

STUDENT CONDUCT CODE

Colorado State University
DIVISION OF STUDENT AFFAIRS



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Colorado State University

Student Conduct Code

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Preamble

Colorado State University expects students to maintain standards of personal integrity in harmony with its educational goals; to be responsible for their actions; to observe national, state, local laws and University regulations; and to respect the rights, privileges, and property of other people.

A college education is a voluntary association with a community of scholars to explore new ideas, examine ourselves, make new friends, and develop ideals. A university environment is a place where faculty and students can freely exchange ideas and concepts in an atmosphere of civil debate and dialogue on contemporary issues.

Colorado State University considers this freedom of expression and inquiry essential to a student's educational development. All University members may engage in discussion; exchange thought and opinion; and speak, write, or print freely on any subject in accordance with Federal or State constitutions. This broad principle is the cornerstone of education in a democracy. Colorado State University values and respects diversity including political, philosophical, and cultural viewpoints.

To protect these privileges and opportunities, the student is responsible for upholding standards reasonably imposed by Colorado State University including, but not limited to academic integrity, personal honesty, tolerance, respect for diversity, civility, freedom from violence, and lifestyles free of alcohol and drug abuse.

The student conduct process is a learning experience which can yield growth, behavioral changes, and personal understanding of one's responsibilities and privileges. This process balances the needs and rights of students with the needs and expectations of the University and larger community. It supports Colorado State University values and community standards with a continuum of responses from disciplinary sanction or restriction to education, counseling, and restorative justice.

Students are treated with care, fairness, tolerance, and respect. The needs of the complainant, the respondent, and the community-at-large are equally important.

By formulating a general code of conduct, the University affirms student freedoms coupled with full responsibility for individual action including consequences of such action. Students are members of both the academic community and the larger society, retaining the rights, protection, guarantees, and responsibilities held by all citizens. As citizens, students are also responsible to know and obey the laws of the United States, the State of Colorado, and local governments. Therefore, a student may be subject to prosecution by law enforcement agencies whether the University initiates disciplinary proceedings or not.

The University Student Conduct Code defines University intervention or disciplinary action related to the behavior of both individual students and University Recognized Student Organizations. Policies and procedures specific to student organizations are noted in each section.

The Colorado State University General Catalog details the University's Policies and Guiding Principles, including the Commitment to Diversity, Freedom of Expression and Inquiry, Freedom from Personal Abuse, Sexual Harassment Policy, and Students' Rights.

Non-Discrimination Policy Statement

Colorado State University does not discriminate on the basis of race, age, color, religion, national origin or ancestry, sex, gender, disability, veteran status, genetic information, sexual orientation, or gender identity or expression. The University complies with the Civil Rights Act of 1964, related Executive Orders 11246 and 11375, Title IX of the Education Amendments Act of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, Section 402 of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, the Age Discrimination in Employment Act of 1967, as amended, Americans with Disabilities Act of 1990, the Civil Rights Act of 1991, the ADA Amendments Act of 2008, the Genetic Information Nondiscrimination Act of 2008, and all civil rights laws of the State of Colorado. Accordingly, equal opportunity of employment and admission shall be extended to all persons. The University shall promote equal opportunity and treatment in employment through a positive and continuing affirmative action program for ethnic minorities, women, persons with disabilities, and veterans. The Office of Equal Opportunity is located in 101 Student Services.

Article I: Definitions

A. General Terms

1. The terms University or institution mean Colorado State University, Fort Collins, Colorado.
2. The term student includes all persons taking courses at the University, either full-time or part-time, pursuing undergraduate, graduate, professional, or continuing education; those students who withdraw after allegedly violating the Student Conduct Code; 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; and persons who are living in University owned or operated housing though not enrolled in this institution. The Student Conduct Code applies to all Colorado State University students enrolled through University programs who are studying abroad or at other remote locations, including the Denver campuses.
3. The term faculty member or instructor means any person hired by Colorado State University to conduct classroom, research, or teaching activities or who is otherwise considered by the University to be a member of its faculty.
4. 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.
5. The term university premises includes all land, buildings, facilities, and other property in the possession of or owned, used, leased, operated, controlled, or supervised by Colorado State University (including adjacent streets and sidewalks) whether on the main Fort Collins campus or other locations.
6. The term Director of Conflict Resolution and Student Conduct Services is that person designated by the Vice President for Student Affairs to be responsible for the administration of the Student Conduct Code.

7. The term Hearing Officer means a University official authorized on a case-by-case basis by the Director of Conflict Resolution and Student Conduct Services to determine whether a student has violated the Student Conduct Code and to impose sanctions when a rules violation has been committed.
8. The term University Discipline Panel refers to the pool of faculty and students authorized to hear appeals of student discipline cases determined by a Hearing Officer.
9. The term Appeals Committee refers to the individual members selected from the Discipline Panel to consider the appeal of a particular case.
10. The term shall is used in the imperative sense.
11. The term may is used in the permissive sense.
12. The term policy means the written rules and regulations of the University as found in but not limited to, the Student Conduct Code; Residential Contract and Handbook; undergraduate, graduate and professional catalogs; faculty manual; and University web pages. These include policies related to computer use, solicitation, sexual harassment and other anti-discrimination policies, athletic events, use of facilities, travel, and participation in student organizations.
13. The term Honor Code refers to the following statement adopted by Colorado State University students, faculty, and staff affirming foundational principles of academic integrity:

As a student at Colorado State University, I recognize my active role in building a Campus of Character. This includes my commitment to honesty, integrity, and responsibility within the campus community. As such, I will refrain from acts of academic misconduct. Furthermore, reflecting upon this commitment, I find it my prerogative to conduct myself in a dignified and inclusive manner, taking the initiative to do justice within my institution, be considerate to my peers, and persevere both academically and personally.
14. The term academic misconduct includes but is not limited to: 1) Cheating by using unauthorized sources of information and providing or receiving unauthorized assistance on any form of academic work or engaging in any behavior specifically prohibited by the instructor in the course syllabus or class presentation; 2) Plagiarism includes the copying of language, structure, images, ideas, or thoughts of another, and representing them as one's own without proper acknowledgement; the failure to cite sources properly; sources must always be appropriately referenced, whether the source is printed, electronic, or spoken; 3) Unauthorized Possession or Disposition of Academic Materials includes the unauthorized selling or purchasing of examinations, term papers, or other academic work; stealing another student's work; using information from or possessing exams that an instructor did not authorize for release to students; 4) Falsification encompasses any untruth, either verbal or written, in one's academic work; 5) Facilitation of any act of academic misconduct includes knowingly assisting another to commit an act of misconduct. (Academic Integrity policies appear in the Students' Responsibilities section of the General Catalog, the Graduate and Professional Bulletin the Faculty and Administrative Professional Manual, or the Honor Code of the Professional Veterinary School and the School of Public Health as applicable.)

15. The term Complainant means any person who submits a charge/report alleging that a student violated this Student Conduct Code. When a student believes that she/he has been the victim of another student's misconduct the student will have the same rights under this student code as are provided to the respondent student even if another member of the University community submitted the charge/report.
16. The term Respondent means any student accused of violating this Student Code.

