University of Denver
Office of Equal Opportunity & Title IX

Comprehensive Discrimination and Harassment Procedures

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(Effective August 14, 2020)

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1. Notice of Non-Discrimination and Statement of Compliance with Title IX

A. Notice of Non-Discrimination

The University of Denver ("the University") is committed to affirmative action and equal opportunity. The University is committed to enforcing non-discrimination policies and making the University a non-discriminatory work and education environment in which all individuals are treated with respect and dignity.

The University provides equal opportunity in employment, educational activities, and other programs to all employees, students, and applicants. The University shall not discriminate against any person in the University's education or employment programs and activities on the basis of race, color, national origin, ancestry, age (40 and over), religion, creed, disability, sex, sexual orientation, gender identity, gender expression, marital status, pregnancy, military enlistment, veteran status, or genetic information.

B. Statement of Compliance with Title IX

Pursuant to Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-88, and its implementing regulations, 34 C.F.R. Part 106 ("Title IX"), the University does not discriminate on the basis of sex in its educational programs and activities that the University operates, including but not limited to admissions, employment, extracurricular activities, athletics, or other programs. The University will promptly and equitably respond to reports of discrimination and Sexual Harassment, prevent its recurrence, and address its effects on any individual or the community.

C. Affirmative Action Program

In support of equal employment opportunity, the University develops written affirmative action plan for women, minorities, individuals with disabilities, and covered veterans. The University's plans are available at the Office of Equal Opportunity & Title IX ("the Office"), Mary Reed Building, 2199 S. University Blvd. Denver, CO 80208**.** The Office is responsible for compliance with state and federal equal employment opportunity laws and affirmative action regulations. The Office is also responsible for implementing the University's Discrimination and Harassment Policy, Affirmative Action Plan, including equal employment practices, monitoring, internal reporting, and receiving and responding to Complaints of discrimination, harassment or retaliation. University policy and equal employment opportunity/affirmative action regulations and laws protect all employees and applicants for employment from coercion, intimidation, interference, or discrimination for filing a complaint or assisting in an investigation.

D. Pay Transparency Policy Statement

Employees are not prohibited from discussing their salaries and/or compensation with other employees and non-employees. The University will not discharge, discipline, or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal Complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the University's legal duty to furnish information. (41 CFR 60-1.35(c)).

E. Equal Pay and Pay Equity

The Equal Pay Act of 1963, as amended, prohibits sex discrimination in payment of wages to women and men

performing substantially equal work, in jobs that require equal skill, effort, and responsibility under similar working conditions, in the same establishment. The University is also committed to the principle of pay equity, and expressly prohibits disparate pay on the basis of an employee's race, color, national origin, ancestry, age, religion, creed, disability, sex, sexual orientation, gender identity, gender expression, marital status, pregnancy, military enlistment, veteran status, or genetic information. The University prohibits pay discrimination based on sex, discriminatory pay practices based on sex, and sex discrimination affecting compensation.

2. Purpose

The Office of Equal Opportunity & Title IX established these Procedures to administer and enforce the University's Discrimination and Harassment Policy, and facilitate the University's compliance with applicable laws, including: Executive Order 11246; Title VI and Title VII of the Civil Rights Act of 1964; the Equal Pay Act of 1963; the Age Discrimination in Employment Act; Title IX of the Education Amendments of 1972; the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), as amended by the Violence Against Women Reauthorization Act of 2013 ("VAWA"); the Age Discrimination Act of 1975; the Americans with Disabilities Act ("ADA") of 1990 and as amended by ADA Amendments Act of 2008; the Rehabilitation Act of 1973; the Vietnam Era Veterans' Readjustment Assistance Act ("VEVRAA") of 1974; Uniformed Services Employment and Reemployment Rights Act ("USERRA") of 1994; the Genetic Information Nondiscrimination Act ("GINA") of 2008; Colorado Anti-Discrimination Act ("CADA"); Colorado Sexual Orientation Employment Discrimination Act ("SOEDA"); Colorado Prevention of Sexual Misconduct on Higher Education Campuses; Denver Municipal Ordinances; and other applicable federal, state, and local anti-discrimination laws. The University policy and these Procedures are intended to comply with the requirements of these laws and applicable regulations.

Consistent with federal, state and local law, and the University's Discrimination and Harassment Policy, the University, through the Office of Equal Opportunity & Title IX, takes action to provide prompt and equitable resolution of reports of Prohibited Conduct, including:

- Discrimination (including pay discrimination) and Harassment on the basis of race, color, national origin, ancestry, age, religion, creed, disability, sex, sexual orientation, gender identity, gender expression, marital status, pregnancy, military enlistment, veteran status, or genetic information;
- Sexual Harassment and Gender-based Violence, where the allegations do not meet the criteria set forth in the University's Title IX Sexual Harassment Procedures ("Title IX Procedures");
- Failure to provide reasonable accommodations for disability, religion, or creed; and
- Retaliation against any individual or group of individuals involved in an investigation or resolution of a report under these Procedures and/or the Title IX Procedures.

The Office will consider, recommend, and implement Supportive Measures for the Parties and the community, conduct neutral investigations, promote accountability for violations of policies and procedures, and recommend other Remedies designed to eliminate Prohibited Conduct, prevent its recurrence, and address its effects.

The Office is responsible for administering these Procedures. Any inquiries about these Procedures should be referred to the University's Associate Vice Chancellor of Equal Opportunity & Title IX and Title IX Coordinator or the Assistant Secretary of the U.S. Department of Education for the Office of Civil Rights, who may be contacted as follows:

Contact Information for the Office of Equal Opportunity & Title IX:

Associate Vice Chancellor of Equal Opportunity & Title IX and Title IX Coordinator
Emily Babb, JD
University of Denver
Mary Reed Building, 4th Floor
2199 South University Blvd.
Denver, CO 80208
303-871-3142
Emily.Babb@du.edu

Contact Information for the United States Department of Education Office for Civil Rights is as follows:

United States Department of Education
Office for Civil Rights (OCR)
Lyndon Baines Johnson Department of Education Building
400 Maryland Avenue, SW
Washington, DC 20202-1100
Telephone: 800-421-3481
FAX: 202-453-6012
TDD: 800-877-8339
Email: OCR@ed.gov

Denver Office
Office for Civil Rights
U.S. Department of Education
Cesar E. Chavez Memorial Building
1244 Speer Boulevard, Suite 310
Denver, CO 80204-3582
Telephone: 303-844-5695
FAX: 303-844-4303
TDD: 800-877-8339
Email: OCR.Denver@ed.gov

3. Scope and Jurisdiction

These Procedures apply to Prohibited Conduct that allegedly occurred on or after August 14, 2020 and supersede any conflicting information in any other University policy with respect to the definitions and procedures applicable to alleged Prohibited Conduct. All members of the University of Denver community are subject to these Procedures, including students, faculty, staff, administrators, trustees, consultants, vendors, and others engaged in business with the University. These Procedures apply to all Prohibited Conduct that occurs on University Premises. In some cases, the Title IX Procedures may also apply to Prohibited Conduct that occurs on University Premises. These Procedures may apply to Prohibited Conduct that occurs off campus, including online or electronic conduct, if the University finds that the conduct:

a. occurred in the context of an employment or education program or activity of the University;
b. had continuing adverse effects on University Premises, including posing a reasonable risk of harm to the community; or
c. had continuing adverse effects in an employment or education program or activity off University Premises. Examples of covered employment or education program or activity include but are not limited to University-approved study abroad programs, athletic competitions, research or internship programs.

The Associate Vice Chancellor, in their sole discretion, shall determine whether these Procedures or the Title IX Procedures, or both, apply to the Prohibited Conduct.

For students, these Procedures apply to conduct that takes place from the date on which the student is admitted at the University and until the student withdraws or graduates, including periods during any leaves of absence, term breaks, and between terms. For faculty and staff, these Procedures apply to conduct that takes place from the date on which the individual accepts an offer of employment until their employment ceases. If a student graduates or withdraws or an employee voluntarily resigns prior to final resolution of any matter, the Office may retain jurisdiction and the discretion to address the matter as necessary to fulfill the University's obligations under applicable laws and regulations. However, the former student or employee is limited in their rights pursuant to these Procedures.

