



UNIVERSITY OF  
NORTHERN COLORADO

# STUDENT CODE OF CONDUCT

[unco.edu/dean-of-students](https://unco.edu/dean-of-students)



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*This version of the Student Code of Conduct is in effect for incidents reported on or after August 1, 2024.*

# Introduction

## Purpose and Philosophy

The University of Northern Colorado (UNC) Student Code of Conduct (Student Code) outlines students' rights and responsibilities as members of the UNC community and establishes expectations of student behavior to promote a safe and respectful living and learning environment.

UNC values the diverse backgrounds and intersecting identities of its community members. UNC values freedom of expression and encourages learning through respectful and meaningful discussion of experiences, viewpoints, and ideas. The Student Code explains behavioral expectations, rights, and responsibilities for students in alignment with UNC's mission and values. UNC expects students to (1) maintain personal integrity that aligns with educational goals, (2) be accountable for their actions, (3) follow federal, state, and local laws, as well as University regulations, and (4) respect the rights, privileges, and property of others.

The Student Code process is educational and intended to help students learn, make behavioral changes, and understand the impacts of their behaviors on others. The process balances the rights of individual students with the expectations and safety of UNC and the community. The UNC Dean of Students Office offers a variety of resolution options to students in response to allegations of Misconduct. Outcomes assigned as part of the Student Code process are based on the nature and severity of the behavior and are designed to be educational and restorative in nature. In some cases, Outcomes may include separation from UNC, either temporarily or permanently.

## Non-Discrimination

UNC is dedicated to providing an equal opportunity climate and an environment free from identity-based discrimination and harassment. Discrimination and harassment are defined in the Discrimination Complaint Procedures "DCP" (University Regulations 3-6-125).

UNC does not discriminate based on disability during proceedings under the Student Code. A student with a disability who is subject to Student Code proceedings may request, through the UNC Disability Resource Center ("DRC"), an accommodation for their disability. The DRC will then engage the student in the interactive individualized process to determine what, if any, accommodations are reasonable and appropriate. The DRC will notify the Dean of Students Office that an accommodation request has been made so appropriate adjustments to the timeline of proceedings can be made, if necessary.

Once a request has been made, the DRC may request documentation related to the student's disability. Whether such a request is reasonable or would be a fundamental alteration of the Student Code is a matter to be determined on a case-by-case basis after the request has been made. Any approved accommodations will be communicated by the DRC to the Dean of Students Office.

## Definitions

- **Code Due Process:** Receipt of a Hearing Notice identifying the alleged policy violation(s), and an opportunity to respond at a Conduct Hearing with a Resolution Coordinator.
- **Conduct Hearing (“Hearing”):** A formal meeting between the Responding Party and the Resolution Coordinator where the Responding Party can respond to the allegations in the Hearing Notice.
- **Dean of Students (“DOS”):** The Office of the Dean of Students is responsible for student disciplinary matters. The DOS may delegate some or all the duties and responsibilities described in the Student Code to other UNC employees. All references to the DOS in the Student Code include any designee of the DOS.
- **Decision Letter (“Decision”):** The Resolution Coordinator’s written summary of the results of the Conduct Hearing in a Formal Hearing proceeding.
- **Finding:** The written determination of whether the Responding Party violated the Student Code. “Responsible” means that the Preponderance of Evidence supports a finding that the Responding Party violated the Student Code. “Not Responsible” means there is insufficient evidence to support a finding that the Responding Party violated the Student Code.
- **Hearing Notice (“Notice”):** Written notice to the Responding Party that Formal Hearing Procedures have been initiated. The written notice will provide the Responding Party with a summary of the allegations and the alleged policy violation(s).
- **Impacted Party:** An individual directly impacted by alleged violence. Impacted Parties have the right to provide information prior to the Responding Party’s hearing and have the right to a Support Person in Student Code processes.
- **Interim Action:** A restriction of the Responding Party’s privileges issued prior to UNC issuing a Decision or Resolution.
- **Misconduct:** Student behavior or conduct that violates the Student Code.
- **Outcome:** An action that a Responding Party is required to complete or comply with as part of a Decision or Resolution.
- **Possession:** Physical control of a specified item(s) or ownership and control of the space where the item(s) was present.
- **Preliminary Inquiry:** An informal process used by the Resolution Coordinator to gather information provided by people with knowledge of the information regarding the alleged Misconduct.
- **Preponderance of the Evidence:** The standard of information and evidence necessary to determine that something is more likely true than not.
- **Reasonable Cause:** Information that would lead a reasonable person to believe that Misconduct occurred.
- **Registered Student Organization (“RSO”):** A group comprised primarily of, and led by, currently enrolled UNC students. RSOs must be formally recognized



by UNC and conferred with privileges and benefits not offered to non-recognized groups.