B. Student Organizations

1. The term University recognized student club or organization means any number of persons who officially have complied with the formal requirements for registration/recognition as a University student organization or sport clubs.
2. The term student organization activity means any activity on or off campus which is group sponsored, initiated, financed, advertised, or attended by a significant portion of the members.
3. The term policy means the written rules and regulations of the University as found in, but not limited to those governing participation in student organizations (see Student Organizations Source Book, Associated Students of Colorado State University Constitution and By-Laws, Greek Statement of Expectations/University Relationship, Alcohol Use and Risk Management Policies, and policies related to the Sport Clubs programs).

Article II: Student Conduct Code Authority

The Vice President for Student Affairs, acting on behalf of the President of Colorado State University, designates appropriate individuals or entities to administer the University student disciplinary system. The responsibilities of these individuals or entities are briefly defined as follows:

1. The Director of Conflict Resolution and Student Conduct Services is designated by the Vice President for Student Affairs and represents the University in student disciplinary matters. As the senior discipline officer, he/she coordinates the entire University student discipline system and reports to the Vice President for Student Affairs. The Director of Conflict Resolution and Student Conduct Services serves as a Hearing Officer. Conflict Resolution and Student Conduct Services monitors student compliance with all discipline conditions and sanctions and maintains all official student disciplinary records.
2. Hearing Officers are appointed by the Director of Conflict Resolution and Student Conduct Services and are responsible to the Director of Conflict Resolution and Student Conduct Services and ultimately the Vice President for Student Affairs. The responsibilities of Hearing Officers include preparing notices of violation, collecting information, conducting administrative discipline hearings, making decisions related to disciplinary outcomes, and performing other functions as required in the discipline process.
3. University Discipline Panel hears appeals of disciplinary decisions rendered by University Hearing Officers. The appeal can be initiated by the Respondent(s) or the Complainant(s). The Panel consists of ten (10) faculty members and ten

(10) students and is chaired by a faculty member, jointly appointed by the Vice President for Student Affairs and the Provost and approved by the Faculty Council. The University Discipline Panel will serve as a pool of members of the campus community that can be used to create an Appeal Committee who will consider individual cases of student disciplinary appeals if the Faculty Chairperson grants an appeal. The Appeals Committee shall consist of the Faculty Chair, two (2) additional faculty members and two (2) students, all selected from the University Discipline Panel. The Appeal Committee is chaired by the Faculty Chair or his/her faculty designee from the University Discipline Panel.

4. Student Conduct Boards may be designated by the Director of Conflict Resolution and Student Conduct Services to hear cases involving student organizations or those in which self-governance is appropriate. Examples include, but are not limited to, the Professional Veterinary Medicine Honor Board and the All University Hearing Board.

Article III: Proscribed Conduct

A. Rules and Regulations

Any student or student organization that commits or attempts to commit the following misconduct is subject to disciplinary sanction.

1. Academic misconduct including, but not limited to: cheating, plagiarism, unauthorized possession or disposition of academic materials, falsification, or facilitation of acts of misconduct. Plagiarism includes the copying of language, structure, images, ideas, or thoughts of others and is related only to work submitted for credit. Disciplinary action will not be taken for academic work in draft form. Specific procedures for cases of academic misconduct are also described in the Academic Integrity Policy in the General Catalog, the Graduate Student Bulletin, the Faculty Manual and the Honor Code of the Professional Veterinary School, as applicable.
2. Knowingly furnishing false information to any University official, instructor, office, organization or on any University applications. Intentionally initiating or causing to be initiated any false report; any warning or threat of fire, explosion, or any other emergency.
3. Forgery, alteration, misuse, mutilation, or unauthorized removal of any University document, record, identification, educational material, or property.
4. Disruption or obstruction of teaching, classroom or other educational interactions, research, administration or disciplinary proceedings, residential communities, or participation in an activity that disrupts normal University activities, and/or threatens property or bodily harm or intentionally interferes with the right of access to University facilities or freedom of movement of any person on campus. Disruption or obstruction also includes any form of abuse, threat, intimidation, bullying, coercion, harassment or attempt to influence any person who submits a report, cooperates with any investigation or acts as a witness in relation to an alleged violation of this Student Conduct Code or any federal or state law.

5. Engaging in behavior or activities that obstruct the right of free speech or expression of any person on campus. (For more information, refer to the CSU policy on Freedom of Expression and Inquiry, which addresses student rights and responsibilities related to political expression and contact the Conflict Resolution and Student Conduct Services Office if you believe you have been treated differently because of your political, or other, perspectives.)
6. Abusive conduct, including physical abuse, verbal abuse, threats, intimidation, bullying, stalking, coercion, and/or other conduct which threatens or endangers the physical or psychological health, safety, or welfare of one's self, another individual or a group of individuals.
7. Harassment, meaning verbal or physical harassment on the basis of gender, race, sexual orientation, age, religion, or physical disability, including but not limited to any violation of federal or state laws, or University policy, prohibiting harassment.
8. Sexual misconduct including, but not limited to: obscene, lewd, or indecent behavior; deliberate observation of others for sexual purposes without their consent; taking, sharing, or posting of photographs/images of a sexual nature without consent; possession or distribution of illegal pornography; viewing or posting pornography in public venues; unwelcome sexual advances or requests for sexual favors or other verbal or physical conduct that is severe or pervasive; physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent, including but limited to rape, sexual assault, sexual battery and sexual coercion; or any similar act in violation of state or federal law or the Student Sexual Harassment and Violence Policy.
9. Rioting: aiding, abetting, encouraging, participating in or inciting a riot. Failing to disperse at the direct request of police or University officials.
10. Failure to comply with the verbal or written directions of any University officials or law enforcement officers acting in the performance of their duties and in the scope of their employment, or resisting police officers while acting in the performance of their duties, including failure to identify oneself to these persons when requested to do so.
11. Attempted or actual theft of, damage to, use of, or possession of other persons' or University property or identity or unauthorized use of such; unauthorized entry, use, or occupation of other persons' or University facilities, property, or vehicles; or unauthorized possession, duplication, or use of University keys or access devices.
12. Illegal use or possession on University property of firearms or simulated weapons; other weapons such as blades larger than pocket knives; ammunition or explosives; dangerous chemicals, substances, or materials; or bombs, or incendiary devices prohibited by law. Use of any such item, even if legally possessed, in a manner that harms, threatens, or causes fear to others. Weapons for sporting purposes shall be stored with the University Police.
13. Violations of any rules, contracts, or agreements governing residence in or use of University owned or controlled property, and athletic or other authorized special events. Violation of any University policy, rule, or regulation, which is published in hard copy or available electronically on the University Website.
14. Unauthorized soliciting or selling in violation of the University solicitation policy.

15. Violation or conviction of any federal or state law or local ordinance.
16. Use, possession, manufacturing, or distribution of alcoholic beverages except as expressly permitted by law or University policy. Alcoholic beverages may not be used by, possessed by, or distributed to any person under twenty-one (21) years of age.
17. Use, possession, manufacturing, or distribution of illegal drugs including but not limited to marijuana, narcotics, methamphetamine, cocaine, opiates, LSD, mushrooms, heroin, designer drugs such as Ecstasy and GHB, or other controlled substances are prohibited. Use or possession of prescription drugs other than for the person prescribed, or for use other than the prescribed purpose, are prohibited. Possession or use of drug paraphernalia including but not limited to equipment, products, and materials used to cultivate, manufacture, distribute, or use illegal drugs are prohibited.
18. Abuse of computer facilities or technological resources including but not limited to: unauthorized entry to, or use of computers, access codes, telephones and identifications belonging to the University or other members of the University community; unauthorized entry to a file to use, read, transfer, or change the contents, or for any other purpose; interfering or disrupting the work of any University member; sending abusive or obscene messages or images; disrupting the normal operation of the University computing systems; violating copyright laws; or any other violation of the University computer use policy.
19. Abuse of the student conduct system including: failure to obey the notice to appear for a meeting or hearing; falsification, distortion, or misrepresentation of information; disruption or interference with the orderly conduct of a hearing; failure to comply with any requirements involving no contact with Complainants or witnesses or limitations related to access to specific facilities; harassment or intimidation of any person involved in a conduct proceeding; failure to comply with disciplinary sanctions or requirements.
20. Assisting, conspiring, or inciting others to commit any act of misconduct set forth in 1 through 19 above.