Visitors to and guests of the University are both protected from and subject to the restrictions on Prohibited Conduct, as defined in these Procedures. However, visitors and guests do not have any contractual rights pursuant to these Procedures. Visitors and guests may initiate a report of Prohibited Conduct committed against them by members of the University community, but visitors and guests are limited in their rights pursuant to these Procedures. The University can trespass visitors and guests who have been alleged to have engaged in Prohibited Conduct without any rights to the resolution processes described in these Procedures. Further, members of the University community who host guests may be held accountable for the misconduct of their guests pursuant to applicable University policies.

Board of Trustees and/or Chancellor-approved University policies will prevail when a conflict exists between these Procedures and applicable Board of Trustees and/or Chancellor-approved University policies.

4. Definitions

A. Complainant

An individual who is alleged to have experienced conduct that could constitute Prohibited Conduct. Complainant also refers to the University when it exercises the right to initiate a Complaint and proceed with a formal investigation, as necessary. Where groups of individuals initiate Complaints pursuant to these Procedures, the Associate Vice Chancellor has the discretion to determine the proper course of action whether to file a Complaint on behalf of the University or the individual Complainants.

B. Complaint

A report or a Complaint made to the Office of Equal Opportunity & Title IX that alleges Prohibited Conduct pursuant to these Procedures.

C. Consent

Consent means mutually understandable clear, knowing, and voluntary affirmative permission given through words or actions regarding the willingness to engage in sexual activity and the conditions thereof. An individual who is not the age of Consent, is Incapacitated, or under Coercion, Force, or Abuse of Power cannot grant Consent. Consent must be affirmative and cannot be inferred from silence, passivity, or lack of active resistance alone.

1. Incapacitated means that an individual is impaired to such a level that they lack the ability to make informed, rational judgments about whether or not to engage in sexual activity.
2. Coercion means unreasonable and/or persistent pressure to compel another individual to initiate or continue sexual activity against that individual's will.
3. Force means the use of physical violence and/or imposing on someone physically to engage in sexual activity.

4. Abuse of Power occurs when an individual in a position of authority, whether that authority is real or perceived, induces another individual to engage in activity that would otherwise be nonconsensual based on the need for a specific performance or duty (i.e. grading, performance evaluation).

D. Disciplinary Action

Any action levied by the University against an employee found responsible for Prohibited Conduct under these Procedures.

E. Associate Vice Chancellor

Associate Vice Chancellor means the Associate Vice Chancellor of Equal Opportunity & Title IX and Title IX Coordinator or their designee.

F. Gender-based Violence

Gender-based Violence is an umbrella term for the following Prohibited Conduct:

1. Sexual Assault
   a. Rape
   b. Sodomy
   c. Sexual Assault with an Object
   d. Fondling
   e. Incest
   f. Statutory Rape
2. Domestic Violence
3. Dating Violence
4. Stalking

G. Investigator

The individual who is designated by the Associate Vice Chancellor to be responsible for gathering evidence and drafting an investigation report.

H. Outcomes

The University statuses and educational opportunities, restrictions, and/or expectations for a student found responsible for Prohibited Conduct.

I. Outcome Council

A body composed of University staff and faculty convened by the Office of Student Rights & Responsibilities to determine the Outcomes for a Respondent student found responsible for Prohibited Conduct.

J. Party/ Parties

Party means Complainant(s) and/ or Respondent(s).

K. Preponderance of the Evidence

The standard of proof applied under these Procedures in which, an allegation is proven if, based on the credible, relevant information acquired during the inquiry or investigation on the one side outweighs the credible, relevant information on the other side, such that it is more likely than not the alleged fact or conduct occurred.

L. Prohibited Conduct

Words or conduct prohibited by the University set forth in Section 5 of these Procedures:

1. Discrimination on the basis of a Protected Status
2. Discrimination in Violation of the Equal Pay Act
3. Harassment on the basis of a Protected Status
4. Sexual Harassment
5. Sexual Assault
    a. Rape
    b. Sodomy
    c. Sexual Assault with an Object
    d. Fondling
    e. Incest
    f. Statutory Rape
6. Domestic Violence
7. Dating Violence
8. Stalking
9. Sexual Exploitation
10. Gender Identity Discrimination or Harassment
11. Physical Misconduct based on a Protected Status
12. Failure to Inform Supervisor of a Consensual Sexual Relationship with a Student or a Supervisee
13. Retaliation
14. Obstruction

M. Protected Status

Protected Statuses are race, color, national origin, ancestry, age, religion, creed, disability, sex, sexual orientation, gender identity, gender expression, marital status, pregnancy, military enlistment, veteran status, or genetic information.

N. Remedies

The measures provided to a Complainant and/or the University Community following an Investigation pursuant to these Procedures in which a Respondent is found responsible for Prohibited Conduct.

O. Reporting Party

Any individual who has reported allegations of Prohibited Conduct pursuant to these Procedures. The Reporting Party need not be the Complainant.

P. Respondent

An individual or group who has been reported to have engaged in conduct that could constitute Prohibited Conduct.

Q. Responsible Employee

Responsible Employee means all individuals who have the obligation to report alleged Prohibited Conduct to the Office of Equal Opportunity & Title IX. Responsible Employees are further described in Section 6(B) below.

R. Supportive Measures

Supportive Measures means non-disciplinary, non-punitive individualized services offered to Complainant,

Respondent, and/or Witnesses, as appropriate and reasonably available.

S. University Premises

All land, buildings, facilities, or other property in the possession of or owned, used, operated or controlled by the University, including adjacent streets and sidewalks.

T. Witness(es)

A person asked to provide information or a statement under these Procedures.

U. Written Notice

Notice by email is an official form of delivery. Delivery via email will be sent to a student's or an employee's @du.edu email address. Notice may also be delivered in person or to an individual's University or permanent address, as reported by the person to the University.

5. **Prohibited Conduct**

These Procedures define the following categories of Prohibited Conduct:

A. Discrimination

Discrimination is an action or behavior that results in impermissible negative or different treatment of an individual based, in whole or in part, upon the person's race, color, national origin, ancestry, age, religion, creed, disability, sex, sexual orientation, gender identity, gender expression, marital status, pregnancy, military enlistment, veteran status, or genetic information.

B. Discrimination in Violation of the Equal Pay Act

Discrimination in Violation of the Equal Pay Act occurs when employees of one sex are paid wages at a rate less than the rate at which employees of the opposite sex are paid for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, except where such payment of wages is made pursuant to: (i) a seniority system; (ii) a merit system; (iii) a system which measures earnings by quantity or quality of production; or (iv) a differential based on any other factor other than sex. For the purposes of this provision, wages mean all forms of payment made to or on behalf of employees as remuneration for employment.

C. Harassment

Harassment is form of discrimination based, in whole or in part, upon the person's race, color, national origin, ancestry, age, religion, creed, disability, sex, sexual orientation, gender identity, gender expression, marital status, pregnancy, military enlistment, veteran status, or genetic information.

Harassment is unwelcome, unwanted conduct that becomes Prohibited Conduct when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or participation in a University program or activity *(quid pro quo)*; or
2. the conduct is sufficiently severe or pervasive to interfere with a person's work, academic performance, or participation in a University Education Program or Activity, such that a reasonable person would consider the environment intimidating, hostile or abusive *(hostile environment)*.

D. Sexual Harassment

Sexual Harassment is conduct on the basis of sex that satisfies one or more of the following:

1. Quid Pro Quo Sexual Harassment -- A University employee (including a faculty member) conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct; or
2. Hostile Environment Sexual Harassment -- Unwelcome conduct determined by a reasonable person to be sufficiently severe or pervasive to interfere with a person's work, academic performance, or participation in a University Education Program or Activity, such that a reasonable person would consider the environment intimidating, hostile or abusive.

E. Sexual Assault

Sexual assault is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Sexual assault can occur between individuals of the same or different sexes and/or genders. Sexual Assault includes the following:

1. Rape means the carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity;
2. Sodomy means oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity;
3. Sexual Assault with an Object means to use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity;
4. Fondling means the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity;
5. Incest means sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; or
6. Statutory Rape means sexual intercourse with a person who is under the statutory age of consent.

F. Domestic Violence

Domestic violence is a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Colorado, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Colorado. When both parties in a relationship report Domestic Violence, the Investigator will make an assessment to determine the predominant aggressor in the reported circumstances.

G. Dating Violence

Dating violence is an act of violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship is determined

based on a consideration of the (1) length of the relationship, (2) type of relationship, and (3) frequency of interaction between the persons involved in the relationship. When both parties in a relationship report Dating Violence, the Investigator will make an assessment to determine the predominant aggressor in the reported circumstances.