- **Reportable Conduct Record:** Records of a student found Responsible for Misconduct that are maintained by UNC. UNC retains the records for seven (7) years from the date of the Decision. Suspension or Expulsion records are retained indefinitely.
- **Resolution Coordinator:** UNC official assigned to facilitate a Student Code process. The Resolution Coordinator may, in their discretion, designate other UNC employees to assist in the performance of duties and responsibilities. All references to the Resolution Coordinator in the Student Code include any designee of the Resolution Coordinator.
- **Resolution Letter (“Resolution”):** Resolution Coordinator’s written summary of the Informal Resolution proceeding.
- **Responding Party:** Any student alleged to have violated UNC policy(s) outlined in the Student Code.
- **Support Person:** A person chosen by the Responding Party or Impacted Party, at their expense, to assist them during a Student Code process. A Support Person is not permitted to act as a representative of the student or participate on the student’s behalf. The availability of a Support Person may not unduly delay Student Code processes. If a student chooses an attorney to be their Support Person during a meeting, UNC may also choose to have legal counsel present. The student is responsible for communicating information directly to the Support Person, including coordinating their attendance at a meeting. If a Support Person has another role in the case, such as witness, it may impact their credibility or UNC’s ability to consider the information they provide as part of a Student Code process. Witnesses are not entitled to have a Support Person.
- **University/UNC Official:** Any person employed by, or authorized to act on behalf of, the University, who is performing assigned administrative or professional responsibilities.
- **UNC Property:** All land, buildings, other facilities, or physical items owned, leased, used, controlled, or in the possession of the University.
- **UNC Sponsored Activity:** Any activity or event, either on University Premises or elsewhere, which is initiated, aided, authorized, or supervised by the University.
- **Witness:** A person with relevant information regarding the alleged Misconduct. A witness is not entitled to a Support Person in Student Code processes.
- **Working Day:** Monday through Friday of each week, other than those days designated as “university holiday” or “university closed” on the UNC Calendar. Days that the University is closed for an unexpected reason, such as weather, do not count as a Working Day. For unexpected closures, individuals will still be entitled to established timeframes as it relates to due process and appeal procedures.

## Authority

The DOS is responsible for administration, interpretation, and revisions to the Student Code. The DOS designates appropriate individuals or entities to serve as Resolution Coordinators and administrators of the Student Code.

## Jurisdiction

UNC is a public institution, required to follow all federal, state, and local laws. As a result, the Student Code cannot conflict with or supersede any federal, state, or local laws.

The DOS is authorized to determine whether the Student Code applies and to what extent.

The Student Code applies to each student for behavior that occurs from the time they apply to UNC and are issued a Bear Number to the time they are no longer pursuing enrollment. The Student Code applies to:

- All persons taking courses through UNC, either full-time or part-time, pursuing undergraduate, graduate, professional, continuing education, dual enrollment, concurrent enrollment, and non-degree seeking students;
- Students enrolled in online courses, in-person courses, and students taking courses through Extended Campus;
- Students participating in study abroad, study away, or exchange programs;
- Behavior that occurs on- and off- University property;
- Behavior that occurs online or via other electronic medium;
- Behavior that occurs at University-sponsored programs and activities, regardless of location;
- Behavior that occurs between periods of enrollment if the student is eligible for continuing enrollment and has a continuing relationship with the University;
- Behavior that occurs during periods of suspension from the University, both disciplinary and academic.

An individual cannot avoid Student Code processes by withdrawing from UNC.

## Concurrent Legal Proceedings

A student may be subject to UNC Student Code processes and separate legal proceedings in response to alleged violation(s) of federal, state, or local laws. At the sole discretion of the DOS, Student Code processes may occur before, during, or after legal proceedings. Student Code processes are separate from legal proceedings and pending litigation or other legal proceedings will not stop or delay Student Code processes.

## Communication

Email is an official means of communication at UNC. All students currently enrolled at UNC are assigned a university email address (“BearMail”). UNC students are expected to read BearMail communications in a timely fashion. UNC retains the right to send official communication via personal delivery (i.e. physical mail, in person delivery). Email communication is considered received by the recipient based on the time and date sent.

UNC Officials with a legitimate educational interest may be copied on Policy Reminders, Notices, Decisions, and Resolutions in the performance of their responsibilities to UNC.

## Misconduct

Any of the following behaviors constitute Misconduct under the Student Code.

### Academic Misconduct

*Additional procedures for investigating Academic Misconduct issues that occur as part of an academic course or program are outlined in University Regulations 3-2-203.*

- **Cheating.** The use, or attempt to use, academic work, material, information, or study aids that are not permitted by the instructor or receiving unauthorized assistance in any form.
- **Plagiarism.** The use of another person’s work without giving proper credit to the original source.
- **Fabrication.** Creating materials or sources that do not exist to fulfill an academic assignment or other requirement.
- **Multiple submissions of work.** Using or submitting the same or substantially similar academic work for credit more than once, unless specifically authorized by the instructor. If authorized, appropriate disclosure and citation is required.
- **Unauthorized recording and/or use.** Recording and/or dissemination of instructional materials, or intellectual property, without the express written permission of the instructor(s), intellectual property owner, or the Disability Resource Center.
- **Facilitation of any act of Academic Misconduct.** Knowingly assisting another person to commit an act of academic misconduct.
- **Unauthorized use of Artificial Intelligence (AI).** The use or attempted use of written content, images, tables, references, music or musical scores, or data generated by artificial intelligence (AI) tools that are not permitted by the instructor or University Official.
- **Other Acts of Academic Dishonesty.** Other acts of academic dishonesty as outlined by UNC.

*Students are encouraged to review course syllabi to understand the expectations for each course in which they are enrolled.*

### Discriminatory Misconduct

*Procedures for investigating discriminatory misconduct are outlined in DCP.*

- ***Discrimination/Harassment/Retaliation.*** Conduct that constitutes “Discrimination,” “Harassment,” and/or “Retaliation” as those terms are defined in the UNC Discrimination Complaint Procedures (“DCP”).

