



Student Conduct & Conflict Resolution

UNIVERSITY OF COLORADO **BOULDER**

STUDENT HONOR CODE & PROCEDURES

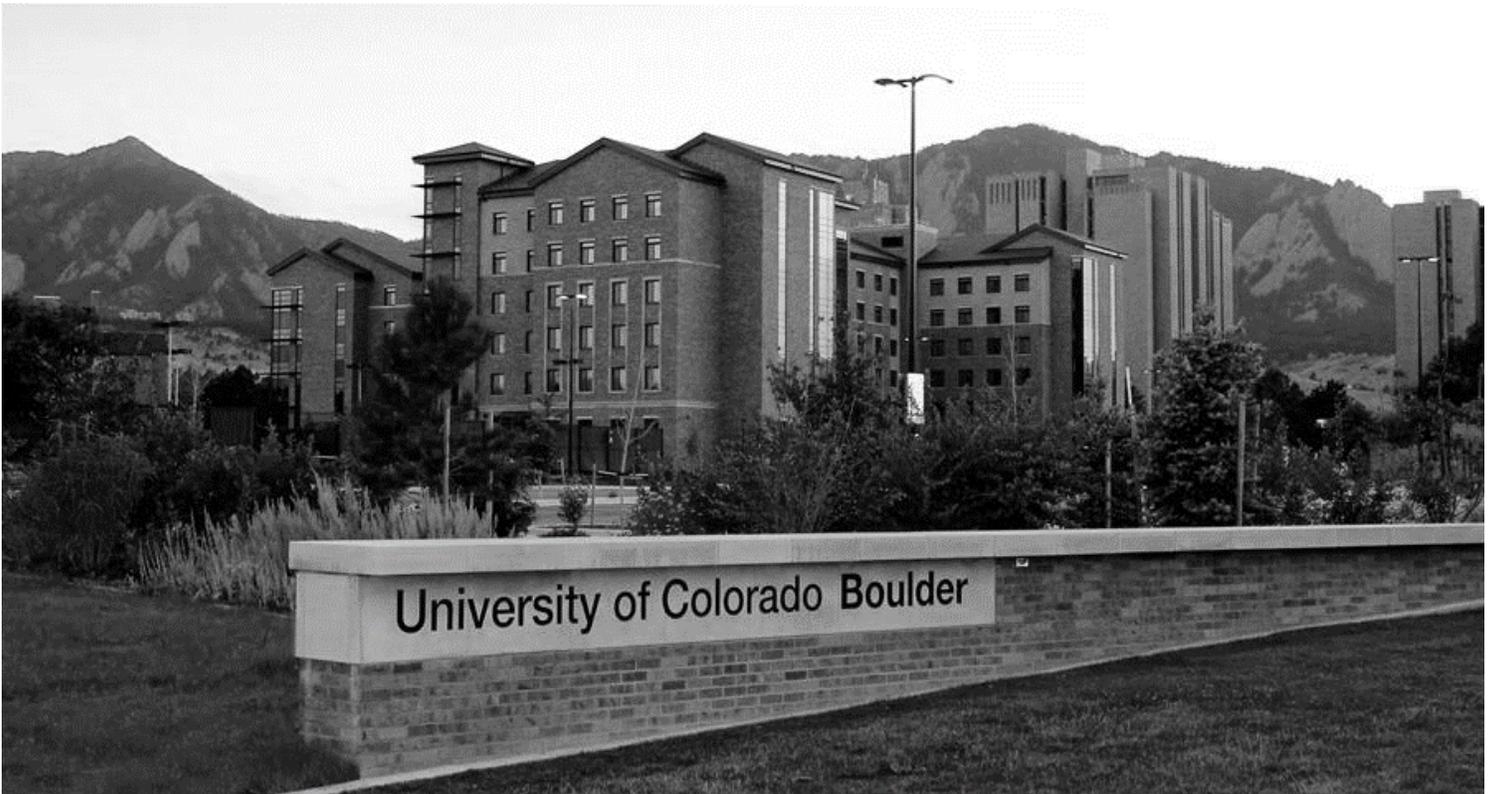
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The information contained within this document is intended to provide general information to members of the university community and is not intended to, nor does it, create a contract between Student Conduct & Conflict Resolution (SCCR), or CU Boulder, and community members. SCCR reserves the right to change or eliminate any of the language herein at its discretion and without notice.

A. MISSION AND VALUES OF THE HONOR CODE

MISSION

The mission of the Honor Code at the University of Colorado Boulder is to secure an environment where academic integrity can flourish.

VALUES

The Honor Code recognizes the importance of honesty, trust, fairness, respect, and responsibility and aims to instill these principles as essential features of the University of Colorado Boulder campus. The Honor Code allows all students to have responsibility for, and the ability to attain, appropriate recognition for their academic and personal achievements.

