide opportunities to repair harm and restore trust. The process is also designed to help those who may have been impacted by these actions an opportunity to address an alleged violation of the Honor Code. Throughout the Student Rights & Responsibilities process, Respondents and Complainants both have certain rights and responsibilities which include:

Fair Treatment

- The **right** to be treated with dignity and respect.
- The **right** to receive information regarding the SRR process and their role within this process.
- The Respondent has the **right** to be considered Not Responsible for an alleged violation(s) of the Honor Code unless found responsible during this process. This right will not prevent the University from taking necessary and reasonable interim measures during this process.
- The **right** to object to a member of a Case Resolution Body based on demonstrable bias that would affect that member's ability to render a fair decision.
- The **right** for all decisions in the process to be based upon a preponderance of evidence.
- The **responsibility** to request a reasonable arrangement and/or accommodation (e.g. for disability, language barriers, or location/proximity concerns) to allow their full participation in the SRR process.
 - Requests must be received by [Student Rights & Responsibilities](#) as soon as possible and at least two (2) Business Days BEFORE the Case Resolution Meeting. Students seeking accommodations due to a documented disability must seek such accommodations through the [Disability Services Program](#)

([DSP](#)) process and procedures. [DSP](#)'s review of new accommodation requests may take up to five (5) Business Days.

- The **responsibility** to engage in the process with honesty and appropriate behavior.
- The **responsibility** to promptly notify the [Director of Student Rights & Responsibilities](#) or the [Associate Vice Chancellor for Campus Life & Inclusive Excellence](#), if the Student believes they have not received fair and equitable treatment.

Privacy

- The **right** to protection of information subject to applicable provisions of the Family Educational Rights and Privacy Act ([FERPA](#)) and the Health Insurance Portability and Accountability Act ([HIPAA](#)).
- The **right** to privacy throughout the SRR process with respect to all parties.
- The **right** to be free from intimidation and harassment and the **responsibility** to request that the University take reasonable steps such as interim measures to prevent unnecessary or unwanted contact with involved parties.
- The **responsibility** to notify the [Director of Student Rights & Responsibilities](#) or a member of the [Office of Student Rights & Responsibilities](#) if the Student believes reasonable steps such as interim measures need to be taken in order to protect these rights.

Presence of a Support Person

- The **right** to have a one (1) support person of their choice present throughout the SRR process. A support person can be any person chosen by the Student, including, but not limited to, a parent, family member, or an attorney. Individuals who are witnesses in the Case or a member of the Case Resolution Body shall not serve as a support person.
- The **right** to consult with their support person. The support person may not speak on behalf of the involved party nor actively participate in the proceeding. A support person may not attend a Case Resolution Meeting without the party they are supporting being present.
- The **responsibility** to complete a [Release of Information Form](#) with the University for any involved support person to address the University's obligations under

[FERPA](#). Without a completed Release of Information Form on file, a support person cannot participate in the SRR process.

- The **responsibility** to notify their support person of the time, date, and location of any SRR proceedings. The University will not reschedule proceedings to accommodate the schedule of a support person.
- The **responsibility** to provide [SRR](#) notification of the name of their support person no later than two (2) Business Days before the scheduled start of the Case Resolution Meeting. The support person's name will be made available to the involved parties (as applicable), and those parties will have an opportunity to submit any objections to the support person's participation no later than one (1) Business Day before the scheduled start of the Case Resolution Meeting. SRR has the authority to exclude any individual from participating based on a reasonable objection. Failure to provide a support person's name prior to the Case Resolution Meeting may be grounds to exclude that support person.

Written Notice

- The **right** to Proper Written Notification of any Case Resolution Meeting a Student is invited to attend as a result of a Report filed. The notification may include the following:
 - The time, date, and location of the Case Resolution Meeting and procedures for requesting a change in time and/or date
 - A copy of the redacted Report OR the office or agency to contact to request information underlying the Report;
 - The Alleged Policy Violations being considered at the time of the Report;
 - The name of the Reporting Party (as applicable); and
 - The process and Outcomes for not attending the Case Resolution Meeting
- The **responsibility**, per University Policy, to provide the University with the most current and accurate address, email, and other contact information to facilitate notification in a timely manner.
- The **responsibility** to check email, phone, mail, and to respond in timely manner.

Respond to Allegations and Provide Statement

- The **right** to view any supporting documents not already provided in the written notice, such as videos and photos. In the case of photos or videos, the University will use reasonable efforts to allow the involved parties to review those materials in a monitored environment.
- When an administrative Case Resolution Meeting is held; a Student has
 - The **right** to respond to the Alleged Policy Violations, including the **right** to present information directly relevant to the incident.
 - The **right** to not present information relevant to the incident.
 - The **responsibility** to allow only the presentation of accurate information; the presentation of false or misleading information is not allowed and may be a policy violation
- When a Student Accountability Board ([SAB](#)) is held, additional rights and responsibilities include
 - The **right** to hear all witnesses and information presented during a SAB (an involved party does not have the right to question witnesses).
 - The **right** to present witnesses. If an involved party wishes to present information from a witness who is unable to participate in person, the party must provide a written and signed statement from that individual two (2) Business Days prior to the time of the SAB meeting.
 - The SRR Process addresses Student behavior and conduct, not Student character, therefore character witnesses, statements, and reference letters are not accepted.
 - The **responsibility** to respond to any witnesses or information when such is presented and prior to the witness being dismissed. Involved parties must direct any response to the SAB members and not to the witness. The SAB may not consider any rebuttal presented after the witness is dismissed.
 - The **responsibility** to provide SRR prior notification of the names of any witness the party intends to present no later than two (2) Business Days before the scheduled start of the SAB. SRR will provide these names to the involved parties (as applicable), and each party will have an opportunity to raise any

objections to the witness' participation no later than one (1) Business Day before the scheduled start of the SAB. SRR has the authority to exclude any individual from participation based on a reasonable objection. Failure to provide SRR with the name of a witness prior to the SAB may be grounds to exclude that witness from the SAB.

- The **responsibility** to notify any witness of the time, date, and location of the SAB
- The **responsibility** to have on hand all evidence/information to be presented at the SAB

Written Decision and Appeal

- Respondents have the **right** to:
 - Proper Written Notification of the results of their Case Resolution Meeting. The notice will include the following information:
 - The determination of responsibility for the alleged violations of the Student Rights & Responsibilities policies.
 - The rationale for the finding
 - If found responsible for a policy violation(s), the Outcomes imposed
 - Information regarding the criteria for eligibility and steps to appeal the finding(s) and/or Outcomes
 - Appeal the finding and Outcomes based on specified criteria
- Respondents have the **responsibility** to comply with all Outcomes imposed. If either party files an appeal or the appeal is denied, the Respondent must comply with all applicable Outcomes after receiving the appeal decision.
- Complainants have the **right** to:
 - Proper Written Notification of the results of a Case Resolution Meeting convened as a result of a Report they filed if the Complainant is a victim of an alleged crime of violence. In the event that a Complainant dies as a result of the incident, the alleged victim's next of kin has the right to such notification.
 - Proper Written Notification will include the following:

- The rationale for the finding
 - The specific SRR policies the Respondent has been found responsible for violating;
 - The Outcomes imposed
 - Information regarding the criteria for eligibility and steps to appeal the finding(s) and/or Outcomes
- Appeal the finding(s) and Outcomes based on specified criteria
- Both Respondents and Complainants have the **responsibility** to submit an appeal through the online [Appeal Form](#), if they choose to appeal the finding.

Student Rights & Responsibilities Policies

Students at the University of Denver are expected to follow these SRR policies:

A. Academic Integrity violations includes the following:

1. **Plagiarism:** any representation of another's work or ideas as one's own in academic and educational submissions.
2. **Unauthorized Use:** any actual or attempted use or possession of resources prohibited by the instructor(s) or those that a reasonable person would consider inappropriate under the circumstances for academic submissions; including prohibited or inappropriate use of internet services.
3. **Cheating:** any actual or attempted effort to engage in falsification of academic materials, claiming credit for another's work contrary to instructor/department instructions; such as copying answers in a test, and/or assisting another Student in engaging in these actions.
4. **Repeated Submission:** any submission of an academic work for more than one course without written permission of the instructor.
5. **Fabrication:** any falsification or creation of unsubstantiated data, research or resources to support academic submissions.
6. **Impediment:** intentionally damaging, misrepresenting, or inhibiting the academic work of another Student.

7. **Syllabus Violation:** failure to meet expectations set forth in a course syllabus.
8. **Violation of Professional Standards:** failure to comply with the standards applicable to a field of study, profession and/or academic department.

B. Alcohol Misuse includes the following:

1. **Unauthorized Possession:** Possession and/or use of alcoholic beverages by any person under the legal drinking age of the United States (currently twenty-one (21) years of age), unless expressly permitted by law and University Policy.
2. **Unauthorized Distribution:** The manufacturing and/or delivery of alcohol, except as expressly permitted by law and University Policies. Students may not provide alcoholic beverages to any person under the legal drinking age of the United States (currently twenty-one (21) years of age).
3. **Intoxication:** Being under the influence of alcohol to the point of causing a disruption to University activities and/or endangering one's own health or safety regardless of age.
4. **Coerced Consumption:** Any act that causes a person to consume alcohol without their Effective Consent.
5. **Paraphernalia:** Any possession or use of paraphernalia used to facilitate the unauthorized use or rapid consumption or distribution of alcohol, including, but is not limited to, beer bong or similar items.