## **Substance Use Misconduct**

- ***Alcohol***
  - a) ***Possession/Consumption.*** Attempted or actual possession, consumption, or use of an alcoholic beverage prohibited by law or University policy.
  - b) ***Driving Under the Influence.*** Operating a vehicle under the influence of, or while impaired by, alcohol.
  - c) ***Providing to Minors.*** Providing or selling an alcoholic beverage to any person under the legal age required by applicable law.
  - d) ***Forced Consumption.*** Using coercion, intimidation, or other behavior to cause another person to ingest an alcoholic beverage without their consent.
  - e) ***Public Intoxication.*** Being in a public place under the influence of, or impaired by, alcohol beverage.
  - f) ***Manufacture/Distribute/Sale.*** Attempted or actual manufacturing, distributing, dispensing, or selling of alcoholic beverages as prohibited by applicable law.
- ***Drugs***
  - a) ***Possession/Consumption/Use.*** Attempted or actual possession, consumption, or use of drugs prohibited by law or University policy, including but not limited to cannabis, methamphetamine, cocaine, opiates, LSD, mushrooms, heroin, ecstasy, GHB, or other controlled substances.
  - b) ***Abusing Toxic Vapors.*** Inhaling toxic vapors for the purpose of causing a condition of euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system.
  - c) ***Driving Under the Influence.*** Operating a motor vehicle while under the influence of, or while impaired by, drugs.
  - d) ***Misuse of Prescription Drugs.*** Use or possession of prescription drugs other than by the person prescribed or for use other than the prescribed purpose and/or dosage. Providing, selling, or distributing prescription drugs as prohibited by applicable law.
  - e) ***Forced Consumption.*** Using coercion, intimidation, or other behavior to cause another person to ingest drugs without their consent.
  - f) ***Public Intoxication.*** Being in a public place under the influence of, or impaired by, drugs.
  - g) ***Manufacture/Distribute/Sale.*** Attempted or actual manufacturing, distributing, dispensing, or selling of controlled substances as prohibited by applicable law.
- ***Smoking, Vaping and Tobacco Violations.*** Use of tobacco (or other substances) by smoking, e-cigarettes, vape pens, or any other device used to consume tobacco products or other solid or liquid substances where use of

tobacco is prohibited and/or, in the case of tobacco, or tobacco products, use by chewing or dipping.

### **General Misconduct**

- **Abuse of Code Processes.** Conduct that has the purpose or effect of interfering with compliance with the Student Code of Conduct or RSO Code of Conduct, including but not limited to:
  - Falsifying, altering, or misrepresenting information submitted during Code processes.
  - Destroying or concealing information or physical evidence during Code processes.
  - Discouraging or influencing a person from participating in Code processes.
  - Instituting or participating in Code processes in bad faith.
  - Soliciting or aiding, or attempting to solicit or aid, another person to commit an abuse of Code processes.
  - Verbal, written, or physical harassment, intimidation, or retaliation of any participant in a Code process.
  - Actual or attempted threatening, coercing, or otherwise preventing a person's good faith participation in, or use of, Code processes.
- **Dishonesty.** Conduct constituting:
  - Knowingly falsifying, altering, or misrepresenting information to any University official, instructor, office or organization, or any applications in connection with UNC.
  - Initiating or circulating a false report, warning or threat that relates to any facet of UNC operations.
  - Forgery, including falsely creating, completing, altering, and/or utilizing a written instrument, which purports to be authentic, with intent to defraud.
  - Use, possession, or attempted possession of false identification.
  - Allowing another person to possess or use University-issued keys or ID card.
- **Damage/Destruction of Property.** Conduct that has the purpose and/or effect of damaging or destroying UNC Property or the property of another person.
- **Disorderly/Disruptive Behavior.**
  - a) **Interference with UNC Operations.** Conduct or directing or inciting others to engage in conduct (through face-to-face, electronic, or other methods) that has the purpose or effect of (1) impeding the staff or faculty of UNC in the performance of their lawful duties or (2) impeding a student in the lawful pursuit of educational activities. UNC Operations include but are not limited to instruction, research, administrative functions, meetings, public events, facilities, or proceedings under any UNC policy, regulation, procedure or rule.
  - b) **Disorderly Conduct.** Making an offensive utterance, gesture, or display in a public place that would incite an immediate breach of the peace.
  - c) **Rioting.** Engaging in, attempting, soliciting, or conspiring with others to commit a public disturbance involving three or more persons that has the

purpose or effect, by tumultuous and violent conduct, of creating grave danger of damage or injury to property or persons or substantially obstructs the performance of any governmental function.

- **Endangerment of Animal(s).** Any act that directly or indirectly endangers the health or safety of an animal, regardless of intent.
- **Failure to Comply.**
  - a) **Directives.** Failure to comply with the verbal or written directives of any University officials, faculty, or law enforcement officers acting in the performance of their duties and in the scope of their employment, including but not limited to failure to identify oneself to these persons when requested to do so and failure to comply with Interim Actions or no contact orders/no trespass orders.
  - b) **Conduct Outcomes.** Failure to comply with, or complete, a UNC issued Outcome in a satisfactory manner.
  - c) **Reporting Arrest.** Failure to accurately report an off-campus arrest by any law enforcement agency for any crime to the Dean of Students within seventy-two (72) hours of release.
- **Fire Safety Violations.** Conduct that violates federal, state, local, or campus fire policies including but not limited to causing a fire that damages UNC Property and/or causes physical injury to another person, failure to evacuate UNC Property during a fire alarm, improper use of UNC fire safety equipment, or tampering with or improperly engaging a fire alarm or fire detection/control equipment while on UNC Property.
- **Hazing.** Conduct that intentionally, knowingly, or recklessly endangers the health, safety, or welfare of another person, causes a risk of bodily injury to another person, or destroys, removes, exercises possession or control over property of an individual, for the purpose of initiation, participation, admission into, or affiliation with an RSO or a group or organization that engages in activities on UNC's campus, regardless of a person's willingness to participate. Participation in, condoning, encouraging, requiring, observing, or allowing an opportunity for hazing may be in violation of the policy. Hazing Includes but is not limited to:
  - Any abuse of a mental, physical, or sexual nature.
  - Forced or prolonged physical activity that could adversely affect the health or safety of an individual.
  - Forced consumption of any food or beverage in excess of the usual amounts for human consumption.
  - Forced consumption of alcohol, medication, or controlled substance, regardless of whether prescribed.
  - Forced consumption of any substance not intended for human consumption.
  - Depriving an individual the opportunity to health and hygiene including, but not limited to, sleep, food, drink, or access to means of maintaining bodily cleanliness.
  - Any activity that would subject the individual to embarrassment, humiliation, or degradation.



