

UNIVERSITY *of*
NORTHERN COLORADO



Office of Student Engagement & Dean of Students

Community Standards and Conflict Resolution

Student Code of Conduct



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Student Code of Conduct

PREAMBLE

Students and recognized student organizations at the University of Northern Colorado possess certain rights and responsibilities designed to promote a safe and respectful living and learning environment. The University values freedom of expression and the respectful exchange of diverse viewpoints. By choosing to attend the University of Northern Colorado, students agree to uphold standards of conduct that have been developed to guarantee students freedom to learn and to protect the fundamental rights of others. In an effort to foster tolerance, civility, and accountability, the student conduct process aims to serve as a learning experience that can result in growth and personal understanding of one's responsibilities and privileges within both the university community and the greater community.

I. Definitions

1. The term **Advisor** means a person chosen by a Complainant or Respondent to provide personal support through the conduct process. An advisor must have no other role in the hearing, such as a witness, and may not speak or otherwise represent his or her advisees.
2. The term **Appeal Reader(s)** means any person or persons authorized by the Director of Community Standards and Conflict Resolution or designee to consider an appeal from a student of a University Hearing Officer's determination as to whether the student has violated the Student Code of Conduct or the sanctions imposed by the University Hearing Officer.
3. The term **Chief Disciplinary Officer** means the Director of Community Standards and Conflict Resolution ("the Director") at the University of Northern Colorado or a designated University official authorized on a case-by-case basis by the Director to impose sanctions upon any student(s) found to have violated the Student Code of Conduct.
4. The term **Complainant** means any person who submits a charge alleging that a student violated this Student Code. When a student believes that s/he has been a victim of another student's misconduct, the student who believes s/he has been a victim will have the same rights under this Student Code as are provided to the Complainant, even if another member of the University community submitted an allegation of misconduct.
5. The term **Faculty Member** means any person hired by the University of Northern Colorado to conduct classroom activities, whether in a classroom, laboratory, field, clinical, or virtual setting or who is otherwise considered by the University to be a member of its faculty.
6. The term **May** is used in the permissive sense.
7. The term **Member of the University Community** includes any person who is a student, faculty member, University official or any other person employed by the University. A person's status in a particular situation shall be determined by the Director of Community Standards and Conflict Resolution or designee.
8. The term **Organization** means any number of persons who have complied with the formal requirements for University recognition/registration.
9. The term **Parent** means a student's parent or legal guardian.

10. The term **Policy** means the written regulations of the University as found in, but not limited to, the Student Code of Conduct, Residence Life Handbook, the University web page and computer use policy, Graduate/Undergraduate Catalogs, and University Regulations and Board Policy.
11. The term **Preponderance of Evidence** means what is alleged to have happened is more likely than not what happened. This shall be the standard of proof used in all conduct proceedings under this code.
12. The term **Respondent** means any student accused of violating this Student Code.
13. The term **Shall** is used in the imperative sense.
14. The term **Student** includes: all persons taking courses at the University, either full-time or part-time, pursuing undergraduate, graduate, or professional studies; those who withdraw after allegedly violating the Student Code of Conduct; those who are not officially enrolled for a particular term but who have a continuing relationship with the University; those who have been notified of their acceptance for admission are considered *students* as are persons who are living in University housing, although not enrolled in this institution. The Student Code of Conduct applies to all University of Northern Colorado students enrolled through University programs who are studying abroad or at other remote locations.
15. The terms **University** or **Institution** mean the University of Northern Colorado.
16. The term **University Hearing Officer** means any person authorized by the Director of Community Standards and Conflict Resolution or designee to determine whether a student has violated the Student Code of Conduct and to identify sanctions that may be imposed when a violation has been committed.
17. The term **University Official** includes any person employed by the University, performing assigned administrative or professional responsibilities. University officials may be full or part-time, or may be student staff members.
18. The term **University Premises** includes all land, buildings, facilities, and other property in the possession of or owned, leased, used, or controlled by the University of Northern Colorado (including adjacent streets and sidewalks).
19. The term **University-Sponsored Activity** means any activity on or off campus which is initiated, aided, authorized or supervised by the University.
20. The term **Witness** means any individual who may have information relating to a conduct case.
21. The term **Working Day** means Monday through Friday, except for official university holidays.

II. Student Code Authority

1. The Director of Community Standards and Conflict Resolution or designee shall determine which University Hearing Officer and Appeal Reader shall be authorized to hear each matter.
2. The Director of Community Standards and Conflict Resolution or designee shall develop policies for the administration of the student conduct system and procedural rules for the conduct of University Hearings that are consistent with provisions of the Student Code of Conduct.
3. Decisions made by a University Hearing Officer shall be final, pending the normal appeal process.