C. Dishonesty includes the following:

1. **Misleading Information:** Intentionally giving false or misleading information to a University Official, law enforcement officer, or other emergency service professional while they are performing their duties. This includes, but is not limited to, intentionally omitting information in response to a request from a University Official and asking or persuading another individual to give false or misleading information and/or to omit information in response to a request from a University Official.
2. **False Statement:** Any written or public statement about another person or group that that would cause distress or would cause a reasonable person to

fear for their safety and is proven to be false or misleading through the SRR process.

3. **Falsified Identification:** Purchase, possession, use, manufacture, or distribution of forged or falsified identification, including, but not limited to, use of another person's identification or the possession of any identification that misrepresents one's age, whether designated as "novelty" identification or otherwise.
4. **Alteration:** Any forgery, misuse, misrepresentation, or unauthorized alteration of any University documents, records, or credentials; including, but not limited to, the submission of false information on any official form or document to the University or alteration of University parking passes.

D. Drug Misuse includes the following:

1. **Unauthorized Possession:** Possession and/or use of any Federally Illegal Drug, or any possession or use of any prescription drug or other controlled substance except under the direction of a licensed physician and with a valid prescription. The University prohibits possession and/or use of marijuana, including medical marijuana, on University Premises in all circumstances.
2. **Distribution:** Manufacturing and/or delivery of any Federally Illegal Drug, prescription drugs, or other controlled substance, including cannabis in any form.
3. **Intoxication:** Being under the influence of any Federally Illegal Drug, prescription or non-prescription drug, or other controlled substance to the point of causing a disruption to University activities and/or endangering one's own health or safety regardless of age.
4. **Coerced Consumption:** Any act that causes a person to ingest any Federally Illegal Drug, prescription drug, or other controlled substance without their Effective Consent.
5. **Paraphernalia:** Any possession or use of paraphernalia used to facilitate the unauthorized or rapid use or distribution of any Federally Illegal Drug or other controlled substance in violation of this policy regardless of age; including but not limited to, marijuana pipes, bongs and scales or other measuring devices.

E. Endangerment includes the following:

1. **Substantial Risk:** Any act that directly or indirectly creates a substantial risk to anyone's (including one's own) medical or mental health or safety regardless of intent. This includes, but is not limited to, the use or abuse of any substances that results in medical evaluation or assistance.
2. **False Report:** Any act, display, or communication that intentionally initiates or causes to be initiated any false report of an emergency, including, but not limited to, any threat of fire, explosion, or any other emergency or the unauthorized possession, use, or alteration of any emergency or safety equipment.
3. **Weapons:** Any possession or use of Weapons, ammunition, explosives, or other objects designed or used to inflict injury or damage while on University Premises or items that simulate weapons or other dangerous objects, even if the Student possesses a valid concealed Weapons permit or other lawful permission to carry a Weapon. The reckless misuse of these items either on or off University Premises is prohibited. The University does not prohibit the possession of non-lethal self-defense instruments such as mace; however, the University does prohibit the reckless use of those instruments.
4. **Fire Works/Explosives:** Any possession or use of fireworks, explosives, or other objects designed or used to explode, inflict injury or damage, or cause a spark while on University Premises, even if the Student possesses a valid permit or other lawful permission, or the reckless misuse of these items either on or off University Premises.
5. **Fire Safety Violation:** Intentionally or recklessly causing a fire that damages or threatens University or personal property and/or causes injury, including, but not limited to, tampering or improper use of fire safety equipment.

F. Harassment includes the following:

1. **Bullying:** Any intentional electronic, written, verbal, or physical act or a series of acts of physical, social, or emotional domination that cause physical or emotional harm to another person or group. Bullying conduct is severe, persistent, or pervasive and has the effect of substantially interfering with a community member's education, employment, or full enjoyment of the

University; creating a threatening or intimidating environment; or substantially disrupting the orderly operation of the University.

2. **Coercion:** Any use of force, threats, manipulation, blackmail, bribery or extortion in order to persuade someone to do something.
3. **Intimidation:** Any verbal, written, or electronic threats of violence or other threatening behavior and conduct directed toward another person or group that reasonably leads the person(s) in the group to fear for their physical or emotional well-being, or significantly impacts a person's social engagement on campus.
4. **Retaliation:** Any actions, or attempted actions, that impose a hardship, loss of benefit, or a penalty on any Student, faculty, or staff in response to filing or responding to a Report, appearing as a witness in the investigation of a Report, or serving as a Student Rights & Responsibilities Administrator or as a member of a Case Resolution Body.

G. Hazing:

Any act, even if committed with the consent or acquiescence of all parties, which endangers the psychological or physical health or safety of a person, or by which a person is encouraged to engage in conduct that a reasonable person would consider to be humiliating, when the act is explicitly or implicitly a condition of admission into, affiliation with, or continued membership in any group. Actively or passively encouraging these acts is also prohibited.

H. Interference:

Any act, display, or communication that causes a disruption or an obstruction of educational, administrative, residential (including off University Premises) or other aspect of the University's mission or operations, or intentionally interferes with the right of access to University facilities or freedom of movement of anyone on University Premises. This is not intended to prohibit organized, peaceful, and orderly protests.

I. Noncompliance includes the following:

1. **Reasonable Request:** Any failure to comply with the reasonable request of a University Official, law enforcement officer, or other emergency service professional in the performance of their duties.
2. **SRR Process:** Any failure to comply with the Student Rights & Responsibilities process, including, but not limited to, failure to complete Outcomes.
3. **Identification:** Any failure to provide one's University Identification Card or any form of legal identification upon the request of University Officials.
4. **Postings:** Any failure to abide by signs, placards, or other official postings.
5. **Guests & Visitors:** Students are responsible for the behavior of their guests and visitors to the University of Denver. Students are expected to inform their guests and visitors of any and all University policies and applicable laws.

J. Physical Misconduct includes the following:

1. **Bodily Harm:** Any act causing or likely to cause, bodily harm to any person, regardless of intent.
2. **Physical Contact:** Any act resulting in physical contact with another person, without their Effective Consent.

K. Property Damage:

Any act causing or likely to cause, damage to the property of another person or entity without the Effective Consent of that person or entity, regardless of intent, including, but not limited to, vandalism of residence hall bulletin boards.

L. Provocation includes the following:

1. **Disruption:** Any act, display, or communication directed towards a person or a group of persons that may reasonably be expected to cause an immediate disruption of normal University activity.

2. **Harm:** Any act, display or communication that encourages actions that may be reasonably expected to cause harm to a person(s) or damage to property, including, but not limited to, rioting.

M. Theft includes the following:

1. **Attempted:** Attempted acquisition or possession of property (including intellectual property) without the consent of the owner or person legally responsible for that property. This includes, but is not limited to, the attempted possession of property a Student should reasonably know is stolen.
2. **Possession:** Actual acquisition or possession of property, including intellectual property, of another person or entity without the permission or authorization of that person or entity. This includes, but is not limited to, the attempted possession of property a Student should reasonably know is stolen.
3. **Unauthorized Use:** Any utilization of labor or services by unauthorized or deceitful methods, including, but not limited to, the misuse of University parking passes.
4. **Unauthorized Procurement:** Any attempted or actual acquisition of items offered without charge when that acquisition exceeds reasonable limits or restrictions imposed by the provider of the materials, including, but not limited to, taking excessive numbers of giveaways.

N. Unauthorized Presence includes the following:

1. **Unauthorized Entry:** Entry or presence within enclosed University buildings or areas including, but not limited to, athletic facilities, construction sites, offices, or another Student's living quarters, even if unlocked, without the permission or authorization of the owner or person legally responsible for that property, regardless of intent. This includes, but is not limited to, entry in violation of posted hours of operation.
2. **Unauthorized Access:** Climbing on, being present on the roof of, or other invalid use or access of any University building or University owned or operated structure or other University property.
3. **Unauthorized Access/Alteration of Keys/Entry Devices:** Tampering with locks to University buildings, unauthorized possession or use of University

keys/entry devices, and/or alteration or duplication of University keys/entry devices.

O. Violation of the Law:

Committing or attempting to commit any violation of local, state, federal, or applicable foreign law, or a local ordinance or regulation; whether on or off University Premises. Evidence of a conviction, including but not limited to, a plea agreement, shall be considered conclusive documentation as to the violation of a law and/or ordinance.

P. Violation of the University's Discrimination/Equal Opportunity Policy:

Any violation of the University's Discrimination/Equal Opportunity Policy, as implemented through the [Office of Equal Opportunity & Title IX](#) Procedures.

Q. Violation of Other University Policies includes the following:

1. **University Policy:** Any act which is in violation of any University Policies, whether or not enumerated in these Student Rights & Responsibilities Policies. The University expects Students to review these policies and inform their guests of these policies.
 - a. **[Guide to Residence Living Policies:](#)** Any act which is in violation of the policies set forth in the [Guide to Residence Living](#).
 - b. **[Campus Safety Policies:](#)** Any act which is in violation of the policies and procedures of the [Division of Campus Safety](#).
 - c. **[Smoke-Free DU Policy:](#)** Any act which is in violation of Smoke-Free DU policy. The University does not permit vaping of any type of University owned or operated property. Per the Colorado Clean Air Act, vaping or use of e-cigarettes is prohibited inside any public buildings and most businesses. Individuals may not vape within 25 feet of the main or front door of a building.
 - d. **[Parking and Mobility Services Policies:](#)** Any act which is in violation of the policies and procedures of Parking and Mobility Services, including but not limited to permit regulations and traffic regulations.

