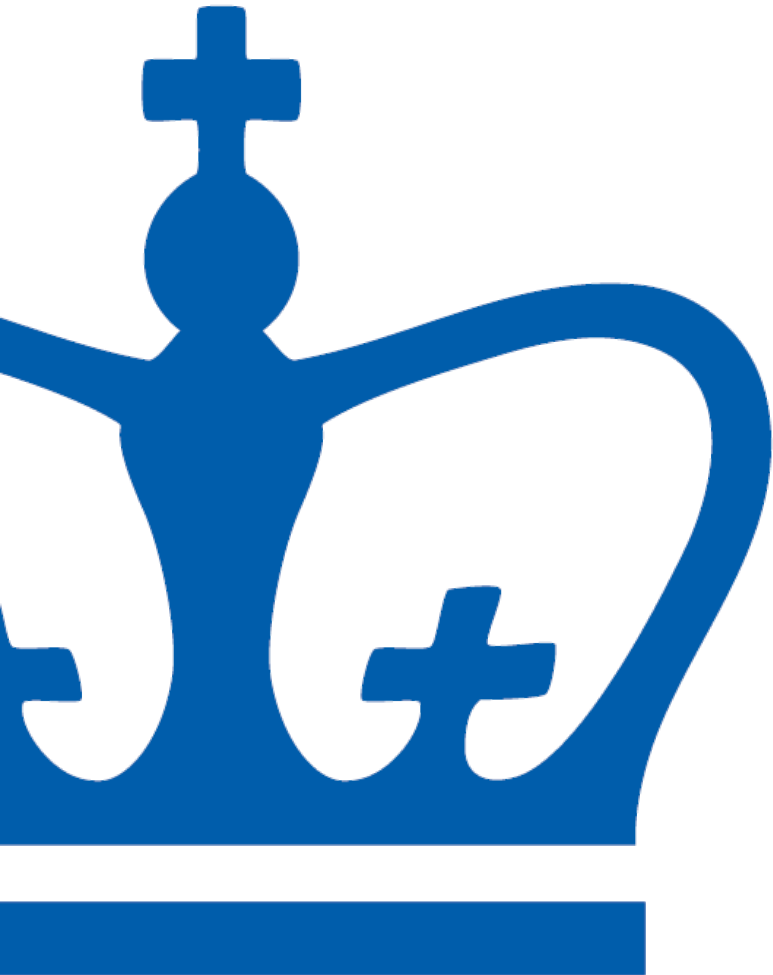
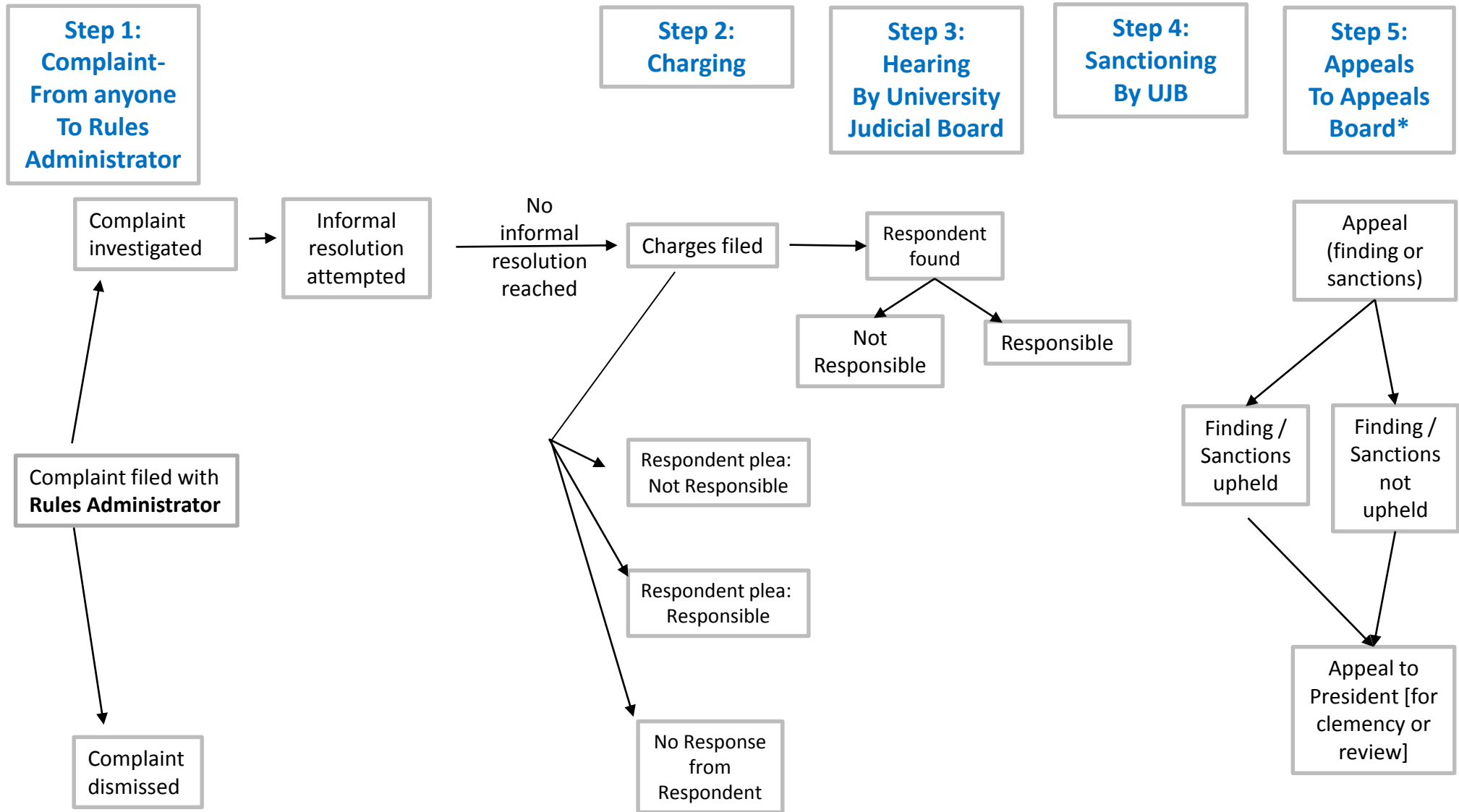