H. Stalking

Stalking is a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for their safety or the safety of others, or (b) suffer substantial emotional distress.

Course of conduct means two (2) or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property.

1. Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
2. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

I. Sexual Exploitation

Sexual Exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for their own advantage or benefit or to benefit or advantage anyone other than the individual being exploited. Sexual exploitation may include, but is not limited to:

1. Prostituting another person;
2. Video or audio-taping sexual activity, or posting said media, without the knowledge and agreement of the other party;
3. Going beyond the boundaries of Consent (including letting someone observe a sexual act without the knowledge or agreement of the other party);
4. Engaging in voyeurism (observing another party's nudity or sexual activity without their knowledge or agreement);
5. Endangering health and safety without the knowledge and agreement (such as knowingly exposing another individual to a sexually-transmitted infection) of the other party;
6. Exposing one's breasts, buttocks, groin, or genitals in a non-consensual circumstance or inducing another to expose their breasts, buttocks, groin, or genitals;
7. Inducing Incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity;
8. Inducing another individual to engage in sexual activity through Abuse of Power; or
9. Using a fake or stolen identify for an online persona to deceive or manipulate another person into a romantic or sexual relationship, also known as catfishing.

J. Gender Identity Discrimination or Harassment

Gender Identity Discrimination or Harassment occurs when a person engages in a negative course of conduct or different treatment of an individual based, in whole or in part, upon the person's gender identity.

K. Physical Misconduct Based on a Protected Status

Physical Misconduct Based on a Protected Status is any of the following acts, when there is reasonable cause to believe the act was motivated, in whole or in part, by the Protected Status of another person:

1. Any act causing or likely to cause, bodily harm to any person, regardless of intent; or

2. Any act resulting in physical contact with another person, without their Consent.

Actions taken in self-defense or the defense of another may mitigate findings of Physical Misconduct Based on a Protected Status under these Procedures.

L. Failure to Inform Supervisor of a Consensual Sexual Relationship with a Student or a Supervisee

The University strongly discourages romantic or sexual relationships between a teacher and student or between a supervisor and supervisee. In the event of such a relationship between a teacher and student or between a supervisor and supervisee, the person in a position of authority must notify their own supervisor of the relationship so that the supervisor can address any issues raised by the relationship through these Procedures. Failure to provide such notice is a violation of these Procedures.

1. For purposes of these Procedures, teacher includes a faculty member, teaching assistant, graduate student, administrator, coach, advisor, counselor, professional housing staff, program director or other University employee having supervisory, teaching, mentoring, or other evaluative responsibilities for students.
2. Where a Complainant who in a subordinate position alleges Sexual Harassment pursuant to these Procedures, and the Respondent has not disclosed the relationship as provided herein, the Respondent's assertion that the Complainant consented to the relationship shall not be a sufficient defense for Prohibited Conduct.

M. Retaliation

Retaliation means an adverse action or other form of negative treatment, including but not limited to intimidation, threats, coercion, discrimination, or harassment, carried out in response to a good-faith reporting of or opposition to Prohibited Conduct; an individual's or group's participation, including testifying, administering or assisting in an investigation and/or resolution of a report under these Procedures and/or the Title IX Procedures, or otherwise exercising authority under these Procedures; an individual's or group's refusal to participate in any process under these Procedures; or other form of good faith opposition to what an individual reasonably believes to be Prohibited Conduct under these Procedures.

1. Individuals are also protected from Retaliation for making good faith requests for accommodations on the basis of religion or disability.
2. To be a violation of these Procedures, the challenged actions or treatment must be sufficient to discourage a reasonable person from further reporting, participation, or opposition.
3. Charging an individual with a violation of these Procedures for making a materially false statement in bad faith in the course of any process under these Procedures does not constitute Retaliation prohibited under these Procedures. The exercise of rights protected under the First Amendment also does not constitute Retaliation prohibited under these Procedures.
4. The University will treat Retaliation as a separate incident of Prohibited Conduct under these Procedures.

N. Obstruction

Obstruction occurs when any person, including a third party employed by, who is a guest of, or otherwise represents or acts on behalf of a Party, intentionally deters, interferes, or hinders:

1. the University's ability to conduct an investigation (including the deletion or request to delete relevant evidence after notice of the University's investigation);
2. another person from reporting allegations of Prohibited Conduct; or
3. another person from participating in any process (including an investigation, report, remedial,

disciplinary, or appeal processes) under these Procedures.

6. **Reporting**

The University has a strong interest in supporting community members who experience Discrimination, Harassment or Gender-based Violence. The University encourages all individuals or Witnesses to report any incident to the University and, if the incident involves potential criminal conduct, to also report to law enforcement. Individuals have several reporting options within and outside the University. Individuals may pursue these options simultaneously or any one of them separately.

Making a report under these Procedures means telling someone in authority what happened, in person, by telephone, in writing or by email. Deciding whether to make a report and choosing how to proceed are personal decisions. At the time a report is made, a Complainant does not have to decide whether or not to request any particular course of action, nor does a Complainant need to know how to label what happened. The University provides support to assist each individual in making these important decisions and, to the extent legally possible, will respect an individual's autonomy in deciding how to proceed. In this process, the University will balance the individual's interest with the University's obligation to provide a safe and non-discriminatory environment for all members of the University community.

The University will review and address all reports in a fair and impartial manner and treat all individuals involved with dignity and respect. In every report under these Procedures, the University will make an immediate assessment of any risk of harm to the University or to the broader University community and will take steps necessary to address those risks. These steps may include Supportive Measures to provide for the safety of the individual and the University community. The University may place a non-student employee Respondent on administrative leave during the pendency of an investigation or other resolution under these Procedures. The University, in its discretion and based on the circumstances, will determine whether to impose any administrative leave with or without pay or benefits.

If a report of Prohibited Conduct discloses a serious and immediate threat to the University community, the University's Division of Campus Safety will issue a timely notification to protect the health or safety of the community as required by the Clery Act. The notification will not include the Complainant's name. Pursuant to the Clery Act and VAWA, the Office of Equal Opportunity & Title IX will provide anonymous statistical information regarding reported criminal incidents to the University's Division of Campus Safety for inclusion in the Daily Crime Log and in the University's Annual Security Report. The University may also share aggregate data about reports, Outcomes, and/or Disciplinary Action without including personally identifiable information.

A. Reporting to Law Enforcement

The University encourages Complainants to contact local law enforcement to report incidents of Prohibited Conduct that may also be crimes under state criminal statutes. The University will assist a Complainant, at the Complainant's request, in contacting local law enforcement and will cooperate with law enforcement agencies if a Complainant decides to pursue the criminal process. The University encourages all individuals to seek assistance from a medical provider, as needed, and/or law enforcement immediately after an incident of Sexual Harassment, whether or not the individual plans to pursue criminal action. This facilitates preservation of evidence and a timely response by law enforcement and/or the University.

The University's definitions, burden of proof, and procedures differ from federal and state criminal law. The

University is not bound by law enforcement's determination whether or not to prosecute a Respondent nor the outcome of any criminal prosecution. The University will independently determine under these Procedures whether Prohibited Conduct has occurred. The University may undertake any process under these Procedures prior to, simultaneously with or following civil or criminal proceedings.

B. Reporting to the University

The University will refer all reports of possible violations to the Office of Equal Opportunity & Title IX to facilitate consistent application of these Procedures to all individuals and to allow the University to respond promptly and equitably to eliminate discrimination, harassment, or gender-based violence, prevent its recurrence, and eliminate its effects. At any time, any person may report Prohibited Conduct, in person, by mail, by telephone, by electronic mail or other electronic submission to the Office of Equal Opportunity & Title IX, or by any other means that results in the Associate Vice Chancellor receiving the person's verbal or written report.