- e. **Information Technology Policies:** Any act which is in violation of the policies of the Information Technology division.
- f. **Policies of Academic Departments:** Any act which is in violation of the policies of an academic department.
- g. **Other University Policy:** Any act which is in violation of any other University policy not listed above.

Student Rights & Responsibilities/University of Denver Procedures

Interim Measures

All Students have the right to continue their education free from the threat of harassment, abuse, retribution, or violence. The University may take whatever measures it deems necessary in order to protect the safety, security, or integrity of a Complainant, the University, or any member of the University Community.

Interim measures include, but are not limited to, No Contact Orders, Location Restrictions, and involuntary removal from a course, program, activity, or University Premises pending case resolution, modifications to living arrangements, and reporting incidents to law enforcement or other non-University agencies.

- **Student Outreach and Support** may assign a Case Manager to work with the Student on interim support strategies that may include, but are not limited to
 - Access to **Counseling Services**
 - Change in work schedule or job assignment
 - Assistance with seeking accommodations or short-term adjustments, which may include (if approved):
 - Rescheduling or extensions on exams and assignments
 - Extra absences
 - Change in class schedule or transferring sections
 - Withdrawing from class without penalty
 - Voluntary Leave of Absence

- Other accommodations as appropriate
 - Connection to [Housing & Residential Education](#) to support a change in University owned or operated housing
 - Connection to the [Division of Campus Safety](#) to request an escort or other appropriate measures to facilitate safe movement between classes and activities on campus
 - Connection to the Center for Advocacy, Prevention, & Empowerment ([CAPE](#)) and other resources
 - Any other measure which can be tailored to the involved individuals to achieve the goals of these procedures
- The [Vice Chancellor for Campus Life & Inclusive Excellence](#) or their designee, in consultation with the appropriate faculty and/or administrators, has the authority to impose any interim measure. The University also recognizes its obligation to Students who have been accused of a violation of a policy but have not yet gone through the Student Rights & Responsibilities process. Therefore, interim measures should not unduly interfere with a Respondent's academic progress except as deemed necessary to protect the University, any member of the University community, or the University's mission.
 - The University may impose interim measures while the Student Rights & Responsibilities process is on-going or until a final decision is made. If the interim measure is assigned through a formal case resolution process, it will become a formal Outcome, which is appealable through the Appeals Process. Should no formal case resolution process occur following the issuance of an interim measure, the University will make a determination on the continuance of the interim measure and notify the parties involved. Where the University deems necessary to enhance safety, prevent retaliation, and/or avoid an ongoing hostile environment, the University may take administrative action to restrict contact between two or more members of the University Community in the form of a [No Contact Order](#), a [Location Restriction Order](#), or both. No Contact Orders and Location Restriction Orders expire upon graduation of the Student upon which the order is issued, unless otherwise stated in written notification to parties involved.

Interim Suspension

- The [Vice Chancellor for Campus Life & Inclusive Excellence](#) or their designee may suspend a Student for an interim period prior to case resolution.

- An Interim Suspension will be effective immediately, without prior notice, whenever the [Vice Chancellor for Campus Life & Inclusive Excellence](#) or their designee determines that the continued presence of the Student on the University Premises poses a substantial threat to any member of the University Community or the stability and continuance of normal University operations.
- During an Interim Suspension, the Student is denied access to University Premises and all University activities or privileges for which the Student might otherwise be eligible, as the [Vice Chancellor for Campus Life & Inclusive Excellence](#) or their designee may determine to be appropriate.
- Whenever a Student is subjected to an Interim Suspension, the University will complete case resolution as promptly as possible. The Interim Suspension may remain in effect until a final decision has been reached, including any appropriate appellate process.

No Contact and Location Restriction Orders

A No Contact Order is a written directive for the identified parties to avoid all contact and/or communication with one another. Unless expressly stated otherwise in the No Contact Order, contact is defined as communicating in person, communicating through a third party, and communicating through all forms of written and/or electronic contact (including phone, email, texting, and social media). The No Contact Order may apply to other forms of contact, as the University deems appropriate under the circumstances.

A Location Restriction Order is a written directive for one or more identified parties not to enter a particular physical space that is owned or operated by the University. The written Location Restriction Order will define the space to be avoided, which may include particular rooms, buildings, outdoor areas, events, or other spaces as described in the Location Restriction Order. The Location Restriction Order may also require a housing reassignment or reassignment to a different section of a course for one or multiple individuals identified in the Location Restriction Order.

Although these No Contact and Location Restriction Orders are not considered a disciplinary record, failing to abide by the terms of the No Contact and Location Restriction Orders will constitute a violation of the [Student Rights & Responsibilities policies](#) and/or the Equal Opportunity & Title IX policies and procedures. All No Contact and Location Restriction Orders are considered mutual for all parties.

No-Contact Orders and Location Restriction Orders may be issued as an Emergency Order, Temporary Order, or Standing Order:

- ***Emergency Orders*** may be issued by the [Division of Campus Safety](#) or administrators from [Housing & Residential Education](#) when circumstances arise outside of the University's ordinary business hours that would warrant the issuance of such an Order. The University may issue an Emergency Order without a request from any identified party when deemed necessary by the responding University Official. At the soonest practical opportunity, appropriate University administrator(s) will evaluate each Emergency Order to determine whether to drop the order, or issue a Temporary or Standing Order (subject to the procedures set forth below). The University shall review these orders within (5) Business Days. In deciding whether to issue the Emergency Order, the responding University Official will consider the following:
 - Concerns of the requesting party or parties;
 - Nature, scope, severity, and pervasiveness of any Alleged Policy Violations;
 - Impact that the Emergency Order would have on any non-requesting parties;
 - Identified parties' affiliation with the University;
 - Proximity of the identified parties' assigned living spaces in University owned or operated housing (if applicable); and
 - Safety of individuals and the University Community.
- ***Temporary Orders*** may be issued upon the request of at least one individual or as a University Official deems necessary, which are short-term No-Contact Orders or Location Restriction Orders. The University shall review Temporary Orders for extension within thirty (30) calendar days or a shorter period, as deemed appropriate by the University Official issuing the Temporary Order. The request for a Temporary Order may be submitted either in person or in writing to the Director of Student Rights & Responsibilities, or their respective designees. In matters involving non-student employees, requests for Temporary Orders should be submitted to the Director of Human Resources Partners. The request for the Temporary Order may be submitted by the requesting party or by another person on the party's behalf with the party's permission.

The University official receiving the request for the Temporary Order shall issue a written determination to the requesting party within three (3) Business Days. Where the request for the Order is based on an alleged instance of discrimination, harassment, or gender-based violence, the administrator issuing the Order may consult with the [Division of Campus Safety](#), the [Health & Counseling Center](#), the [Office of Equal Opportunity & Title IX](#), and/or other appropriate, significantly

impacted departments. In matters involving non-student employees, the administrator issuing the Order should consult with the appropriate Human Resources and Inclusive Communities representative.

In determining the necessity, nature, scope, and duration of a Temporary Order, the administrator shall consider the factors described above for issuing an Emergency Order, as well as

- Whether there is in place any Emergency Order (or any other external measures, such as a Civil Protection Order) related to the present concern;
- The perceived effectiveness of the Temporary Order to create and/or maintain a safe environment for all involved parties;
- Whether the Complainant(s) and Respondent(s) share the same University Owned or operated housing, dining hall, class, transportation, or on-campus job location;
- The immediate impact on any involved party's ability to fully participate in an academic or extra-curricular program;
- Any history or pattern of misconduct by an identified party;
- The passage of time since the last allegation of misconduct (if applicable);
- Any disruption or risk of danger to the broader University community;
- The recommendations of University administrators or faculty members from the impacted departments on campus; and
- Any other unique circumstances requiring consideration.

When the University Official decides to grant the request for a Temporary Order, the University will notify the individual(s) restricted by the Temporary Order in writing to their University email address (or a non-University email address on file with the University). This written notice shall include:

- a description of the behavior or space to be avoided;
- the potential consequences for failing to comply with the Temporary Order; and
- the date by which the University will review the Temporary Order for possible extension or expiration.

Additionally, the administrator may take necessary measures to have the Temporary Order delivered in person where the administrator has reason to believe that the email was not opened within one (1) Business Day. The restricted party will be required to attend a pre-scheduled meeting either in person or remotely (at the sole discretion of the administrator) with the administrator at the soonest practical opportunity for the purpose of reviewing the Temporary Order and its terms, to consider any reasonable modifications or clarifications, and to answer any questions that the restricted party may have.

The University shall evaluate any request to extend the Temporary Order beyond the expiration date as a request for a Standing Order, subject to the procedures below.

- ***Standing Orders*** are No-Contact Orders or Location Restrictions that the University considers upon the request of at least one individual or as deemed necessary. Standing Orders may last as long as one (1) calendar year before expiring or being re-evaluated but may be shorter as deemed appropriate by the administrator(s) issuing the Order. A committee will review Standing Orders and shall include at least one representative from the following areas:
 - For Students: [Office of Student Rights & Responsibilities](#); [Office of Equal Opportunity & Title IX](#); [Health and Counseling Center](#); and [Division of Campus Safety](#).
 - For Non-Student Employees: The employee's most immediate non-conflicted supervisor; [Director of Human Resources Partners](#) or designee; [Office of Equal Opportunity & Title IX](#); [Health & Counseling Center](#); and [Division of Campus Safety](#).

In all instances, the committee reviewing the request should also exercise its best judgment in determining whether to consult with other departments that may be significantly impacted by the Standing Order.