B. JURISDICTION

1. Pursuant to the University of Colorado Boulder Academic Integrity Policy, Student Conduct & Conflict Resolution (SCCR) is charged with adopting and publishing an Honor Code and procedures. All students of the University of Colorado Boulder enrolled in credit or non-credit classes are subject to the Honor Code for academic matters. The jurisdiction of the Honor Code includes, but is not limited to, the University of Colorado Boulder Campus, Continuing Education, Education Abroad, Honor Code Seminars and sanctions, and Distance Learning programs and classes.
 - a. As part of its role to prepare students for a self-regulating profession, the University of Colorado School of Law will maintain, administer, and implement its long-standing Honor Code, and will submit all records pertaining to violations to Student Conduct & Conflict Resolution. In the event that a student is referred to both the School of Law's Honor Code and SCCR's Honor Code, they will be subject to only one process to be determined on a case-by-case basis.
2. SCCR will work closely with individual schools, colleges, and programs to promote academic integrity campus-wide.
3. An Honor Code proceeding does not necessarily preclude other campus proceedings, if the

responding student's conduct potentially violates other campus policies.

Violations of the Honor Code include any act of academic dishonesty as defined in Section C.

C. PROHIBITED ACADEMIC CONDUCT

Academic Dishonesty includes any act in which a student gains, or attempts to gain, an unfair academic advantage over other students. These acts include, but are not limited to the following and also include any attempts to engage in the following:

1. **Plagiarism.** Portrayal of another's work or ideas as one's own; improper citation of another's work, including, but not limited to, one's own previous work.
2. **Cheating.**
 - a. **Unauthorized Use.** Use of prohibited notes or study aids; allowing another party to do one's work/exam and turning in that work/exam as one's own; copying another student's course work; collaborating on course work when prohibited; failing to abide by the specific written course instructions, including, but not limited to, exams, homework assignments, and syllabi; and/or use of electronic devices when not expressly permitted.
 - b. **Clicker Fraud.** Using, or having someone else use, clicker technology improperly in an effort to receive academic credit.
3. **Fabrication.** Falsification or creation of data, research, or resources, altering graded work without the prior consent of the course instructor.
4. **Lying.** Deliberate falsification with the intent to deceive, as applied to an academic submission of information.
5. **Bribery.** Providing, offering, or taking rewards in exchange for a grade, or, an assignment, or in the aiding of Academic Dishonesty
6. **Threat.** Acting to intimidate a student, staff, or faculty member for the purpose of affecting a grade or in an effort to prevent the reporting of an Honor Code violation, or in connection with any other form of Academic Dishonesty.
 - a. **Retaliation.** Retaliating against or discouraging, directly or through third parties, an individual from participating in the Honor

Code process. To be considered retaliation, there must be a causal connection between a materially adverse action and the act of reporting a violation or participating in an Honor Code process. A materially adverse action is one that would dissuade a reasonable person from reporting a violation, and includes, but is not limited to, intimidation, threats, or coercion. A determination of whether an action is materially adverse is a fact-dependent inquiry made on a case-by-case basis by SCCR staff.

7. **Unauthorized Access.** Gaining unauthorized access to, or use of, protected academic information including, but not limited to: CU-SIS; a faculty, student, or staff member's computer, files, and/or physical space; or secure information on an online server.
8. **Resubmission.** Submitting the same or similar work for credit, including, but not limited to, homework, more than once without permission from all course instructors involved
9. **Aiding Academic Dishonesty.** Facilitating any act which may help a student to gain an unfair academic advantage including, but not limited to, any of the aforementioned acts.
 - a. Sharing course materials, including but not limited to personal notes, in an unauthorized online bank or forum, whether for profit or for free, is strongly discouraged and may result in a referral to the Honor Code.

D. DEFINITIONS

1. **Faculty or Instructor**

For the purposes of this document, all references to faculty include, but are not limited to: Deans, Full Professors, Associate Professors, Assistant Professors, Research Professors, Teaching Professor, Senior Instructors, Instructors, Lecturers, Adjunct Faculty, Graduate Teaching Assistants, Graduate Part time Instructors, Undergraduate Teaching Assistants, and Professional Research Assistants.
2. **Academic Sanctions**

The course instructor has exclusive authority to apply the Academic Sanction that the instructor determines to be appropriate. SCCR does not have jurisdiction over academic sanctions. Academic Sanctions may include, but are not

limited to, assignment grades, course grades, and/or requiring additional and/or modified, assignments.

- a. Faculty has discretion to administratively re-enroll a student who has withdrawn from their course to ensure the grade sanction stands
- b. In the event of an academic sanctions appeal process, the reporting party or the responding student may request that the hearing officer explain the reasoning for the outcome of an Honor Code case. Contact your Program/College Dean or Associate Dean for more information.
- c. Questions about academic sanctions should be referred to individual departments and colleges.