The University encourages Complainants to report incidents of Prohibited Conduct directly to the Office of Equal Opportunity & Title IX by:

- Contacting the Associate Vice Chancellor of Equal Opportunity & Title IX and Title IX Coordinator

  Emily Babb
  University of Denver, Mary Reed Building, 4th Floor
  2199 South University Blvd.
  Denver, CO 80208
  Phone: 303-871-3142
  Emily.Babb@du.edu
  https://www.du.edu/equalopportunity/titleix/index.html
  Title IX Online Report Form

- Contacting the Office of Equal Opportunity & Title IX

  Office of Equal Opportunity & Title IX
  University of Denver, Mary Reed Building, 4th Floor
  2199 South University Blvd.
  Denver, CO 80208
  Phone: 303-871-7016
  equalopportunity@du.edu
  https://www.du.edu/equalopportunity/
  Equal Opportunity Online Report Form

Individuals may also report Prohibited Conduct to other departments identified below, each of which must promptly inform the Office of Equal Opportunity & Title IX:

- Division of Campus Safety

  Division of Campus Safety
  General Reports: 303-871-2334
  Anonymous Reports: 303-871-3130

Emergencies: 911 and 303-871-3000
https://www.du.edu/campussafety/contact-us/index.html

- Office of Student Rights & Responsibilities

  Office of Student Rights & Responsibilities
  303-871-2150
  Studentconduct@du.edu
  SRR@du.edu
  https://www.du.edu/studentlife/studentconduct/rightsresponsibilities.html

- Student Outreach & Support Referral (SOS Referral, formerly CARE Report)

  Student Outreach & Support
  Phone: 303-871-2400
  SOS@du.edu
  SOS Referral Online Report Form

- Housing and Residential Education Staff including Resident Assistants, Graduate Resident Directors, and Resident Directors

  Housing and Residential Education
  Phone: 303-871-2246
  housing@du.edu
  https://www.du.edu/housing/

To promote timely support for all Parties and an effective and consistent University response, any Responsible Employees who receives a report of alleged Prohibited Conduct must promptly report the alleged Prohibited Conduct, including all known details of the incident (including the date, time, location, names of individuals, and details) to the Office of Equal Opportunity & Title IX, along with whether the incident has been previously reported to the Office of Equal Opportunity & Title IX. Responsible Employees include but are not limited to:

1. Members of the Board of Trustees
2. Chancellor
3. Provost
4. Senior Vice Chancellors
5. Vice Chancellors
6. Associate Vice Chancellors
7. Vice and Associate Provosts
8. Deans, Associate Deans and Assistant Deans
9. Directors
10. Department Chairs
11. Campus Safety personnel
12. Athletics & Recreation personnel (including paid and unpaid coaches)
13. Student Affairs & Inclusive Excellence personnel (including Resident Assistants, Graduate Resident Directors, and Resident Directors)
14. Faculty and Staff (including Graduate Teaching Assistants)

15. Advisors to student groups (including those who are not otherwise employees of the University; e.g. fraternity or sorority advisors). and
16. Any other administrator, faculty, or staff member.

C. Anonymous Reporting

Any individual other than a Responsible Employee can make a report without disclosing one's own name, identifying the Respondent, or requesting any action. Depending on the level of information available about the incident or the individuals involved, the University may not be able to fully respond or take further action in response to an anonymous report. Anonymous reports are referred to Division of Campus Safety or the Associate Vice Chancellor for review for appropriate action. The University will review all anonymous reports, and where there is sufficient information, include applicable information in Clery Act reporting.

D. Timeliness and Location of Incident

Although there is no time limit on reporting Prohibited Conduct, the University encourages Complainants and other individuals to promptly report allegations of Prohibited Conduct, preferably within 180 days of the last incident of Prohibited Conduct. Delays in reporting can prevent the University from gathering evidence sufficient to initiate an investigation or reach a determination of responsibility. If the Respondent is no longer a student or employee, the University may not be able to impose Outcomes and/or Disciplinary Action against the Respondent. Nevertheless, the University will still seek to provide Supportive Measures for a Complainant and take steps to end the Prohibited Conduct, prevent its recurrence, and address its effects.

The University also encourages the reporting of conduct occurring off University Premises including online or electronic conduct that occurred in the context of an employment or education program or activity of the University, or that has continuing adverse effects on University Premises or on an off-campus employment or education program or activity, so that the University may address under these Procedures or other University policies and procedures, as applicable.

E. Amnesty for Personal Use of Drugs or Alcohol

The University has a concern and responsibility for preserving the well-being of all members of the University community. Because the health and safety of students are of primary importance to the University, students are expected to not only look out for their own health and safety, but also the safety of their peers. Students are expected to take immediate action when a person's health or safety is threatened. Accordingly, the University recognizes that students may be reluctant to seek assistance from a University official or emergency services after experiencing Prohibited Conduct, or may be reluctant to seek assistance for others who may have experienced Prohibited Conduct, because they fear being held responsible by the University for an alcohol or drug violation under the Honor Code related to the incident.

The University generally will not pursue disciplinary action against a student who makes a good faith report to an University official, contacts emergency services, or who participates as a Party or Witness in the grievance process related to Prohibited Conduct, for personal consumption of alcohol or other drugs that would otherwise be a violation of the Honor Code, provided the misconduct did not endanger the health or safety of others. The University may, however, engage in an assessment or educational discussion or pursue other non-disciplinary options regarding alcohol or other drug use. The University also provides Medical Amnesty as set forth in the Honor Code.

F. Protection of Minors and Mandatory Reporting of Suspected Child Abuse

The University promptly reports all suspected child abuse and neglect, including sexual assault, to law enforcement and/or to the Denver Department of Human Services toll-free child abuse and neglect hotline at 720-944-3000. All University employees must report suspected child abuse and neglect to the Associate Vice Chancellor of Equal Opportunity &Title IX Coordinator or Division of Campus Safety as follows:

1. If a child is in immediate danger, call the police (911)
2. If there is no immediate danger, call:
    - University of Denver Division of Campus Safety: 303-871-3000; or
    - University of Denver Associate Vice Chancellor of Equal Opportunity & Title IX and Title IX Coordinator: 303-871-7016

For the purposes of this reporting obligation, a child is any person under the age of 18, and the suspected abuse may involve physical, sexual or other forms of abuse or neglect, regardless of the identity of the suspected perpetrator. The duty to report is triggered by reasonable suspicion or belief and does not require actual evidence of abuse. An employee, student, or volunteer is not responsible for investigating suspected child abuse.

The Associate Vice Chancellor and/or the Division of Campus Safety will assist in making the mandated child protective services report to Denver Police Department (720-913-2000), and Denver Child Protective Services (720-944-3000).

7. Resources

The University encourages all individuals to seek the support of on- and off-campus resources, regardless of when or where an incident occurred. Trained professionals can provide guidance in making decisions, information about available resources, procedural options, and assistance to either party in the event that a report and/or resolution is pursued under these Procedures. The University is committed to treating all members of the community with dignity, care and respect. Any individual affected by allegations of Prohibited Conduct whether as a Complainant, a Respondent or a Witness, will have equal access to support consistent with their needs and available University resources.

Any participant may request reasonable assistance or support (i.e., for disability, language barriers, or location/proximity concerns) to allow their full participation in any process under these Procedures. A Party must submit such requests to the Office of Equal Opportunity & Title IX in a timely manner at least 72 hours before any meeting time. For interpreting or Communication Access Realtime Translation (CART) services, requests should be made as soon as possible.

For employees, visitors or guests, please contact the ADA Coordinator. For student academic and non-academic accommodations based on a disability, medical condition, or mental health condition, please see the Disability Services Program Handbook for Students with Disabilities, Medical and Mental Health Conditions.

8. Privacy & Confidentiality

The Office of Equal Opportunity & Title IX is not a confidential resource. For any report of Prohibited Conduct, the University will respect and safeguard the privacy interests of all individuals involved balanced with the need for a careful assessment of the allegation and any necessary steps to eliminate the conduct, prevent its

recurrence, and address its effects.

Information related to a report under these Procedures may be shared with those University employees who have a need to know in order to offer Supportive Measures, assist in the active response, review, investigation, or resolution of the report. Information regarding a report by a student or employee will not be shared with the Complainant's or Respondent's parents, guardians, or a third party unless permissible for a student under the Family Education Rights and Privacy Act (FERPA). The University will not release information, including the identity of the parties, from proceedings under the Procedures except as required or permitted by law or University policy.

Confidentiality means that a client or patient (including students, staff, and faculty) sharing information with a designated confidential campus or community professional can expect that the professional will only disclose such information with the individual's express written permission, unless there is a continuing threat of serious harm to the patient/client or to others, or there is a legal obligation to reveal such information (e.g. where there is suspected abuse or neglect of a minor). An individual can seek confidential assistance and support by speaking with specially designated confidential resources.

