

APPENDIX 3: Amnesty Provision

The health and safety of members of the University of Colorado (CU) Boulder are the primary concerns of the university. To this end, we have instituted an “Amnesty” policy. The purpose of this policy is to facilitate an educational and safety-focused response to qualifying incidents rather than a disciplinary consequence. This provision only governs the application of the university’s Student Code of Conduct and has no status in other jurisdictions such as local or state courts. The conduct officer may choose to invoke the Amnesty Provision at any point in the process, including before a student is charged with an alleged violation of the policy. Based on the totality of the incident, the conduct officer will make the final determination as to the applicability of this provision and reserves the right to reduce sanctions or dismiss charges. The Amnesty policy does not limit the authority of law enforcement personnel or university staff to act as required at the time of an alleged violation of university policies or state or local laws.

1. Scenarios in which Amnesty May Apply

Whenever a student assists an intoxicated individual in procuring the appropriate assistance as determined by SCCR, neither the intoxicated individual nor the individual(s) who assists will be subject to formal university disciplinary sanctions with respect to the alcohol, drug, or infectious disease policy. This provision does not preclude disciplinary action regarding other violations of

Serious or repeated incidents will prompt higher level educational requirements. Furthermore, students that deliberately or repeatedly violate the Code of Conduct, as determined by SCCR, may be ineligible for the Amnesty policy.

Failure to complete recommended follow-up may also result in loss of eligibility for Amnesty and in disciplinary action.

2. **If the Amnesty policy is invoked by the Student Conduct & Conflict Resolution:**

- a. The university **will**:
 - i. Review the facts of the incident;
 - ii. Initiate a meeting with students involved;
 - iii. Discuss/assign educational interventions.

- b. The university **will not**:
 - i. Assign formal disciplinary sanctions: informal probation, formal disciplinary probation, suspension, or expulsion.
 - ii. Charge an adjudication fee for this incident.