3. **Non-Academic Sanctions**

Non-Academic Sanctions may be issued by the assigned hearing officer, in consultation with the Honor Code Advisory Board (HCAB), after a finding of responsibility for an Honor Code violation. Non-Academic Sanctions for violations of the Honor Code include, but are not limited to:

- a. Honor Code Expulsion (with automatic transcript notation)
- b. Honor Code Suspension (with automatic transcript notation for the period of suspension)
- c. Honor Code Probation
- d. Written Warning
- e. Academic Ethics Seminar (including applicable fees)
- f. Writing Seminar (including applicable fees)
- g. Educational/Skill Building Workshops (including applicable fees)
- h. Follow-up Meeting(s)
- i. Restorative Justice Process (including applicable fees)
- j. Seminar Sanction Fee

4. **Student**

All persons taking courses at the university, either full time or part time, pursuing undergraduate, graduate, or professional studies, as well as non-degree seeking students. This includes individuals who confirm their intent to enroll in programs, those attending new student welcome or orientation sessions, students between academic terms, and those who were enrolled at the date of an alleged incident. This also includes persons who are eligible to enroll but who are not currently enrolled at the university, persons who are suspended from the university, and persons participating in a leave of absence. Persons who withdraw after allegedly violating university

policies or who are not officially enrolled for a particular term but who have a continuing relationship as determined by Academic Advising, with the university are considered students.

E. ROLES

1. **Hearing Officer**

The hearing officer includes any university staff member designated to investigate and/or make decisions about facts in Honor Code cases. Hearing officers have the authority to determine sanctions including, but not limited to, status sanctions and non-academic sanctions.

2. **Advisors**

Responding students may bring an advisor of their choice, including but not limited to, an advocate, attorney, or other person who is not a potential witness or could otherwise compromise the process, to any Honor Code process meeting, including, but not limited to, meetings in the formal resolution process. Advisors are not permitted to speak for, or on behalf of, the responding student during any phase of the Honor Code process, including meetings in the formal resolution process. However, with permission from the hearing officer, advisors may make a statement and/or ask questions of the responding student to present relevant information after the hearing officer has completed discussions with the responding student. If a responding student chooses to bring an advisor to the meeting, it is the responding student's obligation to select an advisor whose schedule allows attendance within the time frame designated in the Honor Code Notice. SCCR, or the designated hearing officer, is not obligated to reschedule the meeting to accommodate an advisor's schedule.

3. **Faculty**

- a. Faculty are encouraged to support and promote academic integrity within their course by referring to the Honor Code on all pertinent materials including syllabi, tests, and other assignments. Faculty are encouraged to discuss the Honor Code periodically in class, as it applies to their courses.
- b. Reporting faculty are responsible for providing relevant documentation and information of alleged Honor Code violations. The hearing officer may reach out to reporting faculty for more information if deemed necessary.

4. **Honor Code Advisory Board**

The Honor Code Advisory Board (HCAB) is comprised of up to four faculty members and at least four students, including at least one graduate student. SCCR strives to have four members of HCAB present at meetings to review open Honor Code cases. However, minimum quorum is three, with at least one student and one faculty member present. If a graduate student allegedly violates policy within a graduate-level class, an HCAB graduate student representative must be present for the HCAB meeting. The Boulder Faculty Assembly selects faculty on the HCAB. The Director of SCCR, or their designee, selects students on the HCAB with the support of GPSG and CUSG. The HCAB discusses findings of responsibility on cases of alleged academic misconduct, provides technical expertise on complex cases, and advises the hearing officer on non-academic sanctions for Honor Code violations.

If the HCAB determines that the hearing officer has failed to give the consensus of the HCAB proper consideration, the HCAB may submit a written complaint to the attention of the Boulder Faculty Assembly Chair or the Director of Student Conduct & Conflict Resolution.

5. **Boulder Faculty Assembly (BFA)**

BFA discusses trends and observations of issues of academic misconduct, recruits faculty to administer non-academic sanctions, and educates other faculty on the Honor Code and Procedures.

If necessary, BFA reserves the right to work directly with the Director of Student Conduct to review cases and/or to submit a report with concerns related to case determinations and improper consideration.

6. **Honor Code Appeal Board**

A board of university community members, students, faculty, and/or staff appointed by the Director of Student Conduct & Conflict Resolution, or their designee, in conjunction with the Chair of the BFA, or their designee, and charged with reviewing cases that have been appealed through SCCR. See Section I.