9. Initial Assessment, Intake, and Consolidation

A. Initial Assessment

When the Office of Equal Opportunity & Title IX receives a report of Prohibited Conduct, the Associate Vice Chancellor will conduct an initial assessment of the reported information to facilitate an integrated and coordinated response to reports of Prohibited Conduct under these Procedures. As part of the initial assessment, the Associate Vice Chancellor will:

1. As applicable, evaluate any immediate health or safety concerns raised in the report, in consultation with the Division of Campus Safety, to determine if the Clery Act requires the Division of Campus Safety to include non-identifying information in the University's Daily Crime Log and/or to make a timely notification to the University community;
2. Assess the report to determine whether the conduct alleged in the report, if proved, would constitute Prohibited Conduct as defined by these Procedures;
3. Consider the Complainant's expressed preference for resolution; and
4. Determine whether any Supportive Measures are appropriate to address the Complainant's safety, wellbeing, and continued access to educational and employment opportunities, as applicable.

If the Associate Vice Chancellor concludes that the allegations contained in the report would not fall within the scope of Prohibited Conduct under these Procedures, the Associate Vice Chancellor will, as appropriate, refer the matter to the applicable administrator, provide the Complainant with resources, and/or close the matter.

B. Intake

After the initial assessment, the Associate Vice Chancellor may request an intake meeting with the Complainant. The University will consider the Complainant's expressed preference for the manner of resolution while balancing the University's obligation to promote a safe and non-discriminatory environment for all members of the University community. The University may use information gathered during the intake process in an investigation. As part of intake, the Associate Vice Chancellor will:

1. Review the University's Discrimination and Harassment Policy, Section 3.10.010 and these

Procedures, discuss the expectations and responsibilities of a Complainant, and answer any questions that the Complainant may have;

2. Notify the Complainant of the right to make a report (or decline to make a report) with law enforcement if the conduct may also constitute a crime(s) under state criminal statutes and, if requested, assist the Complainant with notifying law enforcement;
3. Notify the Complainant of the availability of medical treatment to address any physical and mental health concerns and to preserve evidence;
4. Provide the Complainant with information about:
    a. On-and off-campus resources;
    b. The available range of Supportive Measures, when appropriate;
5. Provide an explanation of the procedural options, including alternative resolution, investigation, and the possibility of Disciplinary Action and/or Outcomes;
6. Discuss the Complainant's expressed preference for the manner of resolution and any barriers to proceeding in that manner;
7. Explain the University's prohibition on Retaliation; and
8. Explain the role of a support person or advisor.

Although the University will consider a Complainant's request for anonymity, the University may not be able to fully investigate and respond to a report if the Complainant requests that their name not be disclosed to the Respondent or declines to participate in an investigation. The University will consider Complainant's request for anonymity as one of many factors in determining the appropriate means for resolution of the reported conduct. The University may be unable to honor such a request in certain circumstances in order to adequately fulfill the University's obligations to promote a safe and non-discriminatory environment.

When a Complainant does not wish to file a Complaint on their own behalf, or when the Office has received multiple reports or identifies a pattern of concerning conduct, the Associate Vice Chancellor may, in their discretion, proceed with an inquiry or investigation in which the University is the Complainant. When making this decision, the Associate Vice Chancellor will balance the autonomy of the Complainant with the University's responsibility to investigate. When the University is the Complainant, a Reporting Party is treated as a complaining Witness and will only see their statement and be informed of the outcome of the investigation. The University will not coerce or retaliate against a Reporting Party to persuade them to participate in the investigation.

C. Consolidation

1. The Associate Vice Chancellor has the discretion to consolidate multiple reports against a Respondent into one Investigation or multiple Complaints where the allegations of Prohibited Conduct arise out of the same facts or circumstances.
2. The Associate Vice Chancellor may, in consultation with other University administrators, elect to consolidate the investigation of Complaints under these Procedures with complaints of violations of other University policies where the allegations arise out of the same facts or circumstances.
    a. For purposes of such consolidation, the Investigator may conduct a single investigation.
    b. Following the completion of the investigation, the University may decide, in its sole discretion, whether to proceed with all allegations under these Procedures or whether to

proceed with the allegations related to violations of other University policies under the applicable procedures.

3. The Associate Vice Chancellor may also consolidate a single Complainant or multiple Complainants, a single Respondent or multiple Respondents, and allegations of conduct that is temporally or logically connected.
4. If Complaints involving multiple Complainants and/or multiple Respondents are consolidated, each Party will have access to all of the information being considered, including information provided by all involved Complainants, all involved Respondents, and all involved Witnesses.
5. The University will communicate the chosen course of action to the parties.
6. The decision to consolidate Complaints is not subject to appeal.

10. **Advisors and Support Persons**

Throughout the entire process, the Complainant and Respondent have the right to be assisted by one advisor of their choosing and one support person of their choosing.

Advisors or support persons may not:

1. Be Witnesses;
2. Present information on behalf of any Party;
3. Submit documents on behalf of any Party;
4. Discuss any matter directly with University administrators or Investigator in the absence of the Party they are assisting;
5. Advocate, argue or otherwise represent any Party or position; or
6. Otherwise actively participate in any proceeding.

Where a Party is a student, prior to an advisor or support person participating in any meeting or receiving any documents as part of any process under these Procedures, the Party must execute a FERPA waiver permitting the advisor or support person to have access to the Party's education records related to the process. Advisors and support persons may accompany and be present at any meeting or interview and may consult directly with the Party whom they are assisting in a way that does not disrupt or delay the meeting or interview.

The University will not allow advisors or support persons the opportunity to review any document or to attend any meeting in the absence of the Party they are assisting. The University may exclude advisors or support persons who act in a manner contrary to these limitations or otherwise disrupt any proceeding from that proceeding and/or future proceedings. Although a licensed attorney is permitted to serve as an advisor and/or support person at any stage in the process under these Procedures, their participation in the process is subject to the limitations described above.

If an investigation involves allegations of both Sexual Harassment under the Title IX Procedures and Prohibited Conduct under these Procedures, the Title IX Procedures will govern the use of advisors and support persons.

11. **Supportive Measures**

A. Supportive Measures are available regardless of whether the matter is reported to the University for purposes of initiating any formal grievance proceeding and before, after, and regardless of whether a Complaint is filed. A Complainant who requests Supportive Measures retains the right to file a

Complaint, either at the time the Supportive Measure is requested or at a later date.

B. Supportive Measures are designed to restore or preserve equal access to the University's Education Program or Activity without unreasonably burdening the other Party. Supportive Measures are not punitive in nature and designed to protect the safety of all Parties or the University's educational environment, as well as to deter sexual harassment.

C. Supportive Measures may include, but are not limited to:
    1. Counseling through the MySSP Student Support Program
    2. Extensions of deadlines or other course-related adjustments
    3. Modifications of work or class schedules
    4. Campus escort services
    5. Mutual restrictions on contact between the Parties
    6. Leaves of absence
    7. Change in student on-campus housing
    8. Any other remedy which can be tailored to the involved individuals to achieve the goals of these Procedures
    9. Increased security and monitoring of certain areas of the campus

D. Upon receiving a report or allegation of Prohibited Conduct, the Associate Vice Chancellor will consult with other relevant University administrators to determine whether any Supportive Measures are appropriate to protect the safety, well-being, and continued access to educational and employment opportunities. The Associate Vice Chancellor will offer, or arrange that Supportive Measures are offered, to the Complainant and that the Complainant's wishes with respect to appropriate Supportive Measures are considered. In addition to the Complainant, the Respondent and other Witnesses may also receive Supportive Measures, as appropriate and reasonably available, without fee or charge. The Associate Vice Chancellor will serve as the point of contact for any individual requesting Supportive Measures.

E. The Associate Vice Chancellor may determine the necessity of Supportive Measures concerning an employee's job conditions, academic adjustments for a student, or student housing assignments. Where the Supportive Measures may affect the other Party's participation in the University's Educational Program or Activity, the Associate Vice Chancellor will consult with the Vice Chancellor of Human Resources, the Vice Chancellor for Student Affairs or their designee, or appropriate faculty and/or administrators, as applicable. The Associate Vice Chancellor will notify the leadership of the relevant unit to implement the Supportive Measures. The Associate Vice Chancellor is responsible for coordinating the effective implementation of Supportive Measures.

F. The University will maintain as confidential any Supportive Measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the Supportive Measures.

G. The University will consider Supportive Measures on a case-by-case basis at the time of reporting and throughout the resolution process. Supportive Measures should not unduly interfere with a Complainant's or Respondent's academic progress or employment duties beyond that deemed necessary to protect the University, any member of the University community, or the University's

mission. The University will balance these interests by carefully considering the facts of each case.