- Any forced violation of UNC policy, and/or local, state, or federal law.
- Issuing fines outside of the approved structure of the organization.
- Abducting or transporting individuals against their will or in any way that may endanger or compromise the health, safety, or comfort of any individual including, but not limited to, “kidnapping” or abandoning individuals at a distant location.

*Hazing does not include customary athletic events or other similar contests or competitions, or authorized training activities by members of the armed forces of the State of Colorado or the United States.*

- **Physical Injury/Endangerment.** Conduct that has the purpose or effect of causing physical injury to another person, creating a substantial risk of physical injury to another person, or placing or attempting to place another person in fear of physical injury. This policy includes, but is not limited to, the creation or maintenance of health and/or safety hazards and/or failure to contact emergency personnel in a situation where another person needs emergency assistance.
- **Retaliation.** Any adverse action taken toward a person who is, or is perceived to be, engaged in an investigation, a report, or Student Code process, because that person participated in the University’s process, or to deter a person from participation in the University’s process. Reporting a violation of the Student Code of Conduct and/or Student Organization Code of Conduct in good faith is not considered retaliatory behavior. *This policy does not apply to allegations of Discrimination, Harassment, or Retaliation that fall within in the Discrimination Complaints Procedures (“DCP”).*
- **Stalking.** Repeated conduct which would cause a reasonable person to fear for their safety or to alter their activities in response to the repeated conduct. This includes, but is not limited to, any of the following: following, approaching, contacting, making an audio or video recording of, or placing under surveillance a person, a member of that person’s family, or close acquaintance, regardless of whether conversation ensues. *This policy does not apply to allegations of Discrimination, Harassment, or Retaliation that fall within in the Discrimination Complaints Procedures (“DCP”).*
- **Threatening Behaviors.** Any verbal, visual, written, or physical behavior, or a pattern thereof, that is intended to or has the logical consequence of coercing, intimidating, threatening, or causing a reasonable person to fear for their safety or interfere with their ability to perform the activities of daily life.
- **Theft.** Obtaining, retaining, or exercising control over the property of another without authorization, or by threat or deception, with the purpose or effect of depriving the person(s) to whom the property belongs of its use or benefit.
- **Trespass.** Entering or remaining on UNC Property, or the property or the motor vehicle of another, without legal authorization to do so. Using a motor vehicle, camper, trailer, or other equipment or structure as a residence or dwelling on UNC Property.
- **Unauthorized Access and Entry.** Unauthorized possession, duplication, or use of keys/cards to any UNC Property, unauthorized entry to any UNC Property, and/or unauthorized propping or use of alarmed or locked doors to any UNC Property. Unauthorized use of technology to gain access to a facility or service.

- **Unauthorized use of UNC Branding.** Unauthorized use of UNC name, logo, or symbols or use of UNC name, logo, or symbols not in compliance with UNC policies.
- **Unwanted Contact.** Any verbal, visual, written, or physical contact with another person that is unwanted and sufficiently severe, persistent, or pervasive that it adversely affects, or has the purpose or logical consequence of interfering with a reasonable person's ability to perform the activities of daily life. *This policy does not apply to allegations of Discrimination, Harassment, or Retaliation that fall within in the Discrimination Complaints Procedures ("DCP").*
- **Violation of UNC Policy.** Any violation of University policy, rule, procedure, or regulation, including but not limited to:
  - The UNC Housing & Residential Education Handbook.
  - The Registered Student Organization Manual, and/or
  - Any UNC policy, rule, procedure, or regulation published in hard copy and/or available electronically on the UNC website including but not limited to the Board Policy Manual, University Regulations, and all other such documents relating to student, academic, residence, information technology, parking services, campus recreation, athletic and/or safety matters.
- **Violation of Statute.** Conduct that violates any federal, state, or local statute, ordinance, or regulation.
- **Weapons Violations.** Unlawfully carrying, bringing, being in possession of, or leaving unattended for any period, a simulated weapon or a deadly weapon (including a firearm whether loaded or unloaded, a knife, bludgeon or any other weapon, device, instrument, material, or substance, whether animate or inanimate, that, in the manner it is used or intended to be used, can produce death or serious bodily injury) on UNC Property.

## Reporting Information

### How to Report

Any person may submit information or ask questions regarding Misconduct under the Student Code using any of the following methods:

- Contact the Dean of Students Office at 1-970-351-2001.
- Contact the UNC Police Department (UNCPD) at 1-970-351-2245 (non-emergency) or 911 (emergency)
- Submit an online incident report through the Dean of Students Office's Website <https://www.unco.edu/dean-of-students/share-concern.aspx>
- Submit an anonymous report online through UNC Safe Campus

Any person may submit information or questions to the Office of Institutional Equity and Compliance regarding Discrimination, Harassment, or Retaliation under the DCP at

titleix@unco.edu, 1-970-351-4899, or online at <https://www.unco.edu/institutional-equity-compliance/>

## Time Limitations for Reporting

There is no time limit for reporting Misconduct. However, UNC urges people with information to report as soon as possible to allow UNC to investigate the incident fully.