F. PROCEDURES FOR CASE RESOLUTION

1. **Time Period for Referral of Suspected Violation**

SCCR shall only accept reports of suspected Honor Code violations made within 40 calendar days from the date of discovery of the suspected violation. SCCR may consider allegations that are suspected to have occurred more than 40 days before referral, where those allegations relate to more recent conduct which occurred within the 40-day time period.

2. **Honor Code Forms**

All forms are found on the SCCR website at <https://www.colorado.edu/sccr/honor-code>.

- a. Forms may be submitted electronically using the student's CU Boulder email account, via hand-delivery, or via mail. This includes, but is not limited to, Appeal, Release of Information, and Request to Inspect Records.
- b. The Honor Code referral form should be completed when a student is either suspected of, or has admitted to, a violation of the Honor Code. The submission should include all relevant information for the alleged violation. SCCR prefers Honor Code referral forms be submitted electronically via the web form.

3. **Reporting Honor Code Referrals**

- a. Student Procedures
 - i. Students are expected to submit a referral form to SCCR online when they have direct knowledge of an Honor Code violation.
- b. Faculty Procedures
 - i. Faculty members are expected to notify students regarding suspected Honor Code violations.
 - ii. Faculty members are expected to submit a referral form to SCCR.
- c. SCCR may choose to engage in the formal or informal Honor Code Process if:
 - i. The student has prior Honor Code allegation(s);
 - ii. The incident suggests a pattern of student misconduct as determined by the Director of SCCR or their designee;
 - iii. The allegation is particularly egregious as determined by the Director of SCCR or their designee; or

- iv. There may be an impact on the student's status with the University based on individual program or student status.

If the case moves through the Honor Code despite the faculty's request for no action the reporting faculty will be notified that the case is proceeding and they will be notified of the decision through the typical procedures.

4. Honor Code Notice to Student

- a. Upon receipt of a referral form, SCCR staff will review and determine if the allegation(s) fall within the time period jurisdiction. If the referral is within the jurisdiction, SCCR will determine which alleged violations of academic misconduct are implicated. SCCR reserves the right to allege and investigate more than one violation per referral form. SCCR will notify the responding student of all allegations against the student via a notice letter sent to their CU Boulder email.
 - i. The responding student or the reporting faculty member may, at any time, review the contents of the student's Honor Code case file.
- b. When the hearing officer initiates an Honor Code process, an Honor Code Notice will be sent to the responding student who is the subject of the referral. As noted in the Student Email Policy (<http://www.colorado.edu/policies/student-email-policy>), email is an official means of communication within the University of Colorado Boulder. Therefore, the university has the right to send communications to responding students via email and the right to expect that those communications will be received and read in a timely fashion. At the hearing officer's discretion, the notice may also be hand delivered or sent via standard U.S. mail to the mailing or permanent address appearing in the university's student information system. Notice to the responding student will be considered furnished on the date of hand delivery, on the date emailed, or three business days after the date the notice is placed in the U.S. mail.
- c. The Honor Code Notice includes:
 - i. a summary of the known factual information supporting the alleged academic misconduct, including the date and course related to any incident, to the extent known and available;

- ii. the Honor Code provisions that are alleged to have been violated; and
- iii. information about the conduct meeting, including a meeting date, time, and location, as well as instructions for rescheduling said meeting if necessary;
- iv. if a "no contact" directive is detailed in the Honor Code Notice, it is the responsibility of the responding student not to have any contact with the individual(s) named, directly, through third parties, or via electronic means;
- v. if an "exclusion" directive is detailed in the Honor Code Notice, it is the responsibility of the responding student to abide by the directives as outlined in the notice.

G. HONOR CODE PROCESSES

1. Process Overview

SCCR resolves alleged academic misconduct through either an informal or formal resolution process. Hearing officers have the authority and discretion to resolve cases without HCAB consultation. However, cases involving the following must always be reviewed by the Honor Code Advisory Board:

- a. the responding student disputes the allegation;
- b. the hearing officer is recommending a finding of not responsible;
- c. the non-academic sanctions may include probation, suspension, or expulsion;
- d. the responding students had a prior violation of the Honor Code;
- e. the alleged violation occurred in a graduate level class or program;
- f. the responding student requested that their cause be reviewed by HCAB
 - i. Requesting an HCAB review will not be a rationale for more severe sanctions

Hearing officers and HCAB have the authority and discretion to determine whether to initiate the informal or formal resolution process.

This decision is primarily based on, but not limited to, the following factors:

- i. if the responding student admits or otherwise takes responsibility for the alleged academic misconduct;
- ii. the responding student's prior Honor Code record;
- iii. the nature and severity of the alleged academic misconduct;
- iv. the alleged impact and/or harm caused to another person or the community;

- v. whether the alleged conduct would violate the Honor Code & Procedures; and/or
- vi. any other factors that the hearing officer finds relevant to the specific allegations.