H. Supportive Measures do not include Disciplinary Actions or Outcomes. The University shall not impose Disciplinary Actions or Outcomes on a Respondent unless and until a determination regarding responsibility for Prohibited Conduct is made at the conclusion of the investigation.

12. **Types of Resolutions**

The Associate Vice Chancellor, in consultation with other University administrators as appropriate, is responsible for determining the appropriate means of resolution based on the circumstances of each report. The University may resolve reports in one of the following manners:

1. Inquiry
2. Informal Resolution
3. Formal investigation

In making the determination of what type of resolution will be used, the Associate Vice Chancellor may consider factors such as:

1. The nature, scope, and severity of the alleged Prohibited Conduct, including whether the reported Prohibited Conduct involved harassment, discrimination, or physical violence (with additional consideration for the use of a weapon);
2. Whether the incident involved a minor;
3. The respective roles of the Complainant and Respondent;
4. The risk posed to any individual or to the University community by not proceeding, including the risk of additional violence;
5. The degree of harm or the ramifications of the alleged Prohibited Conduct on the Complainant or University community;
6. Whether there have been other reports regarding alleged Prohibited Conduct by the Respondent;
7. Whether the report reveals a pattern of alleged Prohibited Conduct at a given location or by a particular group;
8. The Complainant’s preferred means of resolution;
9. The Complainant’s willingness to participate in an investigation or other means of resolution;
10. If the Complainant is unwilling to participate, whether the University possesses other means to obtain relevant evidence;
11. The University's ability to identify a Respondent;
12. The facts that are reasonably in dispute;
13. The affiliation that the Complainant, Respondent, and other involved person(s) have with the University;
14. The University’s obligation to promote a safe and non-discriminatory environment; and
15. The University’s obligation to satisfy any other legal or regulatory requirements.

13. **Inquiry**

The Associate Vice Chancellor has the discretion and authority to determine that a report can be resolved through an inquiry process at the earliest stage after receiving a report. The Associate Vice Chancellor may initiate an inquiry to gather information and attempt to resolve the report. Following the inquiry, the Associate Vice Chancellor may refer the matter to the appropriate administrator and may suggest remedial action. The Associate Vice Chancellor also has the discretion to initiate a formal investigation where the inquiry cannot resolve the concern or when the information gathered indicates that a formal investigation is necessary.

When the Associate Vice Chancellor initiates an inquiry, the Associate Vice Chancellor may interview the Parties and/or Witnesses and gather evidence to determine the appropriate resolution necessary to prevent and correct any Prohibited Conduct under these Procedures. When the Associate Vice Chancellor determines that a concern will be handled through the inquiry process, the University will provide Complainant and Respondent with a written resolution of the inquiry that includes a summary of the rationale for such resolution and any recommendations made.

Unlike in a formal investigation, the Complainant and Respondent do not have the right to review all information gathered through the course of an inquiry. The Associate Vice Chancellor has the discretion to redact, remove, or summarize, including, but not limited to, personally identifiable information, personnel records, witness statements, and other evidence that the Associate Vice Chancellor determines would negatively impact the operation and mission of the University if disclosed to either Party.

14. **Informal Resolution**

A. Informal resolution is an alternative resolution process that does not include a full investigation. Informal Resolution is typically a spectrum of facilitated, or structured, and adaptable processes between the Complainant, the Respondent, and/or other affected community members that seeks to identify and meet the needs of the Parties, acknowledge harm and seek to repair the harm (to the extent possible) experienced by the Complainant and/or the University community.

B. Availability of informal resolution for cases not involving Gender-based Violence:
    1. The University will not require that the Parties participate in the informal resolution Process.
    2. After receiving a Complaint, the Associate Vice Chancellor may offer the informal resolution process to the Parties.
    3. The Associate Vice Chancellor reserves the right to determine whether the informal resolution process is appropriate in a specific case.
    4. The University may offer informal resolution to take action through the imposition of individual and community remedies designed to preserve the parties' access to educational, extracurricular and employment activities at the University and/or to eliminate a hostile environment.
    5. However, any time prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and resume the investigation described in Section 15 below. The Associate Vice Chancellor has the discretion to end the informal resolution process at any time before the resolution is finalized.

C. In cases of Gender-based Violence, if the Associate Vice Chancellor determines that informal resolution process is appropriate, the Associate Vice Chancellor will issue Written Notice to the Parties disclosing:

1. The allegations.
2. The requirements of the informal resolution process, including the circumstances under which it precludes the Parties from resuming a Complaint arising from the same allegations.
3. The informal resolution process is only available if the Parties voluntarily consent in writing to the informal resolution process. If the Parties voluntarily consent, the University may implement the informal resolution process any time prior to reaching a determination regarding responsibility.
4. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
5. That either Party may withdraw from the informal resolution process prior to agreeing to a resolution and resume the investigation.
6. The informal resolution process is not available to resolve allegations of Prohibited Conduct in which the Complainant is a student of the University and the Respondent is an employee of the University.

D. After the Parties have engaged in an informal resolution process, reached a written resolution, and the Associate Vice Chancellor has accepted the result of that process, the resolution is binding and the Parties generally are precluded from resuming or restarting the Investigation related to the Complaint. No Party can appeal a binding resolution reached through the informal resolution process. However, the failure to complete the agreed terms of an informal resolution may result in the Office of Equal Opportunity & Title IX commencing or resuming a formal investigation and/or referral to the Office of Student Rights & Responsibilities or the Division of Human Resources & Inclusive Community.

E. For students, informal resolution will not result in Outcomes through the Outcome Council, but rather may take the form of education, coaching, mentoring, or other action steps that the Associate Vice Chancellor deems appropriate, in consultation with other University administrators as needed. For informal resolutions involving students, the University division, department, unit, or office responsible for taking action pursuant to the informal resolution must inform the Office that the action has been taken.

F. For employee Respondents, informal resolutions may result in mandatory requirements in the form of education, coaching, mentoring, or other action steps that the Associate Vice Chancellor deems appropriate, in consultation with the employee's supervisor, the Division of Human Resources & Inclusive Community, and other University administrators. For informal resolutions involving mandatory requirements for University employees, the employee or the employee's supervisor, as applicable, must inform the Office of Equal Opportunity & Title IX the employee or the supervisor has completed the required action.

15. Formal Investigation

A. Initiation of an Investigation

After an initial assessment, the Associate Vice Chancellor has the discretion to determine whether an investigation pursuant to these Procedures is appropriate and/or to refer the alleged Prohibited Conduct to other units for resolution pursuant to applicable policies and/or procedures.

B. Fair and Equitable Process

All Complaints are presumed to be made in good faith, and all Complainants have the right to be taken seriously. A Respondent is presumed not responsible for alleged Prohibited Conduct unless and until a determination regarding responsibility for Prohibited Conduct is made at the conclusion of the investigation.

The Associate Vice Chancellor will designate an Investigator who may or may not be an employee of the University. Because the investigation is designed to provide a thorough, fair, and reliable gathering of the facts, any Investigator chosen to conduct the investigation must be impartial and free of any actual conflict of interest.

The Parties have two (2) days from receipt of the names of the Investigator to raise any objection to the Investigator based upon perceived conflict of interest, bias or prejudice. The Associate Vice Chancellor will assess the circumstances and determine whether to assign a different Investigator to the matter. The Party must specifically describe the purported conflict of interest or bias and provide any evidence to support this concern.

C. Initial Interview of Complainant

The Investigator will conduct an initial interview with the Complainant, and the Investigator will prepare a statement of the Complainant's interview. The Complainant will have the opportunity to review the interview statement of their own initial interview and correct spelling/grammar and factual errors and provide clarification if needed. The Investigator may address any substantive comments or corrections submitted in the investigative report.

D. Notice of Investigation to Respondent

After the Associate Vice Chancellor decides to move forward with an investigation, the Office of Equal Opportunity & Title IX will notify the Respondent in writing that the Office has initiated an investigation. The Associate Vice Chancellor will notify the Respondent in writing and invite them to an informational meeting to review the process and the resources available to them throughout the process.