Upon receiving a request for a Standing Order, the University shall provide written notice of the request, including to all identified parties, both the parties requesting the Order and the parties that would be restricted by the Order. The notice shall contain a description of the request, and the names of the University Officials appointed to consider the request. All identified parties will have three (3) Business Days to submit, in writing, any information that they believe the committee should consider in determining the necessity, nature, scope, and duration of the Standing Order. The committee's assessment will not operate as a hearing to investigate or

resolve any factual disputes regarding the underlying concerns that led to the request for the Standing Order.

In determining the necessity, nature, scope and duration of a Standing Order, the committee of administrators will consider the factors described for Emergency and Temporary Orders above, as well as

- Whether the University has issued an Emergency Order or Temporary Order;
- The continuing or long-term impact on any involved party's ability to fully participate in an academic or extra-curricular program;
- Any reasonable objections raised by the identified parties;
- Any mutual preference shared by the identified parties;
- Whether a formal University investigation or disciplinary proceeding is pending;
- The findings of any concluded University investigation or disciplinary proceeding, and the Outcomes assigned (if any) as a result of that investigation or proceeding;
- The identified parties' affiliation with the University during the period of time contemplated by the Standing Order; and

Following the opportunity of the parties to submit information for consideration, the committee shall meet to make a determination on the necessity, nature, scope and duration of a Standing Order. If the committee makes a recommendation to the [Associate Vice Chancellor for Campus Life & Inclusive Excellence](#), the [Vice Chancellor for Human Resources & Inclusive Community](#), the [Provost & Executive Vice Chancellor](#), or their designees to issue the Standing Order, and the applicable administrator approves the recommendation, the individual(s) restricted by the Standing Order shall be notified in writing to the individual's University email address (or a non-University email address on file with the University). This written notice shall include

- a description of the behavior or space to be avoided;
- the potential consequences for failing to comply with the Standing Order; and

- the date by which the University will review the Standing Order for possible extension or expiration.

Additionally, the University may take necessary measures to have the Standing Order delivered in person where there is reason to believe that the email was not opened within one (1) Business Day (e.g. the Order may be delivered by the [Division of Campus Safety](#) to the person's classroom, office, residence hall room, or other space where the individual may be found, whether on or off campus).

The University will offer the restricted party an in-person meeting with the relevant administrator at the soonest practical opportunity for the purpose of reviewing the Standing Order and its terms, to consider any reasonable modifications or clarifications, and to answer any questions that the restricted party may have.

Where the Standing Order is based on concerns of discrimination, harassment, and/or violence based on a protected class, the restricted party will have the opportunity to meet with a representative from the [Office of Equal Opportunity & Title IX](#). This meeting will not operate as a hearing to investigate or resolve any factual disputes regarding the underlying concerns that led to the request of the Order.

Any request for an extension or renewal of the Standing Order will follow the same procedures as the initial request for the Standing Order. These procedures do not govern Standing Orders issued as assigned Outcomes as the result of a finding of responsibility for the violation of University Policy through either an Equal Opportunity & Title IX investigation or Student Rights & Responsibilities Process.

Case Resolution Procedures

Report Submission

- Any individual may file a Report with the University. A Report is considered to have been filed when it has been presented in writing to a Student Rights & Responsibilities [staff member](#), Division of Campus Safety [staff member](#), or Office of Equal Opportunity & Title IX [staff member](#). Under the [Clery Act](#) and [Title IX](#), certain staff members are considered [Campus Security Authorities](#) (CSA) and/or [Responsible Employees](#) and are required to Report the incident to the [Office of Student Rights & Responsibilities](#) and/or the [Office of Equal Opportunity & Title IX](#). An individual may file a Report with a CSA or Responsible Employee who will then submit the Report to the appropriate office.

- Once a Report has been filed, the University may proceed with the Student Rights & Responsibilities process, even if a Reporting Party or Complainant later chooses to retract, rescind, or recant any or all of the Report or the individual chooses not to cooperate.
- The University will only take action without the consent of a Complainant if, in the Director of Student Rights & Responsibilities' judgment, such action is necessary to protect the safety, security, or integrity of the University or any member(s) of its community.
- If a Respondent withdraws from the University, the Student Rights & Responsibilities process may continue.

Assess for Interim Measures

The University may implement Interim measures based on the unique circumstances of a specific incident. Please see the [Interim Measures](#) section for further information.

Referral of Incident Report

- [Housing & Residential Education](#) (HRE)
 - Student Rights & Responsibilities may assign Cases involving allegations of violation of the University's [Housing & Residential Education policies](#) to a member of the HRE professional staff for adjudication
- [Office of Equal Opportunity & Title IX](#)
 - Student Rights & Responsibilities will refer Reports involving allegations of violation of the University's Discrimination and Equal Opportunity [Policy](#), including gender-based violence, to the [Office of Equal Opportunity & Title IX](#) for evaluation. If the available information supports an alleged violation of the University's Discrimination and Harassment Policy, the [Office of Equal Opportunity & Title IX](#) will be responsible for the investigation, and findings regarding all allegations in the Report. Otherwise, the [Office of Student Rights & Responsibilities](#) will address the Report.
 - If the [Office of Equal Opportunity & Title IX](#) makes a determination of responsibility, the Case will be referred to the [Outcome Council](#). For more information, please see the [Office of Equal Opportunity & Title IX Procedures](#).

- Other Appropriate Offices
 - SRR reserves the right to refer Cases to other relevant departments (such as Athletics & Recreation) to take appropriate action under applicable policies and procedures.

Determination of Alleged Policy Violations

- Student Rights & Responsibilities [staff](#) will review available information and assess if Alleged Policy Violations may be applicable and one of the following will occur:
 - No further action will be taken if the Report is not substantiated. The University reserves the right to proceed with the Student Rights & Responsibilities process for any Report should further relevant information become available.
 - The Report will be referred to a Case Resolution Body if the Report is substantiated, and sufficient documentation already exists to proceed with the Student Rights & Responsibilities process.
- During the Student Rights & Responsibilities process, more information may come forward that may result in more alleged violations being reviewed.

Notification of Case Resolution Meeting

- The Student Rights & Responsibilities [staff](#) member will review the academic schedule(s) of the involved parties and schedule a Case Resolution Meeting with the appropriate Case Resolution Body.
- The Student Rights & Responsibilities [staff](#) member will send each involved party Proper Written Notification.

Case Resolution Bodies

When Student Rights & Responsibilities determines that a possible policy violation has occurred, SRR will refer the Case to a Case Resolution Body for responsibility and/or Outcome determination.

All Case Resolution Bodies have the authority to make a determination regarding responsibility for violation of Honor Code and/or other University Policies and assign Outcomes as appropriate:

- The [Director of Student Rights & Responsibilities](#), or their designee, has the authority to impose Outcomes up to, and including, Suspension.
- The Director of Student Rights & Responsibilities has the authority to authorize Student Rights & Responsibilities [staff](#) members to impose Outcomes up to, and including, Deferred Suspension.
- The Director of Student Rights & Responsibilities has the authority to authorize Housing and Residential Education ([HRE](#)) [staff](#) to conduct Case Resolution Meetings for Cases that originate in the residence halls and are not assigned to a different Case Resolution Body. Generally, [HRE staff](#) may hear Cases involving alleged violations of policies set forth in the [Guide to Residence Living](#) and alleged violations of Student Rights & Responsibilities policies. [HRE staff](#) members have the authority to assign Outcomes up to, and including, probation.
- Faculty members have inherent authority to make decisions on Academic Actions in response to allegations of Academic Integrity violations. Academic Actions may include, but are not limited to
 - Failure of an assignment
 - Failure of a course
 - Recommendation of termination from a program of study as per applicable procedures
- *Student Accountability Board*
 - The Student Accountability Board (SAB) has the authority to conduct Case Resolution Meetings involving student Respondents and issue all forms of Outcomes, up to and including dismissal from the University.
 - Student Rights & Responsibilities is responsible for recruiting, selecting, and training members of the SAB.
 - The SAB will be comprised of three (3) eligible members of the University Community, selected from a pool of eligible SAB members, plus a Chairperson. The Chairperson will be the Director of Student Rights & Responsibilities or their designee. The role of the Chairperson is to facilitate

the SAB and to advise the SAB regarding the proper procedures to follow. Specific guidelines for who may serve are as follows:

- If the Respondent is an undergraduate Student, if possible, at least one (1) member of the SAB should be an undergraduate Student. If the Respondent is a graduate Student, if possible, at least one (1) member of the SAB should be a graduate Student.
 - If possible, at least one (1) member of the SAB should be a University faculty member. In Cases involving an alleged violation of Academic Integrity Policies, at least one (1) member of the SAB must be a University faculty member
 - If possible, at least one (1) member of the SAB should be a University staff member.
 - The SAB may conduct a meeting with only two (2) members, provided that no participating party objects.
- In order to be eligible to serve on the SAB, individuals must meet the following requirements:
- Students must be registered as a full-time Student in good standing after completing at least one (1) term of coursework at the University.
 - Faculty must be currently employed by the University and taught courses at the University for a minimum of one (1) academic term. Faculty must also have taught at least one (1) course within the most recent two (2) academic terms
 - Staff must be currently employed part- or full-time, and must have been employed full- or part- time by the University for at least one (1) academic term.
 - Members of the SAB are expected to excuse themselves from a particular SAB meeting if there is the potential for a conflict of interest.
- SAB Procedures
- The SAB meeting will be audio-recorded. This recording will be kept for a period of no less than seven (7) years from the date of the Respondent's most recent Case.