The informal resolution process is intended as a form of alternative dispute resolution, is voluntary, primarily educational in nature, not an adjudication of the allegations, not considered a disciplinary process, and instead will result in a written agreement with the responding student.

Because SCCR does not consider the informal resolution process to be a disciplinary process, it will not result in a formal Honor Code record or file. Informal resolutions will never result in sanctions such as suspension or expulsion

The formal resolution process is an adjudication of the alleged academic misconduct, considered an educational and disciplinary process, and may result in status sanctions and a formal Honor Code conduct record.

The first step in either process is initiated by the hearing officer as a written Honor Code notice to the responding student which prompts the responding student to meet with the hearing officer, as outlined in the notice.

- iii. participation in conflict coaching and/or a mediation process, and/or a student conduct process;
- iv. meeting with campus resources; and/or
- v. other educational requirements.

To identify appropriate and meaningful requirements in agreements, responding students are encouraged to engage in interactive communications with the hearing officer.

The hearing officer and/or HCAB reserves the right to stop the informal resolution process and initiate the formal resolution process at any time prior to the responding student's fulfillment of the agreement requirements for reasons including, but not limited to:

- i. a responding student failing to schedule or attend the meeting with the hearing officer;
- ii. a responding student's denial of responsibility for the alleged academic misconduct;
- iii. if a responding student does not want to participate in the informal resolution process; and/or
- iv. the hearing officer determines that the matter is more appropriately resolved under the formal resolution process.

1. Informal Resolution

This process may include, but is not limited to, meeting with a hearing officer, completion of the agreement, and/or participation in the Restorative Justice program as referenced in Section D.3.

During the meeting, if the hearing officer determines that the informal resolution process may be appropriate, the hearing officer will offer it as an option to the responding student and address any questions the responding student may have about the process. If the responding student accepts responsibility for the alleged academic misconduct, agrees to, and completes the agreement developed during the meeting, then SCCR will consider the matter to be resolved informally. In some cases, the HCAB will also review the case before a final determination is made.

The agreement may include, but is not limited to, the following required actions:

- i. Educational class;
- ii. participation in a circle process;

2. Formal Resolution

This process includes: written notice of the factual allegations and alleged academic misconduct; the opportunity to meet with the conduct officer to address the allegations and provide information to the hearing officer; the hearing officer reviewing the allegations and making factual and violation determinations based on preponderance of the evidence; and written notice to the responding student of the hearing officer's determinations.

The conduct officer will consider the following in making this determination:

- i. the allegations in the Honor Code Notice and the student's response to those allegations;
- ii. all documents and/or information that the hearing officer finds relevant, including, without limitation, relevant documents presented by the responding student, reporting party, or any other interested party;
- iii. the oral or written statements of any witnesses with relevant information, as presented by the responding student, any reporting party, or other interested party, as it appears in a referral, and/or as requested by the hearing officer; and

- iv. the recommendations of HCAB regarding responsibility and non-academic sanctions related to the incident or precedent.

The responding student may identify witnesses believed to have relevant information to impart to the hearing officer. If the hearing officer determines that a witness may have relevant information, a good faith effort to contact such a witness will be made to obtain a statement from them.

SCCR cannot guarantee the participation of an identified witness.

The hearing officer may decline to contact any witnesses they believe do not have information relevant to the facts in dispute.

The responding student may submit questions to the hearing officer to be asked of the witnesses but is not entitled to be present during the hearing officer's interview of witnesses. It is within the discretion of the hearing officer to decide whether to ask the witnesses any question(s) submitted by the responding student and the hearing officer may decline to ask a question that is not reasonably calculated to lead to the discovery of probative information or when the probative value of the information is outweighed by the danger of unfair prejudice or confusion of the issues or by considerations of undue delay or needless presentation of cumulative information. Students and university employees are expected to communicate as requested in the conduct process as a responsibility of membership in the university community, and failure to do so may result in disciplinary action.

The hearing officer may choose to meet again with the responding student or any other witnesses, including any reporting party, in order to obtain responses to additional information gathered during the formal resolution process.

Prior to the hearing officer's decision in a formal resolution process, responding students may request to know the names of any witness or reporting party, if not already provided, and have access to review and respond to the relevant information any such individuals have provided to the hearing officer.

Technical rules of evidence and procedures applicable to civil and criminal court cases do not apply to the Honor Code process. The hearing

officer is authorized to consider any information relevant to the allegation of academic misconduct.

The hearing officer may exclude any person, including the responding student and/or the student's advisor, who disrupts a meeting.