## Anonymous Reporting

Anonymous reports will be investigated to the extent possible based on the amount of information provided in the anonymous report. Anonymity may limit UNC's ability to fully and effectively investigate the matter.

Individuals may contact the Dean of Students Office to report alleged violation(s) of policy and request to remain anonymous. Although UNC will try to honor anonymity, UNC cannot guarantee anonymity in all circumstances. Alternatively, submitting a report via UNC Safe Campus ensures the reporting party's anonymity. UNC Safe Campus does not report the name of the reporting party to UNC.

## Reviewing Reported Concerns

Staff will review all information received to determine next steps and resolution options available.

- If the alleged behavior would not constitute a policy violation:
  - The matter is closed, and no further proceedings occur. Students may or may not be made aware of a report being filed.
  - Students may be invited to attend a meeting to discuss reported concerns. The meeting is optional, and no further proceedings will occur following the offer to attend a meeting.
- If additional information is necessary to determine whether the alleged behavior constitutes a policy violation, the Resolution Coordinator may initiate Preliminary Inquiry. During Preliminary Inquiry, the Resolution Coordinator may contact witnesses, the reporting party, and gather more information. The Responding Party may or may not be made aware of the reported concerns during Preliminary Inquiry.
- If the information presented constitutes a policy violation, the DOS may:
  - Issue a Policy Reminder letter in lieu of a resolution process;
  - Determine alleged policy violation(s) from the Student Code and notify the Responding Party of Informal Resolution option(s) available; or
  - Determine alleged policy violation(s) from the Student Code and initiate the Formal Hearing Procedures.

# Interim Actions

The DOS has the authority to issue Interim Action(s) to mitigate immediate and significant risks until a Resolution or Decision is issued.

To issue an Interim Action, the DOS must determine whether there is reasonable cause to believe that the Responding Party's continued presence on UNC Property, engagement in specific activities, or obtaining or engaging in academic matters presents an immediate and significant risk of substantial harm to themselves or others, the disruption of UNC operations or activities, or is necessary to provide reasonable protection to any person who may be adversely affected prior to the issuance of a Resolution or Decision.

The DOS will notify the Responding Party in writing of the basis and term of any Interim Action(s). Interim Actions include but are not limited to:

- Interim No Trespass Order (persona non grata, "PNG"): The student is prohibited from being in or near specifically identified locations.
- Interim Residential Relocation: The student is required to relocate to an alternately assigned residential space. The student will be provided temporary UNC housing.
- Interim Residential Suspension: The student is prohibited from residing in UNC housing. The student may still attend classes.
- Interim University Suspension: The student is denied access to participate in classes, via in person, online or participation in submission of coursework. The student is prohibited from participating in UNC sponsored activities.
- Interim Transcript Hold: A transcript hold is placed preventing a student from receiving a transcript until the conclusion of the Student Code process.
- Interim Registration Hold: A registration hold is placed preventing a student from registering for classes, or modifying current courses, until the conclusion of the Student Code process.
- Interim Degree Hold: The awarding of a student's degree is withheld until the conclusion of the Student Code process, or until the completion of all assigned Outcomes.
- Interim No Contact Order: The expectation that the student refrain from communicating with an identified individual.

Within three (3) Working Days following the issuance of Interim Action(s), the Responding Party may submit a written appeal to the Resolution Coordinator explaining the reasons they believe the Interim Action(s) are inappropriate.

The Resolution Coordinator will review the appeal. The Resolution Coordinator may schedule a meeting with the Respondent to discuss the appeal prior to making a determination. The Resolution Coordinator will notify the Responding Party in writing whether there are any adjustments of the Interim Action(s).

Interim Actions are reviewed and adjusted accordingly when new information becomes available.

## Policy Reminder

If reported behavior is a possible violation of the Student Code and UNC does not intend to take additional action, DOS may send students a Policy Reminder letter. A Policy Reminder is a summary of the reported concerns and a reminder of relevant policies in the Student Code. DOS does not issue a finding of responsibility, and no action is required by the student. Policy Reminders are not part of the student's reportable conduct record but are part of the student's educational record.

## Informal Resolution Process

The Resolution Coordinator, in their discretion, may offer a resolution option other than a student conduct Hearing. If the student participates in an Informal Resolution Process and complies with all requirements of that process and Resolution, then the incident will not be part of the reportable student conduct record.

The Resolution Coordinator has sole discretion to determine the appropriate Student Code process. The Resolution Coordinator may consult with a reporting party, witness, or Impacted Party to gather information prior to offering an Informal Resolution Process. The Resolution Coordinator must consider the severity of the case, any aggravating or mitigating factors, the conduct record of the Responding Party, and the educational Outcomes available before offering an Informal Resolution Process.

The Resolution Coordinator will provide in writing the resolution opportunity available to the Responding Party or schedule a meeting to discuss the available options. The Responding Party may request a formal conduct Hearing in lieu of the informal resolution opportunity. Informal Resolution Processes are binding and not subject to appeal. Impacted Party(ies) may be informed of the results of an Informal Resolution to the extent reasonable and necessary, as determined by the DOS. Impacted Party(ies) may request the result of an Informal Resolution from the Dean of Students Office.

If the Responding Party does not complete the Informal Resolution Process, they may face additional Student Code proceedings, including but not limited to Formal Hearing Procedures.

Informal resolution options include, but are not limited to:

### Mutual Resolution

A Resolution Coordinator may offer the Responding Party the option to resolve the situation by forgoing a conduct Hearing. The Mutual Resolution option letter will include a list of alleged Student Code violations, along with one or more findings of responsibility. Additionally, the Resolution Coordinator will assign one or more

Outcomes. If the student agrees to the Finding(s) and Outcome(s) and chooses to complete the Outcome(s) assigned by the Resolution Coordinator, the Mutual Resolution will not be maintained as part of a reportable conduct record but will be available as part of a student's educational record. Students who agree to the Finding(s) and Outcome(s) forego the opportunity to appeal. If the student disagrees with the Finding(s) and Outcome(s), they can request a student conduct Hearing. If the student does not respond to the Mutual Resolution option letter by the deadline, the matter will continue under the Formal Hearing Procedures.