III. Student Conduct

A. Jurisdiction of the Student Code of Conduct

The University of Northern Colorado Student Code of Conduct shall apply to conduct that occurs on University premises, at University sponsored activities, and to off-campus conduct that adversely affects the University community, poses a threat to safety of persons or property, or damages the institution's reputation or relationship with the greater community. In addition, University of Northern Colorado, in collaboration with the Greeley community, may respond to student violations of community-based laws and ordinances designed to protect civility and quality of life. The Director of Community Standards and Conflict Resolution or designee shall decide whether the Student Code of Conduct shall be applied to conduct occurring off campus, on a case by case basis, at his/her discretion.

Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if his or her conduct is not discovered until after a degree is awarded). The Student Code shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending.

B. Prohibited Student Conduct

Any student found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary sanctions outlined in Article IV:

1. Acts of dishonesty, including but not limited to the following:
 - a. Cheating, plagiarism, or other forms of academic dishonesty.
 - b. Furnishing false information to any University official.
 - c. Forgery, alteration, or misuse of any instrument of identification, University document, or record.
2. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other University activities, including its public service functions on or off campus, or other authorized non-University activities when the conduct occurs on University premises.
3. Physical abuse, verbal abuse, threats, intimidation, coercion, and/or other conduct which threatens or endangers the health or safety of any person, including the student.
4. Repeated conduct which would cause a reasonable person to fear for his/her safety or to alter his/her activities in response to the repeated conduct. Such repeated conduct may include, but is not limited to, any of the following: following, approaching, contacting, or placing under surveillance a person, a member of that person's family, or close acquaintance, whether or not conversation ensues.
5. Harassment, which consists of any verbal, visual, written or physical conduct that is sufficiently severe, persistent or pervasive that it adversely affects, or has the purpose or logical consequence of interfering with any student's educational program or creates an intimidating, hostile or offensive environment within the University community.
 - a. Sexual Harassment, which includes, but is not limited to non-consensual verbal or physical conduct related to sex which unreasonably interferes with an individual's work, educational, or social performance or creates an intimidating, hostile, or offensive work, educational, or social environment; or is a violation of

- an individual's privacy, at the University, on University-owned or controlled property, at university sponsored or supervised activities, or at functions of recognized student organizations.
- b. Bias-Related Harassment, which includes harassment of a person or group because of factors such as race, ethnicity, religion, gender, sexual orientation, age, creed, national origin, disability, political affiliation or veteran status.
6. Sexual Misconduct, which is defined as:
 - a. Sexual contact that is without consent by any party. It is the obligation of any person to obtain active consent from the other person prior to sexual contact. Examples of misconduct include, but are not limited to, touching another's genitals/breasts without consent; having sexual contact with someone whose decision making ability is compromised (e.g. from alcohol or drug usage); or continuing sexual activity after either party has made it clear, either verbally or by conduct, that they do not wish to have physical contact.
 - b. Obscene or indecent behavior, which includes, but is not limited to, exposure of one's sexual organs or the display of sexual behavior that would reasonably be offensive to others; deliberate observation of others for sexual purposes without their consent; taking or posting of photographs/images of a sexual nature without consent; possession or distribution of illegal pornography; or viewing or posting pornography in public venues.
 7. Theft of and/or damage to property of the University or property of a member of the University community or other personal or public property, on or off campus.
 8. Hazing, defined as an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing are not neutral acts; they are violations of this rule.
 9. Failure to comply with directions of University officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
 10. Unauthorized possession, duplication or use of keys to any University premises or unauthorized entry to or use of other persons' or University property.
 11. Violation of any University policy, rule, or regulation published in hard copy or available electronically on the University website, including, but not limited to, the Residence Life Handbook, Student-Athlete Handbook, UNC Computer, Internet & Electronic Communications Policies and Procedures, or any academic college policies.
 12. Violations of federal, state, and municipal laws, or any other conduct not included above, which unreasonably interferes with the operations of the University, and the pursuit of its educational purposes and objectives or the rights of others, or which renders a person or organization unfit or unsuitable for continued association or affiliation with the University.
 13. Use, possession, manufacturing, or distribution of marijuana, heroin, narcotics, other controlled substances, and/or paraphernalia except as expressly permitted by law.
 14. Public intoxication, use, possession, manufacturing, or distribution of alcoholic beverages except as expressly permitted by University regulations or by law. Alcoholic beverages may not, in any circumstance, be used by, possessed by or distributed to any person under twenty-one (21) years of age.