The hearing officer and/or HCAB will make determinations about the facts, the credibility, and the reliability of the information provided and determine whether the responding student has violated the Honor Code based on a preponderance of the evidence. If the evidence weighs so evenly that the hearing officer is unable to determine that there is a preponderance on either side, the hearing officer must determine that there is insufficient evidence to conclude there has been a violation. In applying the preponderance of the evidence standard, the hearing officer may consider both direct and circumstantial information.

The hearing officer may determine the credibility of witnesses, and the weight to be given their statements, taking into consideration their means of knowledge, strength of memory, and opportunities for observation, the reasonableness or unreasonableness of their statements, the consistency or lack of consistency of their statements, their motives, whether their statements are contradicted or supported by other information, any evidence of bias, prejudice or interest, and their manner and demeanor when providing statements.

In cases where the student accepts responsibility, the hearing officer will determine if HCAB must be consulted for sanctions.

In cases where the student denies responsibility, the hearing officer will consult HCAB, who serve as experts to issues related to academic misconduct, to determine if the student is responsible for the alleged academic misconduct.

If the student is found responsible for violating the Honor Code, the hearing officer, in consultation with HCAB, will identify any aggravating or mitigating circumstances and assign sanctions. The hearing officer will notify the responding student and appropriate university officials, including reporting faculty, of the decision via written notice to the student's CU Boulder email. The appeal process, if applicable, is outlined in Section I.

SCCR maintains a record of the information obtained pursuant to the formal resolution process. The record includes copies of correspondence between the responding student and SCCR, copies of any audio records, all documents, and the decision.

If the responding student does not schedule or attend a scheduled meeting with the hearing officer or attends a meeting but does not participate by the date specified in the notice, the hearing officer may decide the outcome of the case in the responding student's absence or without the responding student's participation based on the information available to the hearing officer.

Responding students are required to comply with any deadlines and dates of the formal resolution process. Requests for any delay in the process or rescheduling of any meeting are discouraged, will be considered on a case-by-case basis, and granted only if the hearing officer determines that the circumstances are appropriate.

3. Directives

The Director of Student Conduct & Conflict Resolution, or their designee, has discretion at any point during a Honor Code process, formal or informal, to assign a no contact directive, including after a decision has been made, regardless of finding. When a responding student is issued a no contact directive, the responding student may request to meet with a hearing officer to discuss the factors of the no contact directive or to request that SCCR lift the no-contact order. These directives will remain in effect for the duration of the conduct process and until otherwise notified by the Director of Student Conduct and Conflict Resolution or their designee.

If a responding student is assigned a no contact directive, they are prohibited from having any contact with the person(s) as described in the notice. Contact includes, but is not limited to, direct contact, and all forms of communication, extending to email, social media sites, phone, texting, or any contact through a third party.

Failure to abide by the no contact directive may result in a hearing officer issuing a Student Conduct Notice for an alleged violation as defined in the Student Code of Conduct and subject the responding student to sanctions. Any retaliatory contact directed toward any person connected to

an Honor Code process is prohibited, as described in Section C.6.a, may result in the hearing officer issuing an Honor Code Notice of alleged violations as defined in Section C.6.a, and may subject the responding student to sanctions.

The Director of Student Conduct & Conflict Resolution or their designee, has discretion to refer a report or complaint to the University of Colorado Restorative Justice Program (CURJ). All parties must agree on the resolution and will be bound by the decision with no review or appeal.

Responding students who do not successfully complete the CURJ Program will be returned to SCCR Honor Code staff for the formal resolution process as determined by the hearing officer.

2. Information Standard in Resolution Process

In order to find that a student has engaged in a violation of the Honor Code, the standard of proof required is a preponderance of the information contained in the record. The information must demonstrate that it is more likely than not that the student violated the Honor Code.

3. Request to Inspect Records

Responding students have the right to inspect and review education records to the extent that it includes information directly related to them. To do so, responding students must submit a request to inspect records form. SCCR will comply with a request for access within a reasonable time, not to exceed 45 calendar days. Arrangements shall be made for the responding student to review their records in the presence of an SCCR staff member. Please be advised that SCCR does not permit the copying or photographing of these records, does not allow the educational records to be removed from our offices, does not allow unauthorized individuals to inspect educational records, and the records may have certain information redacted pursuant to law. Please see SCCR website at: <https://www.colorado.edu/sccr/>.

Notwithstanding the above, pursuant to G.3, prior to the hearing officer's decision in a formal resolution process, and if not already provided, responding students may request to know the names of any witness or reporting party, and have access to review and respond to the relevant information any such individuals have provided to hearing officers.

4. Honor Code Processes Closed

The university may audio record any Honor Code processes. The responding student, or their advisor, must obtain permission from the hearing officer to audio record any conduct processes. Any audio record that is made by the university may be listened to by the responding student, but not copied, and will be kept for as long as described in Section K.1.