If the Responding Party agrees with the Finding(s) and the Outcome(s), the Resolution Coordinator will issue a Mutual Resolution agreement letter. The letter concludes the Resolution of the informal process.

If the Responding Party does not complete the Outcome(s) outlined in the Mutual Resolution agreement, UNC may place a registration hold on their account, pending completion of the Outcome(s).

## Amnesty Education

UNC encourages individuals to seek medical assistance for themselves or others for emergency situations that result from alcohol and other drug abuse. Students who seek medical attention for themselves or on behalf of another student related to the use of drugs or alcohol may be offered an Amnesty Education resolution option. Additionally, a student who reports in good faith information regarding an allegation of possession or consumption of alcohol or drugs as part of another report may be offered Amnesty Education.

Students are eligible for Amnesty Education if they meet the following criteria:

- When a medical emergency occurs, the student must make initial contact with the appropriate resource (i.e. law enforcement, medical personnel, or University staff) to actively seek out medical assistance for themselves or on behalf of another individual.
- The student seeking assistance for an impaired or intoxicated individual must remain available (whether on scene or otherwise) until help arrives. Once help arrives on scene, the student must cooperate with medical personnel, law enforcement, and University staff.

The Amnesty Education option letter will include a list of alleged Student Code violations, along with one or more findings of responsibility. Additionally, the Resolution Coordinator will assign one or more Outcomes. If the student agrees to the Finding(s) and Outcome(s) and chooses to complete the Outcome(s) assigned by the Resolution Coordinator, documentation of the Amnesty Education will not be maintained as part of a reportable conduct record but will be available as part of a student's educational record. Parents/guardians may be notified if the student is under the age of twenty-one (21) at the time of the incident. Students who agree to the Finding(s) and Outcome(s)



forego the opportunity to appeal. If the student disagrees with the Finding(s) and Outcome(s), they can request a student conduct Hearing for the case. If the student does not respond to the Amnesty Education option letter by the deadline, the case will be pursued via the Formal Hearing Procedures.

If the student agrees to the Finding(s) and the Outcome(s), the Resolution Coordinator will issue an Amnesty Education agreement letter. The letter will serve as the Resolution for this informal process.

If the student does not complete the Outcome(s) outlined in the Amnesty Education agreement, UNC may place a registration hold on their account, pending completion of the Outcome(s).

## Adaptable Resolution (AR)

A Resolution Coordinator may offer a student the opportunity to manage the incident via Adaptable Resolution. Examples of AR include, but are not limited to, facilitated dialogue, conflict mediation, shuttle negotiation. All involved parties must accept the terms of the Adaptable Resolution to be eligible. If a party does not accept the terms, the case will be referred for adjudication under the Formal Hearing Procedures.

If the student agrees to the terms of AR, the Resolution Coordinator will issue an AR agreement outlining the Outcome(s) and expected next steps. This letter will serve as the Resolution for this informal process.

If the student does not complete the Outcome(s) outlined in the AR agreement, the case will be referred for adjudication under the Formal Hearing Procedures.

## Formal Hearing Procedures

Formal Hearing Procedures will be applied when the reported information constitutes a policy violation and the Responding Party

- Is not offered the opportunity for an Informal Resolution,
- Declines the Informal Resolution option, if offered, or
- Fails to meet the expectations of the Informal Resolution option.

It is presumed that the Responding Party did not violate the Student Code until the Responding Party accepts responsibility or is found responsible for violating UNC policy at the conclusion of the Formal Hearing Procedures.

## Conduct Hearing Procedures

1. The Resolution Coordinator issues a written Notice to the Responding Party. The Notice includes a summary of allegations, list of alleged policy violations (Misconduct), and relevant information necessary for the Responding Party to prepare for the Hearing.

2. The Resolution Coordinator sets a Hearing at least three (3) Working Days following the written Notice. The Responding Party can waive the three (3) Working Day notice by requesting an expedited Hearing in writing.
3. The Responding Party must submit a list of any witnesses and/or evidence for review 24 hours prior to the scheduled Hearing.
  - a. The Resolution Coordinator may impose limits on the number of witnesses or amount of evidence that may be presented and considered in the case, if the Resolution Coordinator determines the information is repetitive or not relevant to the alleged Misconduct.
  - b. At the Resolution Coordinator's discretion, the Resolution Coordinator may grant the Responding Party an extension to submit a list of any witnesses and/or evidence for review.
4. The Resolution Coordinator will facilitate the Hearing.
  - a. Hearings are not public. The Resolution Coordinator (and other DOS staff, as appropriate), the Responding Party, and the Responding Party's Support Person are the only individuals allowed to be present during the Hearing.
    - i. In cases involving allegations of Academic Misconduct, a representative from Academic Affairs may be present during the Hearing.
  - b. The Resolution Coordinator will review the incident report and evidence with the Responding Party.
  - c. The Responding Party will have an opportunity to present information in response to the report and evidence.
  - d. Formal rules of evidence and procedure do not apply in the Hearing.
  - e. Hearings may be audio recorded. The Resolution Coordinator will inform the Responding Party if an audio recording of the Hearing will be made. The Responding Party can request that the Hearing be audio recorded. If the Responding Party requests a copy of the recording transcript, the Responding Party will be responsible for paying for the cost of the transcription. The Recording may be made available for the Responding Party to review in person with Dean of Students Office staff, per request, but will not be released as part of a disciplinary record request.
5. Following the Hearing, the Resolution Coordinator issues a Decision letter and provides a copy of the Decision to the Responding Party.
  - a. The Resolution Coordinator uses the Preponderance of the Evidence standard to make findings of responsibility for each alleged policy violation.
    - i. Evidence or written statements about the character of the Responding Party will not be considered in determining whether the Responding Party is responsible for engaging in behavior that violates UNC policy.