- The SAB meeting will be closed, with participation limited to the Respondent, the Complainant, approved support persons, and any witnesses
- The SAB must be comprised of neutral and impartial decision-makers. The [Office of Student Rights & Responsibilities](#) will notify the Respondent(s) and Complainant(s) (if applicable) of the SAB members who will be serving, and Respondent(s) and Complainant(s) have the right to object to the participation of any member based on a significant, demonstrable bias.
 - The party must submit such objections, with supporting information, to the administrator designated in the notice within two (2) Business Days of receipt of the names.
 - The designated administrator will review any concerns and determine whether the objection has any merit. [The Office of Student Rights & Responsibilities](#) will notify the Respondent(s) and Complainant(s) if any changes to the SAB composition have been made as a result of the objection.
 - If the [Office of Student Rights & Responsibilities](#) designates a new SAB member, Respondent(s) and Complainant(s) will have one (1) Business Day to submit any objections of the new member to the designated administrator for review.
- All statements will be restricted to matters relevant to the Case.
- Any person disrupting, interfering with or failing to abide by the decisions of the Chairperson may be removed from the SAB meeting. The SAB will continue in that individual's absence.
- Support persons, if present, are restricted to consulting with the party they are there to support. Support persons may not address witnesses or the SAB unless invited to do so by the Chairperson.
- Deliberations are limited to the members of the SAB and are not audio-recorded. A unanimous decision among the three (3) members is desirable for determining responsibility; however, a majority vote is acceptable if, in the Chairperson's opinion, unanimity is not reasonably achievable

- The SAB Meeting and the results of the SAB meeting are considered part of the Respondent's educational record and are protected by FERPA.
- Respondent's and, as appropriate, Complainants, will receive information regarding the proceedings of the SAB upon notification of the scheduled SAB. The order of proceedings includes the following:
 - Presentation of the Report and statement of the alleged violations
 - Opportunity for the Respondent to respond to the alleged violations
 - Opening statements
 - Presentation of evidence
 - Opportunity for the SAB to ask questions of involved parties and/or witnesses
 - Closing statements
 - Deliberations
- The Chairperson has the discretion to vary the specific order of the proceedings, so long as each of the components is included. Additionally, there may be multiple Complainants and Respondents involved in a SAB at one time. All Complainants will speak first, followed by all Respondents.
- Restorative Justice Conference (RJC)
 - A Restorative Justice Conference is an alternative dispute resolution process and will only be considered when the Student Respondent(s) have taken responsibility for violating the applicable Student Rights & Responsibilities policies and have an interest in repairing the harm done by their actions.
 - Members of the greater University Community will serve on an RJC, including faculty, staff, students, alumni, neighbors and impacted parties. RJCs use a collaborative process to create an "Outcomes Agreement" and can impose a variety of Outcomes focused on reconciliation, resolution, and/or the betterment of the overall community.

- If the members of an RJC successfully create an Outcomes Agreement, the Respondent(s) cannot appeal the Outcomes. If the members of an RJC cannot come to an agreement about Outcomes, the RJC is considered unsuccessful, and the Case will be sent back to the Student Rights & Responsibilities process for traditional Case Resolution.
- The typical rights and responsibilities provided to Students in the traditional Student Rights & Responsibilities process may not be applicable in an RJC.

Attending the Case Resolution Meeting

The Case Resolution Meeting is an opportunity to gain the perspectives regarding the incident from the involved parties assess, based on a preponderance of the evidence, whether Student Rights & Responsibilities policies were violated and if so evaluate the impact of the incident, begin to explore possible alternatives to the behavior and conduct that occurred, and discuss opportunities to repair harm.

Cases may be referred to the appropriate Case Resolution Body based on the following guidelines:

- Administrative Case Resolution Meeting with [Housing & Residential Education](#) (HRE) staff in Cases which occur within the University owned or operated housing involving violations of the policies set forth in the [Guide to Residence Living](#) and basic violations of Student Rights & Responsibilities policies
- Administrative Case Resolution Meeting with Student Rights & Responsibilities [staff](#) member in Cases which occur within University owned or operated housing and involve significant violations of the [Guide to Residence Living](#) and [Student Rights & Responsibilities Policies](#) such as physical violence, legitimate threats of violence, Weapons, or other policies
- Administrative Case Resolution Meeting with Student Rights & Responsibilities [staff](#) member in Cases which occur within University owned or operated housing and at least one of the Respondents involved is already on probation, deferred suspension, or has been previously suspended.
- Administrative Case Resolution Meeting with Student Rights & Responsibilities [staff](#) member in Cases which occur on campus or at University Events
- Administrative Case Resolution Meeting with Student Rights & Responsibilities [staff](#) member in Cases which occur off campus; but which affect the operation of the University.

- Student Accountability Board (SAB) in Cases which:
 - An active Complainant is participating
 - There is highly disputed information between parties; and/or
 - The Outcome is potentially suspension or dismissal
- In Cases involving a minor violation of the policies set forth in the [Guide to Residence Living](#) and/or [Student Rights & Responsibilities Policies](#), a simple warning letter may be sent to the Respondent instead of scheduling a Case Resolution Meeting. However, a Case Resolution Meeting is available upon request from the Respondent.
- SRR reserves the right to make exceptions to the above guidelines to accommodate scheduling, confidentiality, or other extenuating circumstances.
- Parties involved with the SRR Process are prohibited from making audio and/or video recording of any Case Resolution Meeting or related proceeding.
- Following a Case Resolution Meeting, the Case Resolution Body can take one of the following actions regarding each Respondent:
 - Find the Respondent not responsible of violating University or SRR Policies.
 - Find the Respondent responsible of violating University or SRR Policies and assign appropriate Outcomes. The Case Resolution Body will only find a Student responsible if a preponderance of the evidence presented supports such a finding.
 - Find the Respondent responsible of violating University or SRR Policies and refer the Student to a Restorative Justice Conference (RJC) for Outcomes when the Case Resolution Body determines that this option is appropriate.
 - A Respondent will only be referred to an RJC if an agreement on responsibility can be made and the Student agrees to seek alternative ways to address the impact of their choice and actions.
 - Refer the Respondent to a new Case Resolution Meeting before a separate Case Resolution Body.

Determinations and Decision Notice

- Once the Case Resolution Body has made a decision regarding responsibility and possible Outcomes, Student Rights & Responsibilities will send Proper Written Notification individually to parties involved.
- Decision Notice will include, as applicable to the recipient, a rationale explaining the decision, the determination of responsibility per each Alleged Policy Violation reviewed, any assigned Outcomes with details and due dates for completion, and appeal instructions.

Completing the Appeal Process

- Respondents have the **right** to appeal a decision made by a Case Resolution Body based on specific appeal criteria. In certain incidents, Complainants have the **right** to appeal a decision based on specific criteria.
- Involved Parties wishing to appeal a decision have the **responsibility** to submit a completed appeal form within five (5) Business Days of the decision notice letter.
- The [Director of Student Rights & Responsibilities](#) has the discretion to grant a reasonable extension to the appeal deadline if the appealing party requests such an extension prior to the initial deadline for the appeal. A reasonable extension is considered to be two (2) additional Business Days; however, the Director of Student Rights & Responsibilities has the discretion to adjust the length of the extension as circumstances warrant.
- The Director of Student Rights & Responsibilities will then refer the appeal to an Appellate Officer for review.
- If the Respondent submits an appeal, Outcomes assigned will be considered “on hold” pending a final decision on the appeal, unless otherwise determined or in a case in which the Respondent was previously issued an Interim Suspension.
- If either or both of the Complainant or Respondent submits an Appeal Form, within five (5) Business Days of the date on the Decision Notice letter, the other party(ies) involved in the Case will be notified that an appeal has been received.
- Neither Complainants nor Respondents have the right to view the appeal information that was submitted by the other party(ies). However, the Appellate Officer may reserve the right to forward any and all portions of the appeal to the other part(ies) as needed in order to address matters raised in the appeal. In such situations, the other party(ies) will be given the opportunity to submit a written response by a stated deadline. The appeal must include information to support the

specific Appeal Criteria cited in the appeal. Disagreement with the decision is not grounds for appeal.

- Appeals will only be considered based on the following criteria:
 - The existence of procedural errors so substantial that they greatly impacted the findings, responsibility determination, and/or the ultimate Outcomes;
 - Presentation of new and significant evidence which was not reasonably available at the time of the initial Case Resolution Meeting and would likely alter the findings, responsibility determination, and/or the ultimate Outcomes; and/or
 - The Outcomes imposed are substantially disproportionate to the severity of the violation.
- The following positions are designated as Appellate Officers:
 - If the Case was heard by [Housing & Residential Education](#) (HRE) staff, the Director of Student Rights & Responsibilities will review any appeal.
 - If the Case was heard by Student Rights & Responsibilities [staff](#) or the Student Accountability Board (SAB), the [Vice Chancellor for Campus Life & Inclusive Excellence](#) or their designee will review any appeal.
- The Appellate Officer will review the Appeal Form, Student Rights & Responsibilities Records, and any other applicable information to determine a decision on the appeal. Then, the Appellate Officer is limited to taking one of the following actions:
 - Deny the appeal and uphold the original decision based on not satisfying the Appeal Criteria.
 - Accept the appeal in whole or in part based on satisfying the Appeal Criteria and either:
 - Send the Case back to Student Rights & Responsibilities for a new Case Resolution Meeting; or
 - Dismiss the Case.
- The Appellate Officer may not replace the judgment of the original Case Resolution Body. The appellate process exists solely to review the procedures used in the Student Rights & Responsibilities proceedings. The Appellate Officer will transmit

a final decision on the appeal within five (5) Business Days after receipt of the appeal. If there are extenuating circumstances, the Appellate Officer will notify all parties involved that an extension beyond five (5) Business Days is necessary in making a decision on the appeal.