5. **Notice of Decision**

- a. Upon the conclusion of an Honor Code process, SCCR shall send written notice of the decision to the responding student that shall detail the findings and any Non-Academic Sanctions assigned.
- b. Notice of the decision, and of any Non-Academic Sanctions assigned, shall be distributed by the hearing officer to parties with a legitimate educational interest including, but not limited to the faculty member(s) for any course implicated in the case.

H. SANCTIONS

OVERVIEW

The course instructor has exclusive authority to apply the Academic Sanction that the instructor determines to be appropriate.

SCCR staff and/or HCAB shall assign appropriate non-academic sanctions if the responding student is found responsible for violating the Honor Code.

Mitigating and aggravating circumstances will be considered including past academic and non-academic misconduct as determined by the Director of SCCR or their designee.

Repeated violations, including of differing academic misconduct, may result in progressively severe sanctions.

One or more of the sanctions may be imposed.

In all cases, the hearing officer, HCAB, or the Appeal Board to the extent applicable, reserve the right to use their discretion in determining the appropriate sanction(s) for a case, which could include lower or higher sanctions than the prescribed guidelines.

1. **Educational Sanctions**

The responding student may be required to attend a class, program, or lecture or be involved with the community in a way that brings about a new understanding and how their academic misconduct

impacted the university community. Non-Academic, educational sanctions are included in section D.3.

2. **Honor Code Written Warning**

A warning/written reprimand is a written statement from the hearing officer that there was a violation of a specific Honor Code policy and that more serious status sanctions will likely be assigned should subsequent infractions occur.

3. **Probation**

A responding student is placed on probation, which lasts for a period of time as specified in writing. Any violation of the Honor Code or the conditions of probation committed during the probationary period will likely result in further status sanctions. The responding student on probation is not in good standing with the university. Loss of good standing may prohibit or impact a responding student from:

- a. representing the University through official events;
- b. participating in Education Abroad; and/or
- c. serving in a leadership position or on a university committee.

4. **Suspension**

The responding student is required to leave the university for a period of time as specified in writing. A suspension notation appears on the responding student's transcript. After the period of suspension has expired, the transcript notation will be removed.

A suspension decision results in the responding student being suspended from all campuses of the University of Colorado system.

Upon completion of the suspension, if the responding student wishes to return to the university, they must complete the readmission process through the Office of Admissions.

5. **Expulsion**

The responding student is required to leave the university permanently. A notation of expulsion remains permanently on the responding student's transcript. In the event of an expulsion, SCCR will keep the incident file indefinitely. Expulsion from the university may include an exclusion from university property. **An expulsion decision results in the responding student being expelled from all campuses of the University of Colorado system.**

I. APPEALS

1. The responding student may appeal the hearing officer's decision for a violation based on the criteria listed in I.2. of this document. Appeals must be submitted via the online form in writing

within 5 business days of the date of the decision letter.

2. A responding student may appeal based on one or more of the following grounds:
 - i. The established procedures were not followed in a significant way, and, as a result, the factual findings, the sanction, or both were not correct.
 - ii. The severity of the sanction imposed was not appropriate based on the nature of the violation or the circumstances. Students are only able to appeal based on this criteria when sanctioned to a suspension or expulsion from the University of Colorado Boulder.
 - iii. There is new information that would have been material to the outcome, had the information been presented at the student conduct meeting. The new information must be included with the responding student's request for appeal. In addition, the responding student must show that the new information was not known or otherwise available to the person appealing at the time of the original hearing.
3. Appeal forms may be completed online here: <https://www.colorado.edu/sccr/sanctions-and-appeals>. Hard copies of the Appeal Form can be requested by contacting SCCR at studentconduct@colorado.edu.

Unless the welfare of an individual, group, or the community is threatened, the sanctions imposed will not go into effect until either the deadline for filing an appeal passes and no appeal is filed, or if a timely appeal is filed, and the appeal is decided, whichever comes first.

4. An appeal must be filed by the date specified in the original decision letter from SCCR. If a responding student files an appeal, they will be informed of the outcome when the appeal process has been completed. An appeal will only be considered if it includes the request to appeal form, the responding student's criteria for appeal, and rationale for appeal. It is the responding student's obligation to provide all materials they wish to have considered at the time of appeal submission. Subsequent information and/or revisions to the appeal will not be accepted. The Director of SCCR, or their designee, will make the decision as to whether these conditions have been met. If these conditions are met, the Appeal Board will review the case. The Appeal Board shall not

hear testimony from the responding student, the reporting party, or any witnesses. Review of the case shall be on the record of the case alone unless the basis of the appeal is new information not available at the time of the hearing. All new information to be considered within the case record must be submitted with the appeal form.