- b. If the Responding Party is responsible for a policy violation, the Outcome(s) imposed will be described in the Decision. Outcomes are in effect immediately unless otherwise specifically stated in the Decision.
  - c. The Decision will provide information about how the Responding Party can file a written appeal.
  - d. Impacted Party(ies) may be informed of the results to the extent reasonable and necessary, as determined by the DOS. Impacted Party(ies) may request the result of a Hearing from the Dean of Students Office.
  - e. The Decision letter is not a public document. The Decision will not be provided to others except UNC Officials on a “need-to-know” basis to the perform their responsibilities or as required by applicable law or a subpoena issued by a court of competent jurisdiction.
6. The Responding Party has a right to appeal the Decision.

## Appeal Procedures

The Responding Party found responsible for violating University policy following the Formal Hearing Procedures may file a written appeal based on one or more of the following:

1. Denial of Code Due Process (a claim that the Responding Party was not provided Due Process as defined in the Student Code); or
2. Existence of new evidence not available at the time of the Hearing; and the new evidence is sufficiently substantial to change the findings of responsible for Misconduct; or
3. The Outcome(s) were inappropriate given the nature and severity of the Misconduct. The appeal is limited to only the following Outcomes:
  - a. University Disciplinary Suspension
  - b. University Disciplinary Expulsion
  - c. Revocation of Admission and/or Degree
  - d. Withholding Admission or Degree
  - e. Residence Hall Suspension
  - f. Residence Hall Expulsion
  - g. No Trespass Order (PNG)

To initiate the appeal process, the Responding Party must submit a Statement of Appeal Form to the DOS within five (5) Working Days of the Decision being received by the Responding Party.

- The Responding Party must submit the appeal online. If the Responding Party is unable to access the online form to submit the appeal, they can contact the Dean of Students Office to receive the appeal form in an alternate format.
- The Responding Party is responsible for providing their own appeal documents and must submit the appeal on their own behalf.

- If evidence or written statements about the character of the Responding Party are submitted in an appeal, all such information will be removed from the appeal record, and not provided to the appeal reader(s).
- The Responding Party may only appeal once for the entire Decision issued.
- The appeal is solely based on the conduct Hearing record, the Decision letter issued in the Hearing, and any “new evidence” under subsection (1)(b).
- The appeal is not an additional Hearing but rather a review of applicable files.
- If the Respondent does not file the Statement of Appeal Form within the five (5) Working Day period, the appeal is deemed untimely and the appeal denied.

The Responding Party will receive confirmation of the receipt of the appeal. All Outcome(s) remain in place pending the appeal. All Outcome(s) with an assigned deadline will be placed on pause until such a time that the appeal process has concluded.

Timely appeals that comply with the above requirements are reviewed by one or more appeal readers. Appeal readers will be selected from a pool of faculty and staff who receive training on Student Code processes, annually. To support a fair process and minimize potential conflicts of interest, appeal readers may have no other role in the case they are assigned, such as witness, reporting party, or support person.

The Responding Party will be notified in writing if any Outcome(s) or deadlines are modified following an appeal.

The appeal reader(s), after reviewing the record and the Statement of Appeal, will issue a written decision that addresses each basis of appeal submitted by the Responding Party.

- If the case is appealed on the basis of “denial of Code Due Process”, the appeal reader(s) must either:
  - Affirm the Decision, including Findings and Outcomes; or
  - Reverse the Decision and refer the case back to the Resolution Coordinator and identify the point in the formal conduct procedures in which the case needs to be initiated from to address the denial of Code Due Process. The Resolution Coordinator is responsible for following all procedures after that point.
- If the case is appealed on the basis of “existence of new evidence”, the appeal reader(s) must either:
  - Affirm the Decision, including Findings and Outcomes; or
  - Reverse the Decision and refer the case back to the Resolution Coordinator and describe the new evidence that should be considered in the case. The Resolution Coordinator is responsible for reviewing the new evidence and issuing an updated Decision Letter in the case.
- If the case is appealed on the basis of the Outcomes being inappropriate given the nature and severity of the Misconduct, the appeal reader(s) must either:
  - Affirm the Outcome(s); or
  - Provide a nonbinding recommendation to the Resolution Coordinator that the Outcome(s) in the Decision Letter be modified, describe why, in the

opinion of the appeal reader(s), the Outcome(s) are inappropriate given the nature of the Misconduct that was committed, and remand the case to the Resolution Coordinator for their consideration of the nonbinding recommendations of the appeal reader(s), provided however, that the Resolution Coordinator, in their sole discretion, may accept all, some, or none of the nonbinding recommendations of the appeal reader(s) when issuing the final Decision Letter on remand.

The Responding Party, a Witness, and/or any person(s) acting on behalf of the Responding Party or a Witness, may not have contact with the appeal reader(s) while the appeal is pending or after the written appeal decision is issued regarding the subject matter of the formal conduct proceeding, including but not limited to, the Hearing, the Decision letter or the appeal of the case.

## Outcomes

The Responding Party may be assigned an Outcome(s) through an Informal Resolution or Hearing procedure. The following Outcome(s) may be imposed, individually or in various combinations, as part of a Resolution or Decision.