Case Completion

- The case resolution process is considered completed when either no appeal is submitted by an involved party within five (5) Business Days or an appeal is denied, rendering the decision by the Case Resolution Body as final.
- Student Rights & Responsibilities [staff](#) may notify campus entities of the decision as necessary in order to move forward with processes impacted by the Outcomes. The following examples illustrate the types of notification:
 - In Cases resulting in a Location Restriction Order, Student Rights & Responsibilities [staff](#) will notify the applicable office(s).
 - In Cases resulting in a probation status Outcome, Student Rights & Responsibilities [staff](#) will notify the applicable office(s).
 - In Cases resulting in suspension or dismissal, Student Rights & Responsibilities [staff](#) will notify the offices impacted financially to update their records.
 - Financial Aid Eligibility is based on the effective withdrawal date. The effective withdrawal date is the first date of notification to the [Office of the Registrar](#) or other designated offices that the Student is no longer enrolled. Please refer to [Withdrawing from DU](#) for more information.
 - The Student will be reimbursed for room and board consistent with applicable [Housing & Residential Education policies](#).
 - The Student will receive any applicable tuition refunds according to the posted [Tuition Refund Calendar](#) based on the incident date. Other fees (e.g., parking permit, Greek membership, health insurance, student activities) may be refunded at the discretion of the applicable office.

Outcome Council

The Outcome Council is the body responsible for making a neutral and impartial review of investigations and findings, and imposing Outcomes following a finding of responsibility for violations of University Policies related to discrimination and equal opportunity. The Outcome Council is not a hearing body. It meets independently to complete its review and make its determinations.

Outcome Council Composition

Typically, the Outcome Council will be comprised of three (3) University Community members, including the [Director of Student Rights & Responsibilities](#), or their designee; and an appointed faculty member or similar University employee, appointed by the [Vice Chancellor for Campus Life & Inclusive Excellence](#) or [Provost & Executive Vice Chancellor](#). All Outcome Council members will receive and/or have specific training and experience in adjudicating allegations of discrimination, harassment, gender-based violence, sexual harassment, sexual violence, relationship violence, and stalking.

To be eligible to serve on the Outcome Council, individuals must meet the following requirements:

- Faculty must have been employed by and taught courses at the University for at least one (1) academic year. Faculty must be currently employed at the University and have taught at least one (1) course within the two (2) most recent academic terms.
- Staff must be currently employed part- or full-time, and must have been employed full- or part- time by the University for at least one (1) academic term.

Outcome Council members are expected to

- Approach each case without any preconceived ideas of the responsibility of the parties involved prior to reading the Investigative Report.
- Thoroughly review all case materials prior to the Outcome Council being convened.
- Impose clear and proportionate Outcomes for those found to be responsible for violations of University Policy.
- Individual board members are compelled to offer input during the deliberation process, allow for fellow members to be heard, and consider differing views before a decision is reached.

- Remove themselves from a particular Outcome Council if there is a potential conflict of interest.

The Outcome Council must be comprised of neutral and impartial decision-makers. The [Office of Student Rights & Responsibilities](#) will notify the Respondent(s) and Complainant(s) of the Outcome Council members who will be serving, and Respondent(s) and Complainant(s) have the right to object to the participation of any member based on a significant, demonstrable bias. The party must submit such objections, with supporting information, to the administrator designated in the notice within two (2) Business Days of receipt of the names. The designated administrator will review any concerns and determine whether the objection has any merit. The [Office of Student Rights & Responsibilities](#) will notify the Respondent(s) and Complainant(s) if any changes to the Outcome Council composition have been made as a result of the objection. If the [Office of Student Rights & Responsibilities](#) designates a new Outcome Council member, Respondent(s) and Complainant(s) will have one (1) Business Day to submit any objections of the new member to the designated administrator for review.

Outcome Council Procedures

The Outcome Council will follow the order of proceedings set forth below:

- The Outcome Council is officially called to order.
- The Outcome Council members review the specific finding(s) and policy violation(s).
- The Outcome Council members may request additional information or clarification from the Supervising Director, the Title IX Coordinator, the Investigator(s), and/or the Office of General Counsel.
- The Outcome Council makes determinations regarding appropriate Outcomes.

Imposition of Outcomes

The Outcome Council will consider the imposition of Outcomes designed to eliminate the misconduct, prevent its recurrence and remedy its effects, while supporting the University's educational mission and obligations under all applicable policies and laws (including Title VI, Title IX, ADA, ADEA, and other applicable federal, state and local anti-discrimination laws). Outcomes or interventions may also serve to promote safety or deter individuals from similar future behavior.

The Outcome Council is responsible for determining the appropriate Outcome(s). The Outcome Council may impose any Outcome deemed appropriate after a consideration of all the relevant information.

The primary objectives when considering Outcomes include:

- Protecting the University Community;
- Bringing the discriminatory conduct to an end;
- Taking steps reasonably calculated to prevent the future reoccurrence of the discriminatory conduct;
- Restoring the Complainant to their pre-deprivation status, to the extent practical and possible.

In determining Outcomes to meet these objectives, the Outcome Council considers the following criteria:

- Nature and severity of the act
- Number of Complainants
- Number of impacted individuals
- Prior Student Rights & Responsibility history of the Respondent
- The Outcome Council's assessment of the impact the act or policy violation has had on the Complainant(s), University Community, community members, University and community safety, and University environment

The Outcome Council assigns Outcomes for the entirety of the incident(s) under review, not for each violation. All Outcomes will include a "Status" Outcome and at least one appropriate "Educational" Outcome. Violations of the Non-Consensual Sexual Contact provision of these procedures typically result in a dismissal and do not include an Educational Outcome. Please see the Outcomes Section for more information regarding Outcomes.

Notice of Outcome

Following the Outcome Council's determination, the University will provide both the Respondent(s) and Complainant(s) with simultaneous written notification of the

Outcomes determination, including the procedures to appeal the determination.

The Respondent(s) will be informed of any Outcomes, the date by which the requirements must be satisfied (if applicable) and the consequences of failure to satisfy the requirements. The Complainant(s) will be informed of any Outcomes that directly relate to the Complainant(s).

A member of the Outcome Council will also offer the Respondent(s) and Complainant(s) the opportunity to meet individually regarding the determination. This meeting should be scheduled within two (2) business days of the Outcome Council decision, based upon availability of the parties.

The written notice will also provide each party with their [appeal](#) options; which may include:

- The **right** to appeal the Outcome(s) assigned by the Outcome Council based on specific appeal criteria;
- The **responsibility** to submit a completed appeal form within five (5) business days of the decision notice letter;
- Neither Complainant nor Respondent have the right to view the appeal information that was submitted by the other party(ies); however, the Appellate Officer may reserve the right to forward any and all portions of the appeal to the other party(ies) as needed in order to address matters raised in the appeal.
- The appeal must include information to support the specific Appeal Criteria cited in the appeal. Disagreement with the decision is not grounds for appeal. Appeals will only be considered based on the following criteria:
 - The existence of procedural errors so substantial that they greatly impacted the findings, responsibility determination, and/or the ultimate Outcomes;
 - Presentation of new and significant evidence which was not reasonably available at the time of the initial Case Resolution Meeting and would likely alter the findings, responsibility determination, and/or the ultimate Outcomes; and/or
 - The Outcomes imposed are substantially disproportionate to the severity of the violation.
- The Appellate Officer, will review the Appeal Form, the Records, and any other applicable information to determine a decision on the appeal. Then, the Appellate Officer is limited to taking one of the following actions:

- Deny the appeal and uphold the original decision based on not satisfying the Appeal Criteria.
- Accept the appeal in whole or in part based on satisfying the Appeal Criteria and either:
 - Send the Case back to Outcome council for a new review; or
 - Dismiss the Case
- The Appellate Officer may not replace the judgment of the original Case Resolution Body. The appellate process exists solely to review the procedures used in the proceedings. The Appellate Officer will transmit a final decision on the appeal within five (5) business days after receipt of the appeal. If there are extenuating circumstances, the Appellate Officer will notify all parties involved that an extension beyond five (5) business days is necessary in making a decision on the appeal.

Group Violations

When members of a Student group, Organization, or team, or other individuals acting in concert violate these procedures, the University may charge them as a group or as individuals. The University may initiate an investigation against the group as joint Respondents or against one or more involved individuals, as appropriate given the available information and the circumstances.

A Student group's, organization's, or team's officers and membership may be held collectively and individually responsible for violations of SRR policies or University Policies by the organization or its members when such violations (1) take place at organization sponsored events; (2) have received the consent or encouragement of the organization or of the organization's leaders or officers, or (3) were known or reasonably should have been known to the membership or its officers.

In any such action, the [Office of Student Rights & Responsibilities](#) will convene separate Outcome Councils for each Respondent. However, each Outcome Council may include the same members. The Outcome Council may assign Outcomes collectively and/or individually that are proportionate to the involvement of each individual.