15. Possession of firearms, ammunition, explosives, other weapons, or dangerous chemicals on University premises or use of any object in a way that harms, threatens, or causes fear to others on or off campus. Weapons include, but are not limited to, any object or substance designed to inflict a wound, cause injury, or incapacitate, including, but not limited to, all firearms, pellet guns, switchblade knives, or instruments designed to look like any of the above. Concealed weapons may only be carried by sworn law enforcement officers. All other concealed weapons, whether carrying with a lawful permit or otherwise, are strictly prohibited on all campus premises.
16. Participating in an on-campus or off-campus demonstration, riot or activity that disrupts the normal operations of the University and/or infringes on the rights of other members of the University community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area.
17. Obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University sponsored or supervised functions.
18. Conduct that is disorderly, lewd, or indecent; breach of peace or aiding, abetting, or procuring another person to breach the peace. Disorderly conduct also includes, but is not limited to, any unauthorized use of electronic or other devices to make an audio or video record of any person without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress.
19. Abuse of the Student Conduct System, including but not limited to:
 - a. Failure to obey the notice from a University Hearing Officer or designated University Official to appear for a meeting or hearing as part of the Student Conduct System.
 - b. Falsification, distortion, or misrepresentation of information before a University Hearing Officer or designated University Official.
 - c. Disruption or interference with the orderly conduct of a University Hearing proceeding.
 - d. Institution of a student code of conduct proceeding in bad faith.
 - e. Attempting to discourage an individual's proper participation in, or use of, the student conduct system.
 - f. Attempting to influence the impartiality of a University Hearing Officer or Appeal Reader prior to, during the course of, or after a University Hearing proceeding.
 - g. Harassment (verbal or physical) and/or intimidation of a University Hearing Officer or Appeal Reader prior to, during the course of, or after a University Hearing proceeding.
 - h. Failure to comply with the sanction(s) imposed under the Student Code of Conduct.
 - i. Influencing or attempting to influence another person to commit an abuse of the Student Conduct System.
20. Intentional initiation or circulation of any false report, warning, or threat of fire, bombs, or explosives on University-owned or controlled property, at University-sponsored or supervised functions or at functions or facilities of recognized student organizations.
21. Retaliation against any individual. Retaliation is defined as any conduct which serves as a reprisal with the intent of causing physical or psychological pain. Retaliation includes, but is not limited to, unwelcome or repeated contacts by telephone, by letter, in person, or by third party; damaging or vandalizing personal property; offensive acts/gestures; overt threats, whether or not they were actually carried out; or any conduct that would instill fear and trepidation in the victim.

C. Violation of Law and University Discipline

Students may be held independently accountable to both civic authorities and to the University for acts which constitute violations of law and/or violations of University policies, regulations, or procedures. Disciplinary action will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed, reduced, or are in process. A Colorado law states that if a person is convicted of a riot offense (inciting, arming, or engaging) he/she must be immediately suspended from a Colorado state-supported institution of higher education for a period of twelve months and will be unable to attend any other Colorado state-supported institution of higher education for that time period.

D. Academic Integrity

In order to encourage and foster academic excellence, the University expects students to conduct themselves in accordance with certain generally accepted norms of scholarship and professional behaviors. Because of this expectation, the University does not tolerate any form of academic misconduct. Academic misconduct includes but is not limited to plagiarism, cheating, fabrication, and knowingly or recklessly encouraging or making possible any act of plagiarism, cheating, or fabrication. Academic misconduct is an unacceptable activity in scholarship and is in conflict with academic and professional ethics and morals.

Consequently, students who are judged to have engaged in some form of academic misconduct may be subject to (1) a zero or an "F" on the work in question, (2) an "F" in the course, (3) other academic penalties as outlined in the professor's course requirements and expectations, (4) disciplinary action as specified in the Sanctions for Misconduct section below, or (5) any combination thereof. Procedural due process, including the right to appeal, is to be followed in making a determination of whether academic misconduct has occurred.

Generally, a student's intentions will not be the primary consideration in the determination of whether academic misconduct has occurred. A student's intentions will usually be considered only during the process of deciding on the appropriate sanctions or penalties.

Plagiarism is the act of appropriating the written, artistic, or musical composition of another, or portions thereof; or the ideas, language, or symbols of same and passing them off as the product of one's own mind. Plagiarism includes not only the exact duplication of another's work, but also the lifting of a substantial or essential portion thereof.