The notice letter will include:

1. Notice that an investigation has been initiated against the Respondent;
2. Identification of the applicable Procedures;
3. A concise summary of the of the alleged Prohibited Conduct (including when and where it occurred, if known);
4. Identification of the potential Prohibited Conduct violations;
5. Disclosure of the Complainant's name;
6. An invitation to attend an informational meeting:
7. A statement that Retaliation is prohibited;
8. A statement that the parties have the right to inspect and review evidence;
9. A statement that the Respondent is presumed not responsible for alleged Prohibited Conduct unless and until a determination regarding responsibility for Prohibited Conduct is made at the conclusion of the investigation;
10. A statement that the parties have the right to an advisor of their choice; and
11. For students, a statement that the Honor Code includes prohibitions on intentionally giving false or misleading information to a University official.

If, during the course of an investigation, the University decides to investigate additional allegations about the Complainant or Respondent relating to the same facts or circumstances, but that were not included in the earlier written notice, the University will provide written notice of the additional allegations to the Parties whose

identities are known.

E. Respondent Informational Meeting

Each Respondent wishing to participate in an informational meeting will have five (5) days after receiving notice to complete the informational meeting with the Associate Vice Chancellor before the investigation moves forward. At the informational meeting, the Associate Vice Chancellor will review these Procedures for the investigation, discuss the rights and responsibilities of a Respondent, and answer any questions that the Respondent may have.

F. Initial Interview of Respondent

After completing the informational meeting, or upon the expiration of the deadline to have an informational meeting, the Respondent will be invited to complete an initial interview with an Investigator. The initial interview must be completed within ten (10) days of the Investigator's request for an interview, or the investigation will move forward without the Respondent's initial interview.

For Respondents who choose to participate in an initial interview, the Investigator will conduct an interview with the Respondent, and the Investigator will prepare a statement of the Respondent's interview. The Respondent will be given the opportunity to review the interview statement of their own initial interview and correct spelling/grammar and factual errors and provide clarification if needed. The Investigator may address any substantive comments or corrections submitted in the investigative report.

G. Follow Up Interviews

The Investigator may have follow-up questions for the Complainant, Respondent, or Witnesses after their respective initial interviews. Each participant will have a reasonable time to complete any follow-up interview requested by an Investigator, but if a follow-up interview is not completed within that time frame, the investigation will move forward.

Any Party or Witness who completes a follow-up interview will be given the opportunity to review the interview statement of their own follow-up interview and correct spelling/grammar and factual errors and provide clarification if needed. The Investigator may address any substantive comments or corrections submitted in the investigative report.

H. **Evidence**

The investigation will be conducted in a manner that is respectful of individual privacy concerns. The Investigator, not the Complainant or the Respondent, is responsible for gathering relevant evidence to the extent reasonably possible. However, each party will be given the opportunity to identify Witnesses, provide other relevant information, such as documents, communications, photographs, and other evidence, and suggest questions to be posed to the other Party or Witness. Although the Investigator need not do so, the Investigator may draw a negative inference from a refusal to provide relevant information that the Investigator knows exists.

The Investigator will review all information the Parties identify or provide as well as any other evidence the Investigator obtains. The Investigator will determine the relevance, credibility, and probative value of the information developed or received during the investigation. The Investigator may exclude evidence that is not relevant, including but not limited to statements of personal opinion rather than direct observations or reasonable inferences from the facts and statements as to general reputation for any character trait, including honesty.

Witnesses must have observed the acts in question or have information relevant to the incident and cannot be participating solely to speak about an individual's character. The Investigator will review and determine the necessity of interviewing potential Witnesses.

In general, a person's medical and counseling records are confidential unless that person voluntarily chooses to share a licensed health care professional's direct observations of that person's physical or mental health condition. Additionally, personnel records are generally confidential; however, the Investigator may review relevant personnel records. If relevant, the Investigator will summarize the information from the confidential records in the preliminary report for both parties to review, and the Investigator will make available the relevant portions of such records, with appropriate redactions for the non-sharing Party's review.

The Investigator may consult experts who have no connection to the reported incident when expertise on a specific issue or submitted evidence is needed to gain a fuller understanding of the issue or of the relevance or value of the evidence. In instances where the Investigator plans to consult an expert, prior to such consultation, the Investigator will share the expert's identity with both Parties. The Parties have two (2) days from receipt of the name of the expert to raise any objection to the expert based upon perceived conflict of interest, bias or prejudice. The Associate Vice Chancellor will assess the circumstances and determine whether to consult a different expert to the matter. The Party must specifically describe the purported conflict of interest or bias and provide any evidence to support this concern.

The Investigator will not accept or consider external investigations or reports from privately hired consultants (including, but not limited to, those conducted by private Investigators, polygraph examiners, or any person retained to offer opinions on how available evidence should be interpreted). This provision does not apply to external investigators or experts hired or consulted by the University pursuant to these Procedures.

In general, a Complainant's prior or subsequent sexual history is not relevant, and the Investigator will not consider such information during an investigation, provided that in a case involving Gender-based Violence the Investigator may consider evidence concerning specific incidents of the Complainant's prior sexual behavior with respect to the Respondent, when offered to prove Consent.

In gathering the facts, the Investigator may consider prior allegations, findings of responsibility for, or similar conduct by the Respondent to the extent that such information is relevant. The Investigator will determine relevance based on an assessment of whether:

1. The previous allegation or incident was substantially similar to the present allegation;
2. The information indicates a pattern of behavior and substantial conformity with that pattern by the Respondent; or
3. The Respondent was subject to a previous credible allegation, participated in an alternative resolution to a Complaint, and/or was previously found responsible for Prohibited Conduct.

Any Party seeking to introduce information about prior sexual history or pattern evidence (as identified above) should bring this information to the attention of the Investigator at the earliest opportunity. The University, through the Investigator, may choose to consider this information with appropriate notice to the Parties. Where a sufficient informational foundation exists, the Investigator, in consultation with the Associate Vice Chancellor, will assess the relevance, form, and reliability of the information.

I. Preliminary Report

After each Party has the opportunity to comment on their own interview statement and to identify Witnesses and other potential information, and the Investigator has completed witness interviews and the gathering of evidence, the Investigator will prepare a preliminary report. The preliminary report will include, as applicable, the Complainant's interview statement, the Respondent's interview statement, each Witness' interview statement, and either a copy or written summary of any other information the Investigator in their discretion deems relevant.

The Investigator will concurrently provide the Complainant and Respondent with access to review the preliminary report via the University's chosen cloud storage platform. The Complainant and Respondent have five (5) days from the time they are given access to the preliminary report to submit any comments, feedback, additional documents, evidence, requests for additional investigation, names of additional Witnesses, or any other information they deem relevant to the Investigator. Each Party may meet with the Investigator to provide this additional information in lieu of or in addition to written comments.

If the Investigator receives information from a Party in response to the preliminary report that warrants further substantive investigation or review, the Investigator, in consultation with the Associate Vice Chancellor, has the discretion to extend the investigation. If the Investigator extends the investigation, the Investigator will notify the Parties in writing, issue an amended preliminary report, and provide the Complainant and Respondent access to such report for review and comment for at least three (3) days.

J. Final Investigative Report

After receiving any comments submitted by the Complainant and/or Respondent, or after the comment period has lapsed without receiving comments, the Investigator will address any relevant issues, pursue any additional investigative steps as needed, and issue a final investigative report.

The final investigative report will contain all information from the preliminary report, any response to the preliminary report submitted by the Complainant and/or Respondent, and any additional information gathered. If the Respondent admits responsibility, the Investigator's final investigative report may contain a short summary of the allegations and the Respondent's admission of responsibility.

The Investigator will make a determination based on a Preponderance of the Evidence as to whether the alleged Prohibited Conduct did or did not occur. The Investigator will provide the full rationale for the findings, including an analysis of the available information, in the final investigative report. The Investigator's determination will be based solely on the evidence contained within the final investigative report. The two possible conclusions to an investigation are:

1. It is more likely than not that Prohibited Conduct occurred.
2. It is less likely than so that Prohibited Conduct occurred.

The Associate Vice Chancellor will review and approve the final investigative report before the Investigator issues the report.

The Investigator will concurrently provide the Complainant and Respondent with access to review the final investigative report via the University's chosen cloud storage platform. At the same time, the Associate Vice

Chancellor or Investigator will issue a determination letter to both parties indicating whether or not a Respondent was found responsible for Prohibited Conduct. The Associate Vice Chancellor will also send a copy of this letter to necessary administrators and supervisors. Where there is a determination of responsibility for Prohibited Conduct, the determination letter will contain information regarding the next steps for Disciplinary Action or Outcomes.