Academic Integrity Procedures

At the University of Denver, we create an academic learning environment grounded in Academic Integrity. Students are expected to engage honestly and demonstrate responsibility in research and academic assignments. Therefore, all work and grades should result from the Student's own understanding of the materials and their effort.

Faculty members have the inherent authority to make decisions on Academic Actions in response to allegations of Academic Integrity violations in which the faculty member has determined that the preponderance of evidence supports that a Student more likely than not has violated an Academic Integrity policy.

When a faculty member suspects an Academic Integrity violation, the faculty member involved should discuss these suspicions with the Student, and then the faculty member should make a decision regarding Academic Actions.

Academic Actions are not subject to the appellate process for Outcomes of Student Rights & Responsibilities, but are instead governed by the applicable process for undergraduate grade appeals or graduate student appeal for [academic grievances](#).

If a faculty member finds a Student responsible for Academic Integrity Violations, the faculty member should Report their findings, and the Academic Action taken (if any), to Student Rights & Responsibilities by completing an [Academic Integrity Violation Incident Report](#) found on the Student Rights & Responsibilities website.

Student Rights & Responsibilities [staff](#) will then determine what Student Rights & Responsibilities action may be appropriate, taking into consideration the nature of the alleged violation, the Student's previous Student Rights & Responsibilities record relating to Academic Integrity violations, and the recommendations of the faculty member or academic unit.

Disruptive Classroom Behavior Policy

The University is committed to a positive and safe learning environment. Individual instructors have the right to determine whether specific Student classroom behavior and conduct is disruptive to the learning environment. In extenuating circumstances, instructors may require a Student to leave an **individual class** meeting based on disruptive behavior and conduct. However, instructors are not authorized to permanently remove a Student from the course without following the process set forth below. Instructors should initiate this process as soon as possible after the initial disruption.

If during the course of this process, the Student's continued presence in the class represents a ***significant impediment*** to the educational process of the learning community, the University may officially withdraw the Student from the class. If attempts at informal resolution fail or are not possible, the withdrawal procedure will be followed.

If there is an emergency, please call 911 and then the [Division of Campus Safety](#) at 303.871.3000. Faculty members or Students in the class in which the disruption is alleged to have occurred may file an [SRR Incident Report](#).

Disruptive Classroom Behavior Process

- Faculty member or Students in the class file the [SRR Incident Report](#).
- The Dean or designee, as a neutral party, will lead a meeting between the Student and faculty member to attempt to resolve the concern as soon as possible after the faculty member files the [SRR Incident Report](#) (recommend within 2 Business Days of the Report and ideally before the next class session).
- The instructor need not lead the meeting but should be present at this initial meeting with the Student.
- Additional faculty or staff members (including SRR, Dean's office staff, or Campus Safety staff) may be asked to attend this meeting.
- The Student may bring a support person to this meeting; provided that the support person follows all guidelines related to the role of a support person as outlined in the [Honor Code](#).
- If the Student fails to attend the meeting, the instructor may proceed with a request to the relevant Dean's office for an involuntary removal of the Student from the class.
- If the initial conversation does not resolve the conflict or if the Student fails to attend the resolution meeting, the Dean or designee will issue a determination within five (5) Business Days from the scheduled time of the meeting.
- During deliberations, the Student is not permitted to return to class and the faculty shall provide the Student with materials, assignments, and other course information the instructor deems essential to assist the Student with remaining current in the course.

- The Dean or designee will communicate the determination regarding whether or not the Student will be removed from the class to the Student, faculty member, and applicable University Officials.
- If the Dean or designee determines that removing the Student from the class is necessary, the Student will be provided the opportunity to drop the class voluntarily. If the Student does not drop the class voluntarily, the [Office of the Registrar](#) will drop the student from the class. In either case, the student's transcript will reflect a "W" for withdrawal if the action occurs after the class drop deadline.
- If the Dean or designee determines that removal is not warranted, the Student shall be allowed to return to the class immediately. The Student may be required to sign a Behavioral Responsibilities Agreement to set forth the appropriate and inappropriate conduct and expectations for conduct for the remainder of the course as well as the consequences for violating the Agreement. This will be kept on file with the [Office of Student Rights & Responsibilities](#).
- The Student may appeal the decision in writing to the Office of the [Provost & Executive Vice Chancellor](#) no later than five (5) Business Days from the date of the Dean's or their designee's decision. The [Provost & Executive Vice Chancellor](#) or Provost's designee will consider appeals based only on the following criteria:
 - The existence of procedural errors so substantial that they greatly impacted the decision;
 - Presentation of new and significant evidence which was not reasonably available at the time of the initial meeting and would likely alter the decision; and/or
 - The decision is substantially disproportionate to the severity of the violation.
 - Disagreement with the decision is not grounds for appeal.
 - During the appeal process, the Student is not permitted to attend class sessions or activities. The instructor shall provide the Student with materials, assignments, and other course information the instructor deems essential to assist the Student with remaining current in the course.
 - The [Provost & Executive Vice Chancellor](#) or Provost's designee will render a decision to the Student no later than five (5) Business Days from the date

of receipt of the appeal. This decision is final with no further avenue of appeal.

Crisis Assessment Risk Evaluation (C.A.R.E.) Behavioral Intervention Team

The [\(C.A.R.E.\) Behavioral Intervention Team](#) is committed to providing care, support, and access to resources to create a safe and secure University Community environment. The C.A.R.E. team is comprised of campus staff and administrators who will intervene to manage patterns and/or instances of concerning behavior to support the individual Student while balancing the safety, health, and well-being of the University Community.

The CARE Team takes a proactive, objective, supportive, and collaborative approach to the prevention, identification, assessment, intervention, management of, and coordinated response to situations and behaviors that may be disruptive and/or pose a risk of harm.

As the C.A.R.E. team provides support for the individual Student and the University Community, C.A.R.E. has the authority to require the following actions or interim measures to address a Student's behavior which has been assessed as causing a significant disruption to the living and/or learning environment of the University Community and/or posing a credible substantial risk of harm to individuals within the University or to the safety, health, and/or well-being of the University Community.

- Issuing Behavioral Expectations Letters to identify concerning patterns of behavior, connect Students to appropriate University, healthcare, and other resources to address the behavior and develop an action plan to help the Student remain in good standing with the University.
- Mandating Individualized Assessments if Student's behavior significantly disrupts the living and/or learning environment of others; the Student may be unwilling and/or unable to carry out substantial self-care obligations; and/or the Student poses a credible substantial risk of harm to individuals within the University or to the safety, health, and/or well-being of the University Community.
- Temporarily removing Students from the University for a period of time.
- Invoking the Mandatory Withdrawal Policy if the University determines that the Student can no longer remain as part of the University Community for health, safety, or disruption reasons.

Student Organizational Rights & Responsibilities Process

Authority

The policies and procedures governing Student Organizations at the University are applicable to all Student Organizations. The [Office of Student Rights & Responsibilities](#) maintains the authority to investigate and adjudicate any violation of University Policies applicable to Student Organizations, including, but not limited to violations of policies contained in the Honor Code, the Student Organization Handbook, or any other applicable University Policies. The [Director of Student Rights & Responsibilities](#) has the discretion to delegate responsibility for investigation or adjudication of Alleged Policy Violations.

Jurisdiction

The University will address any allegation that a Student Organization may have violated University Policies, including the Honor Code and Student Rights & Responsibilities policies and procedures, the Student Organization Handbook, the University of Denver Alcohol policy, or national organization policies, as applicable. The University may address both individual behavior and conduct through the Student Rights & Responsibilities process, as well as organizational behavior and conduct as appropriate. The investigation of individuals does not absolve the Student Organization of responsibility, nor does the process to address organizational responsibility absolve individuals of their responsibility under the Honor Code or other applicable policies.

Process

Student Rights & Responsibilities action taken against Student Organizations is an extension of the University's Student Rights & Responsibilities process. Student Rights & Responsibilities, in consultation with relevant campus partners including, but not limited to, [Athletics & Recreation](#), [Office of Student Engagement](#), Campus Life & Inclusive Excellence staff, shall take whatever action deemed necessary to respond to complaints involving Student Organizations and/or to prevent future violations. In instances where the University determines that the safety and welfare of a Student or Students is immediately at risk or the conduct is so egregious, the University may invoke an interim suspension to allow sufficient time for an investigation and/or a Case Resolution Meeting.

Student Rights & Responsibilities action taken against Student Organizations shall be separate from action taken against individual members. Individual Students involved in the Student Rights & Responsibilities for a Student Organization may be subject to the individual Student Rights & Responsibilities according to their involvement in a Case. All

Student Organization Conduct records will be maintained with Student Rights & Responsibilities for a minimum of seven (7) years from the date of the incident following the most recent finding of violation.

For more information regarding the policies and procedures related to Student Organizations, please see the [Office of Student Rights & Responsibilities](http://www.du.edu/studentlife/studentconduct/) website: <http://www.du.edu/studentlife/studentconduct/>

Outcomes

The Student Rights & Responsibilities process is designed to create opportunities for holistic student living, learning, and growth which results in a safe campus community. Outcomes are intended to be educational and endeavor to encourage student development of self-awareness, social engagement, and a sense of purpose. Individuals found responsible for violating policies will be held accountable and assigned Outcomes which balance the developmental needs of the Respondent and the needs of the University to provide equitable process and promote a safe campus community.

