The Office of Student Life views the conduct process as a learning experience that helps students to understand their responsibility to both themselves and their living and learning community. We strive to learn from one another in an educational community that holds mutual respect for individuals and community in high regard and self-responsibility for behaviors. Behavior that conflicts with established standards, policies and guidelines may be referred for conduct proceedings.

Every member of the student community must assume responsibility for becoming educated about the various university and housing standards, policies and guidelines. It is against the basic nature of this community for anyone to demean or discriminate against another human being. A caring, educational community does not tolerate physical or psychological threats, harassment, intimidation, or violence directed against a person. Such behavior is subject to the university conduct processes.

Student Privileges

- **Expression:** Students can freely examine and exchange diverse ideas in an orderly manner inside and outside of the classroom
- **Association:** Students can peaceably associate freely with others for purposes which do not infringe on the rights of others
- **Education:** Students have access to faculty, academic technology, classrooms, libraries, and other resources necessary for the learning process
- **Learning Beyond Formal Instruction:** Students have access to a variety of activities beyond the classroom, which support intellectual and personal development
- **Freedom from Discrimination:** Students can expect to participate fully in the University community without illegal discrimination as defined by federal and state law and University regulations
- **Safe Environment:** Students can function in their daily activities without unreasonable concerns for personal safety
- **Due Process:** Students may expect discipline to be implemented through established procedures.
- **Prompt Response:** Students may expect prompt and courteous treatment by and responses from the University's academic and administrative departments
- **Grievance Process:** Students have access to established procedures for respectfully presenting and addressing their concerns/complaints to the University
- **Privacy:** Students are free from unreasonable intrusions into personal records and/or matters relevant to identity and well being
- **University Governance:** Students may participate in the governance of the University in accordance with University policies, laws, rules and regulations.

**UCD Philosophy of Student Conduct**

The Office of Student Life views the conduct process as a learning experience that helps students to understand their responsibility to both themselves and their living and learning community. We strive to learn from one another in an educational community that holds mutual respect for individuals and community in high regard and self-responsibility for behaviors. Behavior that conflicts with established standards, policies and guidelines may be referred for conduct proceedings.

Every member of the student community must assume responsibility for becoming educated about the various university and housing standards, policies and guidelines. It is against the basic nature of this community for anyone to demean or discriminate against another human being. A caring, educational community does not tolerate physical or psychological threats, harassment, intimidation, or violence directed against a person. Such behavior is subject to the university conduct processes.

**UCD Community Standards & Wellness**

Larry Loften
Director of Community Standards & Wellness
Tivoli Suite 260
303-556-3682
larry.loften@ucdenver.edu

---

"... The attempted analogy of student discipline to criminal proceedings against juveniles and adults is not sound. The nature and proceedings of the (campus) disciplinary process ... should not be required to conform to federal processes of criminal law, which are far from perfect, and designed for circumstances and ends unrelated to the academic community."
The Role of the Attorney

Students are generally expected to actively participate in all Student Conduct matters, whether or not the student is also facing concurrent criminal charges for the same set of circumstances. Students may have an attorney present during all student conduct proceedings. The attorney in these cases is acting as an advisor to the student for the Conduct Process.

The role of the advisor (attorney) in the Student Conduct Hearing is limited. It reflects that this process is not a courtroom proceeding but is part of the institution’s programs that are designed to provide a good living/learning environment for all members of our academic community.

An advisor may not question witnesses or make statements before the Student Conduct Board. The only appropriate role for the advisor is to provide advice to the student who has requested his/her presence in a manner which does not disturb the proceedings of the Student Conduct Board.

If an advisor fails to act in accordance with the procedures of the Student Conduct Board, he/she will be barred from these proceedings.

Frequently Asked Questions

Q: I have been asked to represent a student in a conduct review. How do I establish this with the University?

It is the practice of Student Judicial Affairs to correspond at all times directly with the student, and not through any third party. A third party, such as an attorney, may receive copies of correspondence if the student authorizes our office in writing.

Q: What will happen if my client refuses to participate in the student conduct process?

The process will continue with or without the student’s involvement. Respondents who fail to appear after proper notice shall be deemed to have pled no contest to the charges pending against them. The student may not use his or her refusal to participate as a later ground for appealing a decision.

Q: My client is charged with a crime off-campus. Can I get the proceedings delayed until the criminal matter is resolved?

Written application for postponement setting forth good cause may be made to the Hearing Officer. Pending criminal proceedings will not ordinarily serve as a basis to postpone a student judicial proceeding. The student judicial process at UCD is not attempting to determine whether or not a student has violated the law; the University is trying to determine whether or not a student violated University rules and regulations.

Q: Can the student be charged with a violation of the UCD Code for behavior that occurs off-campus?

The University reserves the right to take necessary and appropriate action to protect the safety and well being of the campus community, including taking disciplinary action against students whose behavior off University premises indicates they pose a substantial danger to others in the University community.

Due Process Protections and the Student Conduct Process

The courts have long recognized the differing interests of the University community from that of the criminal justice process. A significant body of case law has been established that outlines basic expectations of fairness in any student disciplinary process. Here is a reference list of publications and significant cases:

- Esteban v. Central Missouri State College (1969, 8th Circuit)
- Soglin v. Kauffman (1969, 7th Circuit)
- Paine v. Board of Regents of the University of Texas System (1973, 5th Circuit)
- Goss v. Lopez (1975, U.S. Supreme Court)
- Krasnow v. Virginia Polytechnic Institute (1977, 4th Circuit)
- Ewing v. Regents of University of Michigan (1985, 6th Circuit)