B. Rules and Regulations Specific to Student Organizations
(in addition to 1-20 above):

1. Violations of any rules, contracts, or agreements governing: recognized student organizations; Sport Clubs; Greek organizations; alcohol use, travel, solicitation, risk management, or hosting of events on or off University property; and participation in or attendance at athletic or other authorized special events. Violation of any University policy, rule, or regulation that is published in hard copy or available electronically on the University Website.
2. Hazing, which includes any act that 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 is not neutral; they are violations of this rule.

C. Jurisdiction – Individual Students

1. Location

The Colorado State University Student Conduct Code applies to conduct that occurs on University premises and at University-sponsored programs or activities. It also applies to off-campus conduct that adversely affects the University community, poses a threat to persons or property, or damages the institution's reputation or relationship with the greater community. In addition, Colorado State University, in collaboration with the Fort Collins community, may respond to student violations of community-based laws and ordinances designed to protect civility and quality of life. The Director of Conflict Resolution and Student Conduct Services decides whether the Student Conduct Code applies to off-campus conduct on a case-by-case basis.

2. Duration

The University holds each student accountable to the Student Conduct Code from application for admission through the actual awarding of a degree. This includes periods before classes begin or after classes end, during the academic year, and between terms of actual enrollment. The disciplinary process may proceed even if the student withdraws from school while a disciplinary matter is pending.

3. Academic units

Academic faculty, departments, and colleges are responsible for establishing orderly procedures for academic and classroom discipline. Each instructor is primarily responsible for communicating standards of academic integrity and classroom behavior, implementing University policy, and responding to behavioral issues. Instructors may consult with and/or refer matters to Conflict Resolution and Student Conduct Services to consider University disciplinary charges or other means of conflict resolution. Faculty actions related to classroom discipline are reported to Conflict Resolution and Student Conduct Services and kept as part of the student disciplinary record.

Procedures for academic misconduct cases are also detailed in the Colorado State University Faculty and Administrative Professional Manual, General Catalog, the Graduate and Professional Bulletin, the Honor Code of the Professional Veterinary Medicine Program, and the School of Public Health as applicable.

4. Violation of Law and Colorado State University Discipline

A student may face both University disciplinary proceedings and criminal or civil litigation charges, since the same factual situation may allegedly violate both the Student Conduct Code and criminal or civil law. University discipline proceedings may happen before, during, or after civil or criminal proceedings. These proceedings are entirely separate; legal outcomes do not affect the university discipline process.

5. Interim Suspensions

When serious charges are filed against a student, whether criminal, civil, or conduct, the Director of Conflict Resolution and Student Conduct Services may temporarily suspend the student from the University and/or residence halls until those charges are resolved.

a. Interim Residential Suspension

The student is suspended from residing, dining, or being around University residence halls until the charges are resolved. The student does not lose other University privileges and may attend classes. If the student is under 21, the Director of Residence Life notifies the student's parents of the interim residential suspension. The student must arrange for off-campus housing at his/her own expense.

b. Interim University Suspension

The student is denied access to campus, classes, and University activities and privileges until the charges are resolved.

c. These conditions may warrant interim suspension:

i. To ensure the safety and well-being of University members or residential communities

ii. To ensure the student's own safety and well-being

iii. To preserve University property

iv. To prevent disruption or interference with normal University operations

d. The student is notified in writing of the terms of the Interim Suspension and the reasons for this action. The student may request a meeting to show cause why his or her continued presence on the campus does not constitute a threat. If the student requests a meeting regarding the Interim Suspension, the Hearing Officer, prior to making a decision, may consult with appropriate University officials, including but not limited to the CSU Police Department or other security personnel.

e. The Interim Suspension does not replace the regular process, up to and through a University Hearing, if required.

D. Jurisdiction – Student Clubs and Organizations

Student Clubs and Organizations enjoy rights and privileges associated with official recognition by the University. They are also subject to disciplinary action for violation of these policies specific to Student Organizations:

1. Student Organizations, as well as their members, may be held collectively and/or individually responsible for violations if the misconduct occurs: on University property; on premises used or controlled by the organization or its members; or at University, or student organization-sponsored activities.
2. Student Organizations are encouraged to engage in the practice of effective self-governance. Student members, organizational leaders, faculty/staff advisors, the University Student Organizations Office, Campus Recreation/Sport Clubs Programs, All University Hearing Board, Conflict Resolution and Student Conduct Services, and the Vice President for Student Affairs have a shared responsibility for upholding the Student Conduct Code.
3. The officers or leaders of a student organization may be held collectively and/or individually responsible when such violations are committed by persons associated with the organization who have received consent or encouragement from the

organization's officers or leaders or if those officers or leaders knew that such violations were being or would be committed.

4. The officers or leaders of a student organization may be directed to take action designed to prevent or end such violations by the organization or by any persons associated with the organization. Failure to comply with a directive may be considered a violation of the Student Conduct Code, both by the officers or leaders of the organization and by the organization.
5. Alleged infractions related to the Student Organization as an entity (broader responsibility than the isolated behavior of individual members) will be addressed by the All University Hearing Board. Responsibilities and standards of Sport Clubs, Greek Organizations and other recognized Student Organizations may appear in their respective conduct codes or policies.
6. The appellate jurisdiction over Student Organization conduct hearings will be retained by the Director of Conflict Resolution and Student Conduct Services or his/her designee. If the Director serves as the original Hearing Officer, the Vice President of Student Affairs shall appoint a three person committee to consider the appeal. The committee shall then make recommendations to the Vice President of Student Affairs, who will make the final decision regarding the appeal.
7. All cases may be reviewed by the Director of Conflict Resolution and Student Conduct Services and ultimately the Vice President for Student Affairs. In more serious cases or when pervasive patterns of problem behaviors exist, the University may take action concurrently with or independently of the All University Hearing Board.
8. Individual members of student organizations are responsible for their own behavior and are subject to the standards and responsibilities as defined in this policy. The Director of Conflict Resolution and Student Conduct Services may choose to initiate disciplinary action against any individual organization member as would be done in the case of any student.

E. Jurisdiction – Fraternities and Sororities

1. Fraternities and sororities are private, independently chartered organizations that may also be officially recognized student organizations. Some chapters have members that reside in a housing facility located off University property. These facilities are neither owned nor operated by the University. Fraternities and sororities are responsible to their Inter/National Organizations through their charter agreements and to the University through the University Relationship Agreement/Statement of Expectations and University recruitment, risk management, and alcohol policies that apply to recognized student organizations through this Student Conduct Code.
2. Fraternities and sororities are encouraged to engage in the practice of effective self-governance. Student members, chapter leadership, student governing councils (Interfraternity, Panhellenic, Multicultural Greek, and National Pan-Hellenic Councils), chapter advisors, University Office of Greek Life, Conflict Resolution and Student Conduct Services, Vice President for Student Affairs, and Inter/National Organization Leadership have shared responsibility for upholding the Student Conduct Code and disciplinary rules affecting Greek Life.