Regarding written work in particular, direct quotations, statements which are the result of paraphrasing or summarizing the work of another, and other information which is not considered common knowledge must be cited or acknowledged, usually in the form of a footnote. Quotation marks or a proper form of indentation shall be used to indicate all direct quotations.

As long as a student adequately acknowledges his/her sources and as long as there is no reason to believe that the student has attempted to pose as the originator, the student will not be charged with plagiarism even though the form of the acknowledgment may be unacceptable. However, students should be aware that most professors require certain forms of acknowledgment and some may evaluate a project on the basis of form.

Cheating is the act of using or attempting to use, in examination or other academic work, material, information, or study aids which are not permitted by the instructor. Cheating

includes, but is not limited to: Using books, notes, cell phones, PDAs, calculators or copying from or conversing with others during an examination (unless such external aids or communication are permitted by the instructor); having someone else do research, write papers, or take examinations; doing research, writing papers, or taking examinations for someone else; submitting large portions of the same work as part of the academic work for more than one course (unless such submission is permitted by the instructor).

Fabrication is the invention of material or its source and its use as an authority in academic work. Fabrication includes, but is not limited to: inventing the data for a scientific experiment; inventing the title and author of a publication in order to use the invented publication as a source; or knowingly attributing material to an incorrect source.

IV. Hearing Procedures

Students who violate the University standards of conduct, with prohibited conduct delineated in Article III, Section B, are subject to disciplinary action. The University has designed hearing procedures that aim to engage students and recognized student organizations in a fair, educational, and developmental process.

The Chief Disciplinary Officer of the University, located in the Dean of Student's Office, has the primary administrative responsibility for University-wide coordination, investigation, and enforcement of student conduct standards. Based on the nature and location of the violation of University standards of conduct, student conduct cases may be acted upon by appropriate University officials as authorized by the Chief Disciplinary Officer. The University Hearing Officer shall be a person with expertise in administrative hearings appointed by the Director of Community Standards and Conflict Resolution or designee.

The procedures for University Hearings shall be as follows:

1. When a disciplinary case is referred to or acted upon by the Chief Disciplinary Officer or designee, the procedure will normally be conducted in an informal manner. Discussion, inquiry, persuasion, and other existing informal procedures will normally be used. The student or recognized student organization subject to disciplinary action will be informed at least three (3) days prior to the hearing of a summary of the alleged behavior and code of conduct violation and the time and place of the hearing. Pending such action, the student or recognized student organization has the right to be present on campus, attend classes, or conduct organizational business except in cases of interim suspension.
2. The student (the complainant and the respondent) or recognized student organization has the right to be assisted by an advisor if they choose, at their own expense. This advisor can be a faculty member, student, legal counsel or other individual, but can have no other role in the hearing, such as a witness. The student is responsible for presenting his or her own information, and therefore, advisors are not permitted to speak or participate directly in any hearing. Should the student elect to be accompanied by legal counsel, the University reserves the same right to have legal counsel present. A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the hearing because delays will not normally be allowed due to the scheduling conflicts of an advisor.
3. The student or recognized student organization must submit to the Hearing Officer a list of any witnesses and/or information for review 24 hours prior to the scheduled hearing.

4. The University Hearing Officer shall conduct the hearing. The Hearing Officer, in keeping with fair and reasonable guidelines, may impose limits upon the number of witnesses and the amount of information that may be introduced where proffered information is cumulative, redundant or immaterial. Rules of evidence and rules of procedure do not apply. Reasonable rules on relevancy and fairness will guide the Hearing Officer in determining the admissibility of information. In every case, the facts are to be reviewed and decisions made based upon a preponderance of evidence. The burden of establishing the basis for any disciplinary action shall be on the University.
5. At the discretion of the Hearing Officer, students charged with violations arising out of the same transaction or occurrence may be heard together rather than separately. In combined hearings, the Hearing Officer may present the information the University received to all of the charged students at one time. Following the presentation of the University's information, students whose cases are heard together may separately present, in turn, their information, but this presentation shall be given in the context of a single hearing.
6. All University disciplinary hearings will be closed to the public and nonparties. The Hearing Officer may invite observers with the consent of the parties.
7. The University Hearing Officer shall serve as the deciding body and shall impose sanctions as appropriate. The Hearing Officer shall (a) evaluate the information presented at the hearing in order to determine the validity of each of the charges, (b) determine whether or not a violation has occurred, and (c) communicate the decision and conclusions supporting the finding to the student, in writing. Reasonable deadlines for the completion of any sanctions will be established based on the date on which the letter was sent.
8. Appeal Process – Students have the right to [file a written appeal](#) of the decision and/or sanctions in accordance with the following guidelines:
 - a. Students may choose to appeal the decision based on one or more of the following:
 - i. Due process was denied (you believe the Hearing Officer violated your student rights/ responsibilities or didn't follow the written conduct process/procedures).
 - ii. Presence of new information. The presentation of the new information that was not available at the time of the hearing must be considered sufficiently substantial to change the outcome in a significant manner.
 - iii. The sanctions given were inappropriate given the nature of the violation.
 - b. The appeal will be based on the hearing record and any new information submitted in the appeal. The appeal process will not be a rehearing of the case.
 - c. Students wishing to appeal must complete and submit the Statement of Appeal Form to the Dean of Students Office within (5) business days following the receipt of the decision letter. The written appeal is reviewed by an appeal reader, appointed by the Director of Community Standards and Conflict Resolution and he or she may affirm or reverse the decision, or remand the case to another Hearing Officer for further deliberation. Students are to have no contact with the appeal reader during review.
 - d. In cases involving allegations of crimes of violence (as defined by the Campus Security Act) the Complainant and the Respondent have the right to appeal.