The [Office of Student Rights & Responsibilities](#) will determine Outcomes for violations of Student Rights & Responsibilities policies utilizing six (6) main criteria:

- The circumstances and severity of the violation including behavior and conduct that targets a person's perceived or actual identity including race, color, national origin, age, religion, disability, sex, sexuality, gender identity, gender expression, marital status, or veteran status will have an impact on the Student's Outcomes
- A Student's previous Student Rights & Responsibilities record
- The intent of the Respondent
- The impact of the situation
- The Respondent's level of demonstrated understanding regarding the impact their choice and actions had
- The influence of alcohol or other drugs

The [Office of Student Rights & Responsibilities](#) assigns Outcomes for the entirety of an incident, not for each violation. All Outcomes will include a "Status" Outcome and at least one appropriate "Educational" Outcome.

Status Outcomes

These Outcomes define the Student's standing at the University. These include the following:

- **Warning:** A warning is given to notify a Student that their behavior and conduct has been inconsistent with the expectations of the University. A warning has no immediate effect upon a Student's status at the University. However, once given a warning, Students should expect to receive different Outcomes for any subsequent violations of the [Student Rights & Responsibilities policies](#).
- **Probation:** Probation serves to notify a Student that they must avoid any further violations for a specified period of time in order to remain a Student at the University. Students on probation are not in good standing with the University. As a result, a Student may be prohibited from participating in certain co-curricular activities while on probation. If a Student on probation is found responsible for any further violations of the [Student Rights & Responsibilities policies](#) the Outcomes may escalate as noted below.
- **Deferred Suspension:** Deferred Suspension serves to notify a Student that they must avoid any further violations of the [Student Rights & Responsibilities policies](#) for a specific period of time in order to remain a Student at the University. When a student on Deferred Suspension is alleged to be involved with any subsequent violations of the Student Rights & Responsibilities policies, they will more than likely be issued an Interim Suspension until the University can determine their responsibility in the subsequent incident. Students on Deferred Suspension are not in good standing with the University. As a result, a Student on Deferred Suspension may be prohibited from participating in certain co-curricular activities. If the student on Deferred Suspension is found responsible for any further violations of the Rights & Responsibilities Policies, the Student will likely be suspended or dismissed from the University.
- **Suspension:** A Student who has been suspended from the University may not participate in any University activities, academic or otherwise, for a specific period of time, and will be restricted from all University Premises and activities. A suspended Student who wishes to re-enroll must apply for readmission to the University and must also apply to the [Director of Student Rights & Responsibilities](#) who will determine whether any and all requirements for readmission have been satisfactorily completed. The University does not accept courses that the Student may have completed at another institution while on suspension.

- **Dismissal:** A Student who has been dismissed from the University is permanently prohibited from participating in any University activities, academic or otherwise, and will be permanently restricted from all University Premises and activities.

Educational Outcomes

These Outcomes are intended to facilitate the learning process and encourage a Student to reflect on the impact of the decisions they have made and help Students develop the skills necessary to be successful at the University. If a Student fails to complete any educational Outcome by the specified deadline, the University will place a hold on a Student's registration account with the University, and the Student may be subject to further disciplinary action.

Types of Educational Outcomes include, but are not limited to:

- **Written Assignments:** A Student is required to, for example, write a reflection paper, maintain a journal, or write a review of a policy.
- **Worksheets:** A Student is required to, for example, answer a series of questions designed to help them evaluate the decisions that led to the violation and avoid making similar decisions in the future.
- **Programs & Activities:** A Student is required to, for example, complete community service hours, attend a program, or design a poster board.
- **Interventions:** The Student is required to, for example, undergo a counseling consultation, assessment, complete a drug and/or alcohol evaluation, or attend a workshop.
- **Restrictions:** The Student is restricted from certain locations or activities, for example, a single residence hall or a particular Student Organization.
- **Referrals:** The Student is referred to another process, such as mediation, for resolution.

Definitions

For the purposes of this document, the following definitions apply:

- *Academic Actions* are those Outcomes and/or consequences that are determined by faculty members, instructors, and/or academic units in response to Students found

responsible for academic integrity violations/misconduct within a course or academic program.

- *Alleged Policy Violations* mean the Student Rights & Responsibilities or University Policies that a Student is notified to allegedly have violated as a result of the incident described in a *Report*.
- *Appellate Officer* is a University official who has been designated to evaluate an appeal on the *Appeal Criteria* and to determine which available action should be taken if any *Appeal Criteria* is met.
- *Business Day* refers to any weekday Monday through Friday in which the University is in operation, including days when the University is in operation, but classes are not in session.
- *Case(s)* refer to a *Report* in which *Alleged Policy Violations* are identified and at least one *Respondent* is named.
- *Case Resolution Body* refers to any person, persons, or groups authorized by the University to determine whether a Student has violated [Student Rights & Responsibilities Policies](#) and to impose Outcomes when appropriate.
- *Case Resolution Meeting* refers to the time and date during which a Student will be invited to present their perspective of an incident with the designated Case Resolution Body.
- *Complainant* means a Reporting Party or an individual who may have been harmed as a result of the incident described in a *Report*.
- *Constructive Action* means Reporting any action contrary to University Policies to someone in a position to take action – such as a faculty member, Dean, Campus Safety officer, or administrator.
- *Director of Student Rights & Responsibilities* is the University administrator responsible for the oversight of the Student Rights & Responsibilities Policies and Procedures. The [Vice Chancellor for Campus Life & Inclusive Excellence](#) can appoint a designee to fulfill the Director’s responsibilities as needed, such as in an instance of an absence, vacancy, or a potential conflict of interest.
- *Effective Consent*, in reference to [Student Rights & Responsibilities Policies](#) such as Alcohol Misuse, Drug Misuse, Hazing, Physical Misconduct and Property Damage, means an informed, mutually understandable words and/or actions that indicate a willingness to participate in and/or allow a specific activity, freely and

actively given by a person with the current mental capacity to make rational decisions. A person may be without such capacity due to the influence of alcohol and/or other drugs. Consent is not effective if it results from the use of physical force, threats, intimidation, or coercion. A person always retains the right to revoke consent at any point during an activity. In order to give consent, one must be of legal age. Consent to any one activity cannot automatically imply consent to any other activity.

- *Federally Illegal Drugs* are set forth by the Controlled Substances Act (CSA), 21 U.S.C. 801 et seq., as amended. Under CSA, marijuana is classified as a Schedule I controlled substance; all forms of cannabis are illegal under federal law, even medical marijuana, and regardless of state drug laws. In an effort to comply with the Drug-Free Schools Act, the University prohibits the distribution, possession, use, or manufacture of marijuana in any form or paraphernalia associated with the use of Federally Illegal Drugs on University Premises.
- *Outcomes* are required University statuses and educational opportunities, restrictions and/or expectations for a Student found responsible for violating Student Rights & Responsibilities Policies.
- *Proper Written Notification* means (1) delivery via electronic mail to the student's preferred email address in the PioneerWeb or other approved University process; (2) delivery in person, or (3) delivery by other means to a Student's University or permanent mailing address. The Student is responsible per [University policy](#) to have an updated preferred email account on file with the University and to check such email account regularly, and to provide a mailing address.
- *Report* means a narrative detailing an incident in which one or more Students may have violated the Student Rights & Responsibilities Policies.
- *Reporting Party* is any person who has filed a Report against a Student, either directly or through a University Official, such as a Campus Safety officer or a Resident Assistant.
- *Respondent* means any Student who is alleged to have violated one or more of the Student Rights & Responsibilities Policies.
- *Restorative Justice* offers a different framework for case resolution and is considered an "alternative dispute resolution" option. .

- *Students* include any persons taking or auditing classes at the University, matriculated in any University program, or on University Premises for any purpose related to the same.
- *Student Rights & Responsibilities Administrators* are administrators and staff authorized to implement the Student Rights & Responsibilities process, and may include the professional and graduate staff within Student Rights & Responsibilities and Housing and Residential Education (HRE).
- *Student Organization* is defined as two or more Students meeting together in an organized manner with a common purpose. This definition includes, but is not limited to athletic teams, fraternities, and sororities. Registered Student Organizations are defined as those student-run organizations that have received University recognition either by Undergraduate Student Government (USG), Graduate Student Government (GSG), and/or by an official department of the University.
- *University* means the University of Denver; which is owned and operated by Colorado Seminary.
- *University Community* includes all Students, University Officials, and other individuals involved in the normal operations of the University.
- *University Events* include any activity involving Students or University Officials and held on University Premises. Activities involving Students or University Officials not held on University Premises are also considered University Events when such activities are connected with or sponsored by any academic course or University Organization.
- *University Official* includes any person employed by the University performing academic, administrative, or professional duties. When this document refers to any University Official by title, such reference includes their designee.
- *University Organization* means any group of persons who have complied with the formal requirements for University recognition.
- *University Policies* refers to any rule, regulation, or process as it relates to the expectations and functions of the institution. When used in this document, University Policies includes, but is not limited to, the Student Rights & Responsibilities Policies.

- *University Premises* include all land, buildings, facilities, or other property in the possession of or owned, used, operated, or controlled by the University, including adjacent streets and sidewalks.
- *Vice Chancellor for Campus Life & Inclusive Excellence* is the administrator with oversight of the Division of Campus Life & Inclusive Excellence. The [Vice Chancellor for Campus Life & Inclusive Excellence](#) can appoint a designee to act on their behalf in times as needed, such as in an absence or when a conflict of interest may apply.
- *Weapons* refer to objects designed or used to inflict injury or damage and include, but are not limited to, knives with a blade over three inches, guns, pellet guns, paint guns, Tasers, bows and arrows, machetes, ninja stars, nun chucks, explosive or incendiary devices, and swords.