- ***Institutional Administrative Outcomes:***
  - ***University Disciplinary Warning:*** An official warning to the Responding Party that their conduct violates the Student Code and future violations may result in student conduct action.
  - ***University Disciplinary Probation:*** A specific time period the Responding Party is subject to review and must demonstrate compliance with the Student Code. Violation of the Student Code while on disciplinary probation or any subsequent Misconduct, may result in further disciplinary action, up to and including suspension or expulsion. Probation may be assigned for a specific time or may end after all other Outcomes are completed to a satisfactory level.
  - ***University Disciplinary Suspension:*** A specified time period the Responding Party is not eligible to be a student and is not allowed to participate in university sponsored activities, including coursework. The suspension remains in effect for the designated period and until the student has completed all other Outcomes to be eligible to return.
  - ***University Disciplinary Expulsion:*** The permanent termination of the Responding Party's academic program at UNC and a prohibition from applying for re-enrollment to UNC.
  - ***Revocation of Admission and/or Degree:*** Revocation of the Responding Party's admission to UNC or the award of a degree due to Misconduct.
  - ***Withholding Admission or Degree:*** Admission to UNC or the award of a UNC degree earned by the Responding Party, will be withheld until completion of Outcomes.
- ***Restrictive Outcomes:***

- **Loss or Restriction of Privileges:** A stated time period the Responding Party is not allowed to engage in specific activities. Activities may include but are not limited to representing the University through official events, employment at the University, holding office in or participating in a student organization, participating in intercollegiate or sports club athletics, etc.
- **No Contact Order:** A directive issued to the Responding Party restricting them from contact with an identified individual(s).
- **No Trespass Order (PNG):** Exclusion of the Responding Party from all or a portion of any University property and any University-sponsored activities, programs, or related events.
- **Residential Relocation:** The reassignment of the Responding Party to a different residential building or room.
- **Residential Suspension:** A specified time period the Responding Party is not allowed to reside in UNC-owned residence halls, apartments, or houses. The suspension remains in effect until the period expires and the student has completed all other Outcomes to be eligible to return.
- **Residential Expulsion:** The permanent ban of the Responding Party's eligibility to reside in UNC-owned residence halls, apartment or houses.
- **Educational and Restorative Outcomes:** An educational or personal element that is assigned by a Resolution Coordinator to promote education and reflection related to the Misconduct and restore harm done to the community. If an Outcome has a fee associated with it, the Responding Party will be notified. If a Responding Party is experiencing financial hardship that would prevent them from paying an Outcome fee, they should notify the Dean of Students Office via email ([dos@unco.edu](mailto:dos@unco.edu)).
  - **Adaptable Resolution:** Including but not limited to
    - **Facilitated Dialogue:** University Official meets with the involved parties independently, and then relays the information between the parties in order to create a resolution both parties can agree upon.
    - **Conflict Resolution:** University Official assists two or more parties in reaching an agreement to end a dispute.
    - **Mediated Dialogue:** University Official serves as a mediator to provide structure to a meeting and help the parties create a mutually agreed upon resolution to the conflict.
    - **Shuttle Negotiation:** An indirect conversation (facilitated by a neutral third party) between two or more parties involved in a conflict. Shuttle negotiation typically does not include direct communication between participants.
  - **Community Service/Restoration:** A project or activity designed to address the impact of the behavior and repair harm caused to any person and/or community.
  - **Education:** A project or activity designed to promote learning and prompt changes to behavior and prevent future Misconduct. Education may include,



but is not limited to, workshops, seminars, meetings, assignments, and substance use education/assessments.

- **Mental Health Assessment:** Expectation to complete an intake assessment with a licensed mental health professional.
- **Parent/Guardian Notification:** UNC may notify parents/guardians when the Responding Party under the age of 21 is found responsible for Misconduct involving alcohol or drugs.
- **Reflection:** A project or activity designed to promote self-reflection on one's actions and the impact of those actions on others.
- **Restitution:** Monetary compensation, replacement, or completion of one or more tasks or projects for loss, damage, or injury to those adversely affected by Misconduct.
- **Withdrawal Agreement:** The Responding Party may, with the approval of the DOS, enter into an agreement to withdraw from UNC and not to re-apply for a specified period or permanently as part of the Outcomes imposed.

The determination of the Outcome(s) imposed will be informed by the totality of the circumstances regarding the Misconduct, including, but not limited to, the nature and severity of the Misconduct, the prior conduct history of the Responding Party, and reasonable and appropriate actions for the safety of individuals adversely affected by the Misconduct, including the UNC community.

The Resolution Coordinator will consider any aggravating and/or mitigating factors related to the Misconduct when determining Outcome(s).

The Resolution Coordinator will follow-up to ensure the timely and accurate completion of Outcome(s) assigned. Failure to complete Outcome(s) may result in a registration hold and/or a referral to the Student Code process for Failure to Comply.

## Retention and Disclosure of Student Conduct Records

The DOS maintains student educational records in accordance with the federal Family Educational Rights and Privacy Act of 1974 (FERPA). Student records, including any relevant documentation, will be maintained for a minimum of seven (7) years. UNC reserves the right to keep records for a longer period, as necessary. Records for cases resulting in University/Residence Hall Suspension, University/Residence Hall Expulsion, Revocation of Admission, and Revocation of Degree will be maintained indefinitely. Any case resolved through the Formal Hearing Procedures will be considered part of the student's reportable conduct record and may be disclosed in accordance with FERPA and written procedures.

Students have rights to view their educational records under FERPA, 20 U.S.C. § 1232g; 34 CFR Part 99.

Students can request copies of their disciplinary records by contacting the Dean of Students Office.