3. The Governing Councils have jurisdiction over all member chapters and colonies. Alleged infractions related to the chapter as an entity (broader responsibility than the isolated behavior of individual members) will be addressed by the All University Hearing Board.
4. The All University Hearing Board will follow the general procedures for hearings, decisions, and sanctions as outlined in this policy and the Student Organization Conduct Board Procedures.
5. The decisions of this board may be reviewed by the Director of Conflict Resolution and Student Conduct Services and ultimately the Vice President for Student Affairs. In more serious cases or when pervasive patterns of problem behaviors exist, these University offices may take action concurrently with or independently of the All University Hearing Board.
6. Individual members of fraternities and sororities are responsible for their own behavior and are subject to the standards and responsibilities as defined in this policy. The Director of Conflict Resolution and Student Conduct Services may choose to initiate disciplinary action against any individual fraternity or sorority member as would be done in the case of any student living off campus.

Article IV: Student Conduct Code Procedures – Individual Students

A. Charges

1. The discipline process begins when Conflict Resolution and Student Conduct Services receives a written account of the incident: police reports; residence hall incident reports; or reports from faculty, administrative staff, students, other members of the University community, or from outside the University community. Anonymous reports are not sufficient to begin the disciplinary process. In some instances, additional investigation may be warranted in response to an anonymous report and lead to documentation from an identifiable source that warrants charges of a Student Conduct Code violation.
2. The Hearing Officer may decide the incident warrants a University disciplinary hearing and charges the student with one or more Student Conduct Code violations. The Hearing Officer may also seek or conduct an additional investigation.
3. In some cases, the Hearing Officer may offer alternative dispute resolution such as Restorative Justice or mediation, if all parties involved are willing. All parties receive a written summary of the resulting agreements, which are binding and not subject to appeal. If the student violates these agreements, s/he may face additional disciplinary action.
4. Responsible Action Exemption – individual students:
 - a. Background: The health and safety of members of the Colorado State community is a primary concern. Students are encouraged to make responsible decisions in emergency situations that result from alcohol and other drug abuse (to include alcohol poisoning, overdose, serious injury, and victims of sexual assault) and to seek medical attention for someone who is in danger because of intoxication. Colorado State University seeks to remove the barriers that prevent students from seeking the medical attention they need. Therefore, students

should alert Residence or Apartment Life staff, the Colorado State University Police Department, Fort Collins Police Department (when off campus) or other university personnel when they or another person are in danger.

- b. Students Seeking Help for Self or Others – Exemption from Discipline: Students, both on and off campus, who seek medical attention for themselves or on behalf of another student related to consumption of drugs or alcohol will not be charged with violations from the Student Conduct Code relating to that incident, provided that the student completes an assessment and any recommended treatment by the Hearing Officer. Failure to complete an assessment may result in charges filed with the Office of Conflict Resolution and Student Conduct Services. Parental notification may occur for students that are under the age 21 who have been transported to the hospital in need of medical assistance.
- c. How to Receive Exemption: If a student believes he or she qualifies for a disciplinary exemption, he or she must complete the following steps:
 - i. The student who contacts an appropriate resource (i.e. law enforcement or University staff) on behalf of an intoxicated student must remain with the intoxicated student.
 - ii. The student seeking assistance for an intoxicated student must give his/her name to law enforcement or staff.
 - iii. The student who calls, or needed assistance, must contact the Office of Conflict Resolution and Student Conduct Services within three (3) business days of the incident.
 - iv. The students seeking an exemption must submit confirmation to Conflict Resolution and Student Conduct Services an assessment was completed and he or she has complied with any additional educational or treatment requirements of the Hearing Officer.
- d. Limitations to Exemption: The disciplinary exemption does not apply to students or student organizations experiencing an alcohol or drug-related medical emergency that are found by university staff (i.e. Residence or Apartment Life staff, Colorado State Police Department, Fort Collins Police Department, Faculty, or Administrative Staff. The help must be sought by, or on behalf of, the student. In cases of repeated violations of the Student Conduct Code, the University reserves the right to take judicial action on a case-by-case basis regardless of the manner in which the incident was reported. The University reserves the right to adjudicate any case in which the violations are egregious. Individual students that make calls to assist other students in medical need will not have a limit on opportunities to receive the disciplinary exemption. Students in need of medical assistance shall receive only one exemption, regardless of who calls for assistance.
- e. Records: All proceedings and records directly related to a Responsible Action Exemption will be considered educational and will not be maintained as discipline records. If a student is under 21 years of age, parents may be notified.

B. Hearing Notification

1. The student (respondent) is notified of the charges in writing, along with the date, time, and location of the hearing. A report of the incident may be included with the notice letter or may be available from the responding law enforcement agency. The student has no less than three (3) business days to prepare for the hearing (unless the student and Hearing Officer agree otherwise) nor typically more than fifteen (15) business days after the student has been notified of the charges (maximum time may be extended at the discretion of the Hearing Officer taking into consideration scheduled breaks, etc.).
2. The letter of notice may contain specific requirements or restrictions, until the matter is resolved through the student conduct process. These requirements could include, but are not limited to, temporary relocation in campus housing, restriction from specific campus locations, or orders prohibiting contact with Complainants or witnesses. The notice letter is sent to the student's current email address on record with the University. The letter may also be served to the student by the University police.

C. Options for Resolution of Disciplinary Charges

1. After reviewing the letter of notice and incident report, the Respondent may either accept responsibility or dispute the charges. If disputing, the Respondent should notify the Hearing Officer before the hearing.
2. If the Respondent disputes the charges, the case may require additional investigation or preparation time. The student or the Hearing Officer may ask to reschedule the hearing to allow more time to prepare. Student requests to reschedule will be considered by the Hearing Officer, based on the totality of circumstances, and may be granted or denied at the Hearing Officer's discretion.

D. Hearings

University Hearing Officers conduct Disciplinary Hearings using these guidelines:

1. The Complainant and the Respondent may bring an advisor or support person to the hearing, at their own expense. Such advisor may be an attorney. The advisor is limited to counseling the student; s/he may not represent the student, speak on the student's behalf, or participate directly in the hearing. Advisors may not serve in a dual role as a witness in the hearing. University Hearing Officers may also consult with or include University Counsel as an advisor at the hearing.
2. University disciplinary hearings are considered private educational interactions between the student(s) and the University. The Complainant, Respondent and their advisors, if any, may attend the entire hearing (excluding deliberations). Others may attend at the discretion of the Hearing Officer.
3. The Hearing Officer may consider records, exhibits, and written statements. The Complainant and the Respondent shall have the opportunity to review and respond to any reports or statements the Hearing Officer considers, but copies must be requested in writing. Student requests for copies will be considered by the Hearing Officer, based on the totality of circumstances including the sensitive nature of the allegations or information, and may be granted or denied at the Hearing Officer's

discretion. If the request for copies is denied, the information may be reviewed at the Conflict Resolution and Student Conduct Services Office.