5. Honor Code Appeal Board
 - i. The Director of Student Conduct & Conflict Resolution, or their designee, in consultation with the Chair of the Boulder Faculty Assembly, or designee, shall appoint the Honor Code Appeal Board members. Board members shall have no prior involvement with the case through SCCR. The Board shall only consider information contained in the record of the case that is transmitted to the appeal officer; however, the Board may request clarification of the decision rendered by the conduct officer. Any Board member who believes they are unable to be an objective participant for a given appeal is expected to remove themselves from the Board for the particular appeal.
 - ii. The Board shall consist of three members. One member of the Board will serve as the Lead Appeal Reader (LAR). The LAR must be a staff or faculty member and is responsible for management of the Board.
 - iii. The Board will review the responding student's appeal and decide on an action, as is outlined in I.6., by a majority vote. The LAR will compose an Appeal Decision Letter to the responding student and submit it to SCCR. SCCR will provide a copy of the Appeal Decision Letter to the responding student through CU email.
6. Actions Available to the Appeal Board:
 - i. Affirm the initial decision.
 - ii. Find that improper procedures were used, to the significant prejudice of the responding student. In this case, the Appeal Board can refer the case back to the hearing officer with a recommendation on how to correct the procedures. The hearing officer may, but is not required to, make a new decision on the case. The responding student may then submit another request for appeal if the responding student again has grounds to appeal after the new decision.
 - iii. Reduce or increase the sanction, if the Appeal Board determines that the sanction imposed was too severe or too lenient, given the nature

of the violation and/or the circumstances. A sanction should not be increased or decreased unless there is compelling justification to do so. Merely disagreeing with the decision of the conduct officer is not a compelling justification.

- iv. Find that (a) the student has presented information that would have been material to the outcome of the case had the information been presented at the conduct meeting, and (b) the information was not known to the person appealing at the time of the original student conduct meeting. In this event the Appeal Board will refer the case back to the hearing officer for reconsideration in light of the new information.

Honor Code Process Appeals do not affect Academic Sanctions.

J. DISMISSAL OR WITHDRAWAL OF HONOR CODE CASES

A pending Honor Code case may be dismissed if the Office of Institutional Equity and Compliance (OIEC) finds discrimination or harassment was a motivating factor for the referral only if the hearing officer determines that no violation occurred. SCCR and OIEC will work in coordination on a case-by-case basis to determine the best course of action when an Honor Code referral is connected to an OIEC referral.

A pending Honor Code case may be withdrawn at the request of the reporting party up until a decision is issued, or if SCCR staff determines that the accusation was unfounded, at the sole discretion of SCCR staff.

SCCR staff may defer consideration of a pending Honor Code case if another campus disciplinary or investigative process is more appropriately suited to the charges. At the conclusion of such other process, the hearing officer shall determine whether to re-open its investigation or close the Honor Code referral.

K. ADDITIONAL INFORMATION

1. Record Retention

SCCR maintains Honor Code records in accordance with federal and state law and university policy. Records are retained for five years after the date on the conduct decision letter, unless otherwise stated within the Honor Code.

In cases that involve suspension or expulsion, records are kept indefinitely.

a. Sealing of Honor Code Record

SCCR typically expunges formal student conduct records 5 years after a final decision

letter is provided to a responding student, except as outlined above. Requests to have records sealed earlier by SCCR through written petition from the responding student by completing and submitting the "Request to Seal Honor Code Record" form found here: <https://www.colorado.edu/sccr/honor-code>.

For the purposes of this document, "sealed" means that files will be labeled as "sealed" and the record and underlying information in the record shall not be disclosed to external third parties by SCCR, except as required by law such as a subpoena or court order. However, these records will be maintained internally and may be utilized for university academic integrity purposes until expunged, if applicable.

Factors to be considered in review of the request include:

- i. The eligibility of individual Honor Code cases to be sealed. Honor Code cases are subject to the Honor Code in place at the time of the violation.
- ii. The responding student's Honor Code record as a whole.
- iii. The responding student's conduct after the violation.
- iv. The nature of the violation(s) including, but not limited to, the severity of the violation, harm, or other impact resulting from the violation(s).
- v. Whether all sanctions have been completed as directed or not, including probation or suspension.
- vi. The person's responses to the requested questions and other provided information.

The Director of Student Conduct & Conflict Resolution, or their designee, will make the final determination if a sealing request is approved. The decision is final and is not appealable.

Honor Code records created less than one year from the date of the final decision letter shall not be sealed without compelling justification. The decision is final and is not appealable.

Further violations of the Honor Code may result in an approved, sealed decision being reversed.

The University of Colorado Boulder does not discriminate on the basis of race, color, national origin, sex, pregnancy, age, disability, creed, religion, sexual orientation, gender identity, gender expression, veteran status, political affiliation or political philosophy in admission and access to, and treatment and employment in, its educational programs and activities.

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