(Except when the parties have given written consent, access to records will be confined to authorized University personnel who require access in connection with the performance of their duties.)

V. Sanctions for Misconduct

The University seeks to ensure equitable treatment of students and recognized student organizations that are subject to disciplinary sanctions and to impose similar sanctions under similar circumstances. The prior conduct record, if any, will be taken into consideration in determining sanctions. Any sanctions imposed by the University shall be confirmed in writing. Sanctions for violations of University standards by individuals or recognized student groups include:

- 1. Warning**—An official notice to a student or recognized student organization that the conduct is in violation of the Student Code of Conduct. The continuation of such conduct or actions may result in further disciplinary action.
- 2. Probation**—Disciplinary probation is a period of observation and review of conduct during which the student or recognized student organization must demonstrate compliance with the Student Code of Conduct. Terms of this probationary period will be determined at the time probation is imposed.
- 3. Loss of Privileges**—Denial of specified privileges for a designated period of time.
- 4. Restitution**—Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- 5. Discretionary Sanctions**—These include, but are not limited to, alcohol or drug education, recommendation for counseling, required mental health assessment, restriction of privileges, or a special educational project designed to assist the student in better understanding the overall impact of his/her behavioral infraction.
- 6. Residence Hall Suspension**—Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
- 7. Residence Hall Expulsion**—Permanent separation of the student from the residence halls.
- 8. Interim Suspension**—Interim suspension is taken in extreme or unusual cases when there is reasonable cause to believe the continued presence of the accused student on campus presents an immediate and definite danger to himself/herself or other members of the campus community, or threatens disruption of University operations or activities. Interim suspension is immediate suspension of a student's privilege to attend the University and all of its related functions. A student who has been placed on interim suspension may not attend classes, may not participate in any University activities, and may be excluded from University property. The authority for interim suspension is vested in the Chief Disciplinary Officer. The Chief Disciplinary Officer may impose an interim suspension for a student before a hearing is held.
- 9. University Suspension**—The suspension may be for a specified period of time or for an indefinite period of time until stated conditions are met. The student may be prevented from returning to University premises. When a student is suspended, a notation will be made on the student's academic record (transcript) as follows: "SUSPENDED (date) FOR CONDUCT." This notation will remain on the transcript until the terms of the suspension have been satisfied.
- 10. Expulsion**—Expulsion is the act of terminating a student's academic program and his/her right to future enrollment. The student may also be prevented from returning to University premises. When this action is finalized, a notation will be made on the student's academic record (transcript) as follows: "EXPELLED (date) FOR CONDUCT."
- 11. Revocation of Admission and/or Degree**—Admission to or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of

University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.

- 12. Withholding Degree**—The University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Conduct Code, including the completion of all sanctions imposed, if any.
- 13. Withdrawal Agreement** - In certain cases where a student's behavior or mental or emotional health may render him/her unfit for continued participation within the University community, the Chief Disciplinary Officer may recommend the student withdraw from the University. Conditions for re-admittance to the University will accompany this withdrawal agreement.
- 14. Loss of Recognition** – Recognized student organizations may lose recognition after a hearing before the Chief Disciplinary Officer. This action deprives the organization of the use of campus resources, the use of the University's name, and the right to participate in campus sponsored activities. This loss of recognition may be for a specific period of time or for an indefinite period of time until stated conditions are met.