4. The Complainant and the Respondent may present their own versions of the incident to the Hearing Officer. They may include written statements and witnesses.
5. If the Respondent misses the scheduled hearing, the Hearing Officer may make a decision with the information available.
6. If the Respondent disputes the charges, the hearing may be recorded. The recording is the property of the University. If a student wishes to obtain a copy of the hearing record, a request must be submitted in writing to the Conflict Resolution and Student Conduct Services Office. This may be done via FAX, mail, or in person. If the student wishes to have a copy, the recording of the hearing must be reduced to a written transcript at the student's expense. This must be done by a certified reporter and prepaid by the student. Alternatively, the recording may be made available for the Complainant or Respondent to listen to within the Conflict Resolution and Student Conduct Services Office.
7. In disputed cases, the Complainant, the Respondent, and the Hearing Officer may bring or request relevant witnesses. If the Complainant or Respondent requests witnesses identified in the report at least two business days before the hearing, the Hearing Officer will make reasonable efforts to arrange for the attendance of the requested witnesses. Witnesses may be present only when they are giving information. Only the Hearing Officer may ask questions; the Respondent and/or Complainant may suggest questions for each other or witnesses. The Hearing Officer guides all questioning and limits repetition/statements. All procedural questions are subject to the final decision of the Hearing Officer.
8. The Hearing Officer may reschedule the hearing if the case requires further investigation or to accommodate irresolvable scheduling conflicts.
9. If a case involves more than one Respondent, the Hearing Officer may permit the students to have combined or separate hearings.
10. The Hearing Officer may accommodate witnesses through conference phone calls or other alternate means. Accommodations may also be made related to concern for their personal safety or fear of confrontation with the Complainant, Respondent, or other witnesses. Possible accommodations include separate facilities, a visual screen, participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, or other means.
11. The formal rules of process, procedure, or evidence used by the justice system do not apply to the discipline process.

E. Decisions

1. After the hearing, the Hearing Officer decides the outcome of each charge based on the 'preponderance of evidence' standard – whether it is more likely than not that the Respondent violated the Student Conduct Code.
2. The Hearing Officer determines appropriate disciplinary action based on the incident's severity, impact on others, and the student's past record of conduct violations. Possible actions include limits or conditions, relocation in campus housing, restitution, community service, and/or educational programs and

interventions related to alcohol or drug use, ethical decision making, personal counseling, community issues, and restorative justice.

3. The Respondent receives the Hearing Officer's decision in writing within ten (10) business days of the hearing. The decision includes: determination of responsibility, level of discipline imposed, and a complete description of any sanctions or requirements. In sex offense cases, both the accuser and the accused receive the Hearing Officer's decision. A copy of the decision may also be sent to other appropriate University offices. Compliance with this paragraph does not violate the Family Educational Rights and Privacy Act (FERPA). For the purpose of this paragraph, the outcome of a disciplinary proceeding means only the institution's final determination with respect to the alleged sex offense and any sanction that is imposed against the accused. The notification shall consist of the determination of responsibility, level of discipline imposed, and a complete description of any sanctions or requirements. In disputed cases, when the Respondent is found responsible for the charges, the notification will also include a summary of the basis for the determination.
4. The Respondent may not release decision letters that include victim's information to unauthorized third parties. If s/he does, s/he may face additional disciplinary charges.

F. Sanctions

Due to the educational and assessment based nature of the conduct process, the Hearing Officer considers the totality of information provided in determining the appropriate outcomes and sanctions following hearings. The Hearing Officer may impose one or more of these sanctions as appropriate for the student's personal development and the well-being of the campus community. The following sanctions may be applied when appropriate to individual students. More than one of the sanctions listed below may be imposed for any single violation. If the student fails to complete disciplinary sanctions by the stated deadline, a "hold" is placed on the student's registration status.

1. No Action

No disciplinary action is taken.

2. Warning or Written Reprimand

A student is formally warned or reprimanded for minor infractions.

3. General Disciplinary Probation

Probation is for a designated period of time during which the student is required to show appropriate changes in attitude and behavior. Specific sanctions or restrictions may be imposed as a part of this discipline but do not result in loss of good standing with the University. A violation of the terms of General Disciplinary Probation, or subsequent misconduct after discipline, is grounds for further disciplinary action, including loss of good standing, suspension, or expulsion.

4. Disciplinary Probation/Loss of Good Standing

Probation is for a designated period of time during which the student is required to show appropriate changes in attitude and behavior. Specific sanctions or restrictions may be imposed as a part of this probation. The student on disciplinary probation is

not in good standing with the University. Loss of good standing prohibits the student from:

- a. representing the University through official events
- b. serving on a University committee
- c. participating in intercollegiate or Sports Club athletics
- d. holding office in a student organization

A student who commits a conduct violation while on probation may face further disciplinary action, suspension or expulsion.

5. Discretionary Sanctions

The Hearing Officer offers or requires educational programs or assignments, Restorative Justice, mediation, community service, individual assessment, counseling, substance abuse education, intervention or treatment, or other discretionary sanctions.

6. Restitution

Compensation for loss, damages, or injury. This may take the form of appropriate service or monetary or material replacement.

7. Grading Penalty

The instructor imposes a grading penalty such as a zero on the assignment, a grade reduction or failure in the class, or loss of the repeat/delete option. This action will be recorded in the student's discipline file. For serious or repeated academic misconduct offenses with reduced course grade, the student's transcript may be marked with "AM" indicating a "reduction of letter grade for Academic Misconduct."

8. Residential Reassignment

A student may be reassigned to another residence hall room or building for disrupting the residential community or to appropriately separate persons.

9. Residential Expulsion

The student is banned from the residence halls permanently. Since first-year students are required to live in University Residence Halls and manage their behavior to comply with community standards, the Director of Conflict Resolution and Student Conduct Services decides if the student is exempted from that requirement.

10. Disciplinary Suspension

Suspension is for a distinct period of time during which the student may not attend classes, use University facilities, participate in University activities, or be employed by the University for a certain time. In some instances, the student must fulfill specified requirements before the University will consider re-admission or re-instatement. Special conditions may be stipulated for reinstatement at the conclusion of the period of suspension.

11. Deferred Suspension

Suspension is deferred while the student participates in a designated program, remaining in school under a strict probationary status.

12. Disciplinary Expulsion

The student is permanently separated from the University and may not return. The expulsion is permanently noted on the student's transcript and will not be removed.

13. Revocation of Admission or Degree

The University may revoke admission or a degree for fraud, misrepresentation, or for other serious violations committed by the student prior to matriculation or graduation. Only the Board of Governors may revoke a degree.

14. 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 sanctions imposed.

15. Parental Notification

The University notifies parents when a student under age 21 is found responsible for infraction(s) involving alcohol, drugs, or violence, and is placed on disciplinary probation, suspended, or expelled from the residence hall or University.

G. Appeal of a Disciplinary Decision

1. A Hearing Officer's decision may be appealed to the University Discipline Panel by either the Respondent(s) or Complainant(s). The student must submit a written request for an appeal within 7 business days after the decision is sent to the student. The appeal request must include the reasons for the request and be addressed to the Chair of the University Discipline Panel. Administrative support for the Discipline Panel is provided through Conflict Resolution and Student Conduct Services. The appeal request shall be delivered to that office within seven (7) business days of the date the appellant is notified of the decision rendered by the Hearing Officer. Failure to submit a request for appeal in writing within the specified time will render the Hearing Officer's decision as final.