The Rules of University Conduct: Proposed Revisions



Proposed Procedure: Move to Internal CU-wide Hearing Process



*Respondent may appeal both the UJB decision and sanction
The Rules Administrator may appeal only the UJB decision

Hearing Panel and Appeals Board

Hearing to University Judiciary Board

- For Respondents charged with Rules violations who have not reached an informal resolution
- Hearing determines whether Respondent is responsible or not responsible
- Hearing may be open or closed
- University Senate Executive Committee appoints the UJB
- UJB has five members, including
 - At least one student
 - At least one faculty member
 - At least one member must be a Senate research officer, librarian, or administrative officer or staff
 - None of these three groups may have a majority of members of the UJB

Appeal to Appeals Board

- Rules Administrator or Respondent may appeal the UJB decision; Respondent may appeal the sanction.
- Appeals Board determines whether the decision should be overturned, affirmed, or reconsidered.
- Appeals Board determines whether the sanction should be affirmed, reduced, or eliminated; sanction may not be increased.
- Appeals Board has three members, each one a Dean of School or Division
- Conflict of Interest provisions prohibit the Dean of a Respondent's school from serving on the Respondent's Appeals Board

Violations*

Simple Violations

1. Conduct that places another in danger
3. Words threatening bodily harm where there is clear danger of such harm.
5. Conduct causing minor property damage or endangering CU property
7. Brief interference with use of a CU facility, without substantial disruption of a CU function.
10. Entrance to a private office without authorization.
12. Noise hindering others in normal CU activities.
13. Brief interruption of a CU function
16. Failure to self-identify upon a delegate's request.
18. Disobedience of a delegate's orders to regulate a demonstration.
19. Failure to disperse upon a delegate's order after reasonable efforts.

**(16) from the current Rules is reclassified as a simple violation.*

**(21) and (22) from the current Rules, on aiding or abetting others in simple or serious violations, have been eliminated.*

Serious Violations

2. Conduct causing physical violence to someone.
4. Words inciting others to violate (2) and (6).
6. Damage to books, scholarly material, or property belonging to CU or to someone else in a CU facility, causing substantial loss.
8. Longer than brief interference with use of a CU facility, disrupting a CU function.
9. Unauthorized occupation of a CU facility after it has been closed.
11. Occupation of a private office for one's own purposes.
14. Disrupts a CU function, or renders its continuation impossible.
15. Illicit use of (or threat to use) firearms or other dangerous weapons.
17. Other obstruction of a delegate's discharge of official responsibilities under the Rules.
20. Failure to disperse upon a delegate's order after notice from the delegate that serious violations have been committed

Wider Range of Sanctions

Sanctions for a **simple violation***:

- Private/public reprimand/warning
- Disciplinary probation
- Restricting access to University facilities
- Community service
- Issuing a “no contact” order or requiring the order to remain (restricted to cases and threats of bodily harm)
- Removal from University housing

Sanctions for **repeated simple violations** include those listed above in addition to:

- Dismissal or restriction from University employment
- Suspension (limited time or indefinite)

* Censure has been eliminated as a sanction for serious or simple violations.

Sanctions for a **serious violation*** include those listed for simple or repeated simple violations, in addition to:

- Expulsion
- Revocation of degree

University Action in Addition to Sanctions

In addition to the sanctions, the University may require the following of the Respondent:

- ◆ Appropriate education and/or training related to the violation
- ◆ Counseling or support services

The University may also take the following measures to respond to the effects of incidents on the CU community:

- ◆ Increased supervision at locations or activities where misconduct occurred
- ◆ Additional training and materials for faculty, students, and staff.
- ◆ Revision of the Rules of University Conduct

What Else Is New?

- Inclusion of a time frame for the stages of the disciplinary process
- Greater notice for the Respondent
- An internal disciplinary process with rights for the Respondent that are not available under Dean's Discipline
- The advisors that a Respondent can have are explicitly listed, but the list is not exhaustive and it includes the option of an attorney-advisor
- A process for managing conflicts of interest
- Open & closed hearing options
- A public discussion of the Rules every four years.