Except as necessary to explain the basis of new information, an appeal shall be limited to a review of the record of the hearing and supporting documents for one or more of the following reasons: The Chair of the University Discipline Panel considers the request based on:

- a. Whether the hearing was conducted fairly, giving both the Respondent and Complainant the opportunity to present relevant information. Minor deviations from designated procedures will not be a basis for sustaining an appeal unless there is an adverse effect on the outcome of the hearing.
- b. Whether the decision was based on substantial and sufficient information. That is, whether there was information presented in the case that, if believed by the Hearing Officer, was sufficient to establish that a violation of the Student Conduct Code occurred.
- c. Whether the sanction(s) imposed were appropriate for the violation.
- d. Whether the decision separates the student from the University through disciplinary suspension or expulsion.
- e. To consider new information that was not available for the hearing.

- f. To petition for removal of a disciplinary transcript notation or for eligibility to re-apply to the University after completing the terms of a disciplinary suspension. Appeals are directed to the panel only when the University Hearing Officer determines the original terms were not satisfactorily completed.
2. The Chair of the Discipline Panel will review the written request for appeal to determine if the acceptable grounds for the appeal are met. After reviewing the appellant's request, which may include but is not limited to review of the record and/or meeting with the parties involved and/or the Hearing Officer, the Chair of the Discipline Panel shall take one of the following actions:
 - a. Deny the appeal.
 - b. Return the case to the Hearing Officer or Director of Conflict Resolution and Student Conduct Services for further consideration. The student must abide by the original conditions while the case is under review.
 - c. Convene an Appeals Committee to review the record of the original case.
 - d. Grant a hearing with an Appeals Committee to consider new information.
3. When an appeal is granted, the Appeals Committee reviews the record or schedules a hearing of new information, if necessary. In the meantime, the Respondent must comply with all restrictions of the Hearing Officer's original decision, including separation from University housing, no contact orders, restrictions from particular facilities, interim suspensions, or other conditions. Unless otherwise specified, a student may continue to attend classes while the appeal is pending.
4. When questions of law arise, the Chair may consult with University Legal Counsel.
5. A list of Discipline Panel members is provided to the Respondent and/or the Complainant(s). The Hearing Officer, Respondent, or Complainant may request that the Chair remove a member of the panel with cause. The Chair decides whether or not to remove members. Members of the panel shall excuse themselves if they have a conflict of interest. The Chair of the University Discipline Panel either chairs the Appeals Committee or selects a Chair from among the faculty members of the University Discipline Panel. The remaining two faculty and two students are selected from the remaining names following a rotation schedule.
6. If a hearing is granted to consider new information, it follows the general hearing process.
7. The Appeals Committee does one of these things:
 - a. Reverses the decision: the committee disagrees with the Hearing Officer's evaluation of evidence. If the appeal is resolved in the Respondent's favor, the disciplinary decision is changed to "No Action." If the appeal is resolved in the Complainant's favor, the case is referred back to the Hearing Officer or Director of Conflict Resolution and Student Conduct Services for possible revision of sanctions.
 - b. Affirms the decision: the committee agrees that the information supports the Hearing Officer's decision.
 - c. Returns the case to the Hearing Officer or Director of Conflict Resolution and Student Conduct Services for further consideration: the committee may

recommend increasing or decreasing the penalty or addressing additional issues. While the case is being re-considered, the student must continue to abide by any stated conditions.

8. The Appeals Committee communicates its decision to the appellant in writing. Unless the case is returned to the Hearing Officer for further consideration, the Committee's decision is considered final.
9. The University Discipline Panel consists of ten (10) academic faculty members and ten (10) students. Faculty is nominated by the Faculty Council Committee on Faculty Governance each year in February. Members are elected by Faculty Council in April. Faculty members serve three-year terms, staggered so that approximately one-third are elected each year. Terms of office begin July 1 after each election. All full-time academic faculty above the rank of instructor are eligible for membership, unless they have administrative appointments of more than half time. A member who has served two consecutive terms is ineligible for reappointment for a period of two years. Vacancies are filled in the same manner as the initial selection of the resigning member.
10. Student members are nominated by the President of the Associated Students of Colorado State University and ratified by the ASCSU Senate. Student members serve a one-year academic term. Any vacancies will be filled as quickly as possible using the same process of nomination by the President and ratification by the ASCSU Senate. ASCSU leaders or their designees, who have received appropriate training, may serve on the panel, as needed, over winter or summer breaks or if selected members are not available. All full-fee paying students in good standing with the university are eligible for membership on the University Discipline Panel.
11. The Chair of the Discipline Panel is an administrative nomination made by the Vice President for Student Affairs and is approved by the Faculty Council. The Chair must be re-approved by the Faculty Council every three years but is otherwise not subject to specific terms limits.

H. Other Appeals

1. Housing Re-assignments or Cancellation of the Residence Hall Contract

Residential move appeals are made directly to the Director of Residence Life whether or not an appeal of the entire disciplinary decision is filed with the Discipline Panel.

2. Grading Penalty

If the student disputes a finding of academic misconduct and an associated grading penalty, the student may request a disciplinary hearing through Conflict Resolution and Student Conduct Services. The request must be submitted (or postmarked, if mailed) no later than within thirty (30) calendar days after the next semester's first day of classes of the next regular semester following the date the grade for the course was initially recorded or subsequently revised. If the Hearing Officer clears the charges, the instructor revises the grade, considering only academic performance and disregards the academic misconduct charge. If the Hearing Officer finds the student responsible for academic misconduct, the grading penalty stands and additional sanctions may be imposed.

Article V: All University Hearing Board Procedures

A. Composition

The All University Hearing Board will be composed of at least seven and up to eleven students; made up of members of the Greek community and/or members of the Associated Students of Colorado State University (ASCSU) Supreme Court.

B. Charges

1. Any member of the University or larger community may report alleged misconduct involving a student club or organization in writing to Conflict Resolution and Student Conduct Services or the respective advising staff or student leaders (i.e. Student Involvement and Activities, Greek Life, Sports Club, ASCSU). If a University staff member is notified of an incident from an outside person or entity, the staff member may document the call and prepare the charging report. If the reporting person fears retribution, the name may be withheld by the reporting staff member at the discretion of the Director of Conflict Resolution and Student Conduct Services. Anonymous calls or reports may warrant additional investigation to substantiate the validity of the complaint.
2. After reviewing the written report, the Director of Conflict Resolution and Student Conduct Services (or designee) may charge the student organization with a Student Conduct Code violation and refer the case to the All University Hearing Board.
3. Responsible Action Exemption – Student Organizations:
 - a. Background: The health and safety of members of the Colorado State community is a primary concern. Students are encouraged to make responsible decisions in emergency situations that result from alcohol and other drug abuse (to include alcohol poisoning, overdose, serious injury, and victims of sexual assault) and to seek medical attention for someone who is in danger because of intoxication. Colorado State University seeks to remove the barriers that prevent students from seeking the medical attention they need. Therefore, students should alert Residence or Apartment Life staff, the Colorado State University Police Department, Fort Collins Police Department or other university personnel when they or another person are in danger.
 - b. Exemption from Discipline: Student organizations and their leaders/members that seek immediate assistance from appropriate sources will not be charged with violations of the Student Conduct Code related to alcohol and other drugs, providing that the organization's members and/or the student impacted, including the organization's leaders, completes an assessment and any recommended treatment by the University Hearing Officer. The organization must also cooperate with University officials and procure its members for training or educational programs deemed necessary or advisable by the Hearing Officer. Failure to complete an assessment, recommended treatment or training/educational programming may result in charges from the Conflict Resolution and Student Conduct Services Office.
 - c. How to Receive Exemption: The student and organization that seeks a disciplinary exemption must complete the following steps:

- i. The student who contacts an appropriate resource (i.e. law enforcement or other University staff) on behalf of an intoxicated student must remain with the intoxicated student. Alternatively, a leader from the student organization may also remain with the intoxicated student.
 - ii. The student seeking assistance for an intoxicated student must give his/her name to law enforcement or staff. Alternatively, a leader from the student organization may also provide his/her name.
 - iii. The student who calls and representative from the organization's leadership must contact the Office of Conflict Resolution and Student Conduct Services within three (3) business days of the incident.
 - iv. The student and/or organization's leadership must work with the organization's membership and submit confirmation to the office of Conflict Resolution and Student Conduct Services an assessment was completed by all members deemed necessary by the Hearing Officer, and that any additional educational or treatment requirements have been completed.
- d. Limitations to Exemption. The disciplinary exemption does not apply to students or student organizations experiencing an alcohol or drug-related medical emergency that are found by university staff (i.e. Residence or Apartment Life staff, Colorado State Police Department, Faculty, or Administrative Staff) or local law enforcement. The help must be sought by, or on behalf, of a student. In cases of repeated violations of the Student Conduct Code, the University reserves the right to take judicial action on a case by case basis regardless of the manner in which the incident was reported. The University reserves the right to adjudicate any case in which the violations are egregious. The University may consider all prior exemptions granted to student organizations in determining whether additional exemptions should be granted. If it is determined that a student organization is engaging in repeat, similar conduct that results in alcohol or drug related incidents that negatively impact the campus or community, exemptions may be denied. No exemptions will be provided related to any activities that may constitute hazing in violation of the Student Conduct Code or Colorado law.
- e. Records. All proceedings and records directly related to a Responsible Action Exemption will be considered educational and will not be maintained as discipline records. If the incident involves a student under the age of 21, parents may be notified.

C. Hearing Notification

1. Charges are presented to the Respondent Student Organization in writing. This letter of notice sets a date and time for the hearing and may also provide a copy of the initiating report(s). Hearings are arranged as quickly as possible and may be extended until after scheduled breaks.
2. The letter of notice may include specific requirements or restrictions as needed to protect students, the student organization, or the University. These requirements may include temporary suspension of activity until the matter is resolved through the conduct process or orders prohibiting contact with Complainants or witnesses. The notice letter will be sent to the Student Organization President and local Advisor(s) and Inter/National Organization (if any).

D. Options for Resolution

1. The President and Advisor of the Student Organization meet with the designated Chairperson(s) of the All University Hearing Board to discuss the charges and the options. If the charges are disputed or if sanctioning is best determined by the board, the case moves forward to the All University Hearing Board for a discipline hearing.
2. In some cases, the Director of Conflict Resolution and Student Conduct Services may offer alternative resolution such as Restorative Justice or mediation if all parties are willing. A written summary of these agreements are provided to all parties; they are binding and may not be appealed. If the organization violates the agreements, it may face additional disciplinary action.

E. Hearings

Disciplinary Hearings are conducted by the All University Hearing Board using these guidelines:

1. The President of the Respondent organization may bring an advisor or support person, at the organization's expense. Such advisor may be an attorney. The advisor may only counsel the student(s) and may not represent the student organization, speak on the organization's behalf, or participate directly in the hearing. Advisors may not serve in a dual role as a witness in the hearing. The All University Hearing Board may also consult with University Counsel.
2. All University Hearing Board hearings are considered private educational interactions between the student organization and the University. The Complainant, Student Organization representatives, and their advisors may attend the entire hearing (excluding deliberations).
3. The All University Hearing Board may consider records, exhibits, and written statements. The Complainant and Respondent Student Organization representatives may review and respond to those reports or statements.
4. The Complainant and the Respondent Student Organization representatives may present their own perspectives of the incident.
5. If the Respondent Student Organization representatives miss the hearing, the All University Hearing Board may decide the outcome based on the available information.
6. Witnesses may be called or requested by the Complainant, the Respondent Student Organization representatives, and the All University Hearing Board. If the Complainant or Respondent Organization requests witnesses identified in the report at least two business days before the hearing, the Hearing Officer will try to arrange it. Witnesses outside of the University community may participate via conference call or the University staff member who responded to the complaint may present the original complaint. Witnesses are present only while they present information in the hearing. Witnesses answer questions from the All University Hearing Board. Questions may be suggested by the Respondent Student Organization and/or Complainant to be answered by each other or by witnesses. The All University Hearing Board guides all questioning and limits repetition.

7. The All University Hearing Board may reschedule the hearing to allow time for investigation or to accommodate irresolvable scheduling conflicts.
8. If the hearing involves more than one Respondent Student Organization, the All University Hearing Board may conduct the hearings concerning either jointly or separately.
9. The All University Hearing Board may accommodate safety concerns or fears of confrontation/retribution by the Complainant, Respondent Student Organization, or other witnesses. Accommodations may include separate facilities, a visual screen, participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, or other means.
10. Formal rules of the justice system do not apply to the University discipline process.

F. Decisions

1. The All University Hearing Board decides the outcome of each charge based on the 'preponderance of evidence' standard – whether it is more likely than not that the Respondent Student Organization violated the Student Conduct Code.
2. The All University Hearing Board determines appropriate disciplinary action, considering the incident's severity; impact on others; willingness to remedy the situation; sanctions or restrictions; and past discipline record.
3. The All University Hearing Board sends its decision in writing to the student organization within ten (10) business days of the hearing. The decision includes responsibility, discipline level, and a complete description of sanctions or requirements. A copy of the decision may also be sent to other appropriate University offices. The University reserves the right to inform parents of involved students of the disciplinary decisions related to Student Organizations.
4. The Respondent Student Organization may not release decision letters including victims' information to unauthorized third parties. If the organization violates this requirement, it may face additional disciplinary charges.

G. Sanctions

1. No Action

The All University Hearing Board takes no disciplinary action.

2. Warning or Written Reprimand

A student organization is warned or reprimanded for minor infractions.

3. General Disciplinary Probation

The student organization is required to change problem behaviors and implement specific plans or remedies for a certain time. The organization remains in good standing with the University. If the organization commits a conduct violation while on probation, it may face further disciplinary action, including loss of good standing, suspension, or loss of recognition as a Colorado State University Student Organization.

4. Disciplinary Probation/Loss of Good Standing

The student organization is required to change problem behaviors and implement specific plans or remedies for a certain time. The organization is not in good standing with the University, which means it may not:

- a. represent the University
- b. serve on a University committee
- c. participate in intercollegiate or Sports Club athletics

If the organization commits a conduct violation while on probation, it may face further disciplinary action, including suspension or removal of recognition.

5. Disciplinary Suspension

The organization ceases operations and forfeits the rights and privileges associated with recognition by the University for a certain time. While on suspension, the organization may not: represent itself as affiliated with Colorado State University, participate in University events using the name of the suspended organization, recruit new CSU student members, or use University facilities or resources. The Student Organization must fulfill certain requirements before the University will consider re-instatement.

6. Removal of Recognition

Recognized student organizations may lose recognition after a University Hearing. 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, for an indefinite period of time, or until stated conditions are met.

7. Discretionary Sanctions

The organization participates in educational programs or assignments; Restorative Justice; mediation; community service; substance or intervention; leadership development, ethics, or values development; or other related discretionary sanctions.

8. Restitution

The organization compensates for loss, damage, or injury with appropriate service, monetary or material replacement.

9. Monetary Fines

The organization pays a fine published by the respective governing board.

H. Appeals

1. The Director of Conflict Resolution and Student Conduct Services or his/her designee serves as the appellate board for review of decisions made by the All University Hearing Board. If the Director serves as the original Hearing Officer, the Vice President of Student Affairs shall appoint a three-person committee to consider the appeal. The committee shall then make recommendations to the Vice President of Student Affairs, who will make the final decision regarding the appeal.

2. The Respondent Student Organization or Complainant(s) may appeal the decision of the All University Hearing Board in writing within 7 business days from the decision being sent. The appeal request must clearly state the reasons for the request and be addressed to the Director of Conflict Resolution and Student Conduct Services. After 7 business days the decision of the All University Hearing Board is considered final.
3. The appeal request will be considered based on:
 - a. Whether the original hearing was conducted fairly, giving both the respondent and complaining parties the opportunity to present relevant information.
 - b. Whether the decision is based on substantial and sufficient information.
 - c. Whether the sanctions(s) imposed are appropriate for the violation.
 - d. Whether the decision revokes recognition by the University.
 - e. Whether new information exists that was not available at the original hearing.
4. After reviewing the appellant's request, the Director will take one of these actions:
 - a. Deny the appeal.
 - b. Return the case to the All University Hearing Board for further consideration; while the case is being re-considered, the Student Organization must continue to abide by any stated conditions.
 - c. Grant a hearing to consider new information.
5. If an appeal is granted, the Director will review the record or arrange for a hearing if one is necessary to hear new information. While the decision of the Appeals Committee is pending, the Respondent Student Organization must comply with all conditions of the decision of the All University Hearing Board.
6. If a hearing is granted to consider new information, the general process outlined under the All University Hearing Board procedures will be used.
7. The Director or his/her designee may make one of the following decisions:
 - a. Reverse the decision: If the appeal is resolved in the Respondent's favor, the disciplinary decision is changed to "No Action." If the appeal is resolved in favor of the Complainant, the case is referred back to the Hearing Officer or Director of Conflict Resolution and Student Conduct Services for possible revision of sanctions.
 - b. Affirm the decision: the committee agrees that the information supports the decision reached by the All University Hearing Board.
 - c. Return the case to the All University Hearing Board for further consideration: the committee believes that additional considerations should be made which could include increasing or decreasing the penalty or addressing additional issues raised through the appeals process. While the case is being re-considered, the Student Organization must continue to abide by any stated conditions.
8. The Director of Conflict Resolution and Student Conduct Services or his/her designee will communicate his/her decision to the student organization in writing. Unless the case is returned for further consideration, the matter is considered final.
9. The All University Hearing Board considers members from the ASCSU Supreme Court who are nominated by the President of the Associated Students of Colorado

State University and ratified by the ASCSU Senate to serve a two-year academic term. Any vacancies will be filled as quickly as possible using the same process of nomination by the President and ratification by the ASCSU Senate. ASCSU leaders or students designated by the Director of Conflict Resolution and Student Conduct Services, who have received appropriate training, may serve on the panel, as needed, to achieve a quorum or over summer breaks if selected members are not available. All full-fee paying students in good standing with the university are eligible for membership on the ASCSU Supreme Court. Student members may serve more than one term.

10. The ASCSU Supreme Court Chief Justice is a nomination made by the ASCSU President and subsequent ratification by the ASCSU Senate.

Article VI: Record of Discipline

A. Student Records

1. Conflict Resolution and Student Conduct Services maintain student disciplinary records keeping with the Federal Family Educational Rights and Privacy Act of 1974 (FERPA), subsequent amendments, and implementation guidelines. These records are maintained for seven years from the date of the last disciplinary decision, if the student is no longer enrolled at the University. All disciplinary records are destroyed after this period, except in cases of expulsion. Information regarding a student's disciplinary record is available to University members or offices with a "demonstrated need to know." Disclosure of disciplinary records to others generally requires a written release from the student.
2. Notations of disciplinary action on the student's transcript will be made only by the Conflict Resolution and Student Conduct Services office. Disciplinary expulsion will be permanently noted on the academic transcript and cannot be removed. Disciplinary suspension is noted on the transcript during the period of suspension and/or until the conditions for re-admission have been met. In the case of suspension, when the conditions for re-admission have been met, the student may petition for admissions clearance and/or removal of the notation whether or not the student intends to return to Colorado State University. If the petition is denied the student may appeal the decision to the University Discipline Panel. The "AM" notation by a course grade as a result of academic misconduct may only be added to the transcript with agreement of both the course instructor and a hearing officer. That negative notation is generally permanent.
3. Should a student wish a copy of the record, a request must be submitted in writing to the Conflict Resolution and Student Conduct Services Office. This may be done via FAX, mail, or in person. Once the request has been received, a copy will be made available to the student after three business days. Alternatively, based on the totality of circumstances including the sensitive nature of the allegations or information, the request for copies may be granted or denied at the Hearing Officer's discretion. If the request for copies is denied, the information may be reviewed at the Conflict Resolution and Student Conduct Services Office.

B. Student Organizations

Disciplinary records related to Student Organizations are kept on file in the Conflict Resolution and Student Conduct Services Office. FERPA prohibits unauthorized disclosure of information considered personally identifiable to any individual student if that information would be considered part of that student's education record. The general disciplinary findings related to Student Organizations may be disclosed publicly or internally to the University.

Article VII: Victims

A. Records

In situations involving both a Respondent student(s) (or group or organization) and when a student claims to be the victim of another student's or student organizations conduct, the incident record is considered an education record of each party. This provision allows for alleged victims/complainants to participate in the hearing process and be informed of the determination and sanctions imposed, if any. If the alleged victim is deceased as a result of the conduct, the next of kin of such victim may be treated as the alleged victim with regard to requests for information. The victim may ask to be informed (to the extent permitted by law) of the impending return of the Respondent student to campus, if the Respondent met all conditions of the suspension while the victim remains a student.

B. Support for Victims

1. The University is committed to provide appropriate support and referrals to victims of crimes or violations of the Student Conduct Code. A victim of another person's unlawful or prohibited actions may seek personal support, explore options, and report the incident.
2. Confidential services are available through the Victim Assistance Team, University Counseling Center, CSU Health Network, and Student Legal Services. Other University agencies may be required by law and University policy to take appropriate action when notified.
3. Victims may receive assistance from other appropriate University resources, such as relocation within or to campus housing; academic support services; notification of appropriate persons/agencies; and at the victim's request, University cooperation in using University procedures to deter harassment or retribution.
4. Students are encouraged to report complaints of:
 - a. sexual harassment or discrimination to the Office of Equal Opportunity;
 - b. crimes to the Colorado State University Police;
 - c. violations of the University Student Conduct Code to residential staff or Conflict Resolution and Student Conduct Services;
 - d. interpersonal and sexual violence to the CSU Police and Victim Assistance Team;
 - e. violations of their right to free speech in the classroom directly to the instructor involved or his/her department chair or the Conflict Resolution and Student Conduct Services Office.

Article VIII: Interpretation and Revision

Under the authority of the President, any question of interpretation or application of the Student Conduct Code shall be referred to the Vice President for Student Affairs or his or her designee for final determination.

The Student Conduct Code shall be reviewed every three years under the direction of the Vice President for Student Affairs, in consultation with the General Counsel and subject to the approval of the University President and Board of Governors.

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