The Office of Equal Opportunity & Title IX may refer the final investigative report to University administrators for action pursuant to other applicable University policies and procedures, if appropriate.

K. Time Frames

1. The University will make a good faith effort to address and resolve all reports, exclusive of appeals, within an average of sixty (60) to ninety (90) days, without jeopardizing the rights of a Party.
2. To help facilitate completion of the investigation in a timely manner, the University has established time frames for certain components of the investigation. The time frame for resolution will depend on the availability of Witnesses, University breaks or vacations, complexities of a case, including the number of Witnesses and volume of information provided by the parties, as well as other considerations.
3. The University will strive to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness.
4. The University will provide regular updates to the Parties of the status of the investigation.
5. Complainants and Respondents have the right to determine whether, and to what extent, they will participate in the investigation. However, the investigation will move forward to the next stage whether or not a Party or Witness completes the identified component by the applicable time frame.
6. Based on extenuating circumstances, the Complainant and/or Respondent may seek an extension by written request to the Associate Vice Chancellor submitted prior to the original deadline. The Associate Vice Chancellor will have sole discretion to grant or deny the extension. The Associate Vice Chancellor may require proof to verify the circumstance(s) on which the request is based. The Associate Vice Chancellor will notify the parties of any extension granted. Where a time frame applies to both parties, the extension will be given to both parties.
7. The University's failure to meet any of the time frames outlined within these Procedures, or to provide written notice of the extension of these time frames, shall not be grounds for dismissing any allegations of Prohibited Conduct or for an appeal of any matter, nor shall such failure limit the University's ability to complete an investigation, issue findings, impose Outcomes, enact Disciplinary Actions, or limit the University's ability to take any other required administrative action under these Procedures.
8. At the request of law enforcement, the University may agree to temporarily defer part or all of its fact-gathering until law enforcement has completed its initial evidence-gathering phase. The University will nevertheless communicate with the Parties about resources and support, procedural options, anticipated timing, and the implementation of any necessary Supportive Measures to protect the safety, well-being, and continued equal access to a University education program, employment or activity.

16. **Remedies/Disciplinary Action/Outcomes**

A. Remedies

1. Remedies are designed to restore or preserve equal access to the University's Education Program or Activity.
2. Remedies may eliminate a hostile environment for the Complainant and/or provide safety protections for the Complainant or the University Community.
3. Remedies may be disciplinary or punitive.
4. Remedies may include arrangements that were provided as Supportive Measures during the investigation.
5. In the event the investigative report finds the Respondent responsible for Prohibited Conduct, in consultation with the Associate Vice Chancellor or other appropriate University officials, the Outcome Council (for Respondents who are students) or the University official(s) responsible for determining discipline (for Respondents who are not students) will determine Remedies.

B. Disciplinary Action – if the Respondent who is not a student is found responsible for Prohibited Conduct

1. The following University officials will determine Disciplinary Actions:
   a. For employees who are staff, the Respondent's supervisor or other responsible administrator will determine the appropriate Disciplinary Action in consultation with the Division of Human Resources & Inclusive Community. The Respondent's supervisor, or the Division of Human Resources & Inclusive Community, shall also notify the Associate Vice Chancellor of the Disciplinary Action imposed.
   b. For employees who are faculty, the Vice Provost for Faculty Affairs will determine the appropriate Disciplinary Action in consultation with the dean of the applicable college or school. The Vice Provost for Faculty Affairs shall also notify the Associate Vice Chancellor of the Disciplinary Action imposed. Disciplinary Action involving faculty is further subject to the Policies and Procedures Relating to Faculty Appointment, Promotion and Tenure.

2. In determining Disciplinary Action, the decision-maker has the following objectives:
   a. Promoting safety and protecting the University community;
   b. Sanctioning individuals for engaging in Prohibited Conduct and deterring them from similar future behavior;
   c. Ending Prohibited Conduct;
   d. Taking steps reasonably calculated to prevent the future reoccurrence of the Prohibited Conduct;
   e. Restoring the Complainant to their pre-deprivation status, to the extent practical and possible.
3. In determining Disciplinary Action, the decision-maker will consider whether the nature of the conduct at issue warrants removal from the University, either permanent (termination) or temporary (suspension). The decision-maker will also consider other factors including, but are not limited to, the nature of the conduct at issue, prior disciplinary history of the Respondent (shared only upon a finding of responsibility for the allegation), previous University response to similar conduct, and University interests (e.g., in providing a safe environment for all).
4. Disciplinary Action for employees may vary, up to and including termination of employment, based on the circumstances of the matter, and includes but is not limited to:

a. Prohibition from various academic or managerial responsibilities involving the Complainant or others;
b. A letter of reprimand placed in a Respondent's personnel file;
c. Restrictions on a Respondent's access to University programs or facilities;
d. Limitations on merit pay or other salary increases for a specific period; or
e. Demotion, suspension, or dismissal/termination from the University, or a recommendation that a separate process required to impose such action be commenced. Such a process shall rely on the written determination pursuant to these Procedures and may only address appropriate Disciplinary Action.

C. **Outcomes** if the Respondent who is a student is found responsible for Prohibited Conduct
1. The Outcome Council will determine the appropriate Outcomes for the Respondent and Remedies for the Complainant. The criteria for selection of the Outcome Council are set forth in the Honor Code.
2. In determining Outcomes, the Outcome Council has the following primary objectives:
   a. Promoting safety or deterring individuals from similar future behavior;
   b. Protecting the University community;
   c. Ending the Prohibited Conduct;
   d. Taking steps reasonably calculated to prevent the future reoccurrence of the Prohibited Conduct;
   e. Restoring the Complainant to their pre-deprivation status, to the extent practical and possible.
3. The Outcome Council considers the following criteria in determining Outcomes to meet those objectives:
   a. Nature and severity of the Prohibited Conduct;
   b. Number of Complainants;
   c. Number of impacted individuals;
   d. Prior Student Rights & Responsibilities history of the Respondent;
   e. The impact the Prohibited Conduct has had on the Complainant(s), University Community, community members, University and community safety, and University environment.
4. The range of Outcome includes:
   a. Status Outcomes, including Warning, Probation, Deferred Suspension, Suspension, and Dismissal;
   b. Educational Outcomes, including but not limited to Written Assignments, Worksheets, Programs & Activities; Interventions; Restrictions; and Referrals.

17. **Appeal**

A. Appealable Issues

Either Party may appeal a determination regarding responsibility. No other issue may be appealed.

B. Bases for Appeal

A Party may only appeal on one or more of the following bases:
1. Procedural irregularity that affected the outcome of the matter;
2. New evidence not reasonably available at the time the determination regarding responsibility was made that could affect the outcome of the matter;
   a. This basis for appeal is not satisfied simply because evidence was not presented during the

proceedings if the evidence was reasonably available at the time the determination was made.

3. The Associate Vice Chancellor or Investigator had a conflict of interest or bias for or against Complainants or Respondents generally, or the individual Complainant or Respondent, that affected the outcome of the matter.
4. Where the Respondent is a student, the Outcomes imposed are substantially disproportionate to the severity of the violation.

Mere disagreement with the decision is not grounds for appeal under these Procedures. The appellate process shall not re-hear a matter in part or in its entirety. In any request for an appeal, the burden of proof lies with the Party requesting the appeal.

C. Filing an Appeal

1. If a Party wishes to file an appeal, the Party must submit the appeal to the Associate Vice Chancellor in writing no later than five (5) days after the written determination letter is sent to the Party.
2. The written appeal must state with specificity:
   a. The issues being appealed; and
   b. The bases for the appeal
   c. If new evidence is offered, the appeal must describe with specificity the new evidence and how it could affect the outcome of the matter.

D. Time Frame for Completion of Appeal

1. The University will make a good faith effort to complete the appeal within fifteen (15) days from receipt of the appeal.
2. The time frame for completion of appeal may be extended for good cause. If the time frame for completion of appeal is extended, the Associate Vice Chancellor will notify both Parties in writing of the delay or extension and the reasons for the delay or extension.

E. Appeal Procedure

1. After receiving a timely written appeal, the Associate Vice Chancellor will notify the Parties in writing:
   a. That the appeal was submitted;
   b. The opportunity for the Party who did not submit an appeal to:
   c. Review the appeal statement of the other Party; and
   d. Submit a written statement in support of or challenging the issues being appealed within five (5) days of the date of the written notice of appeal.
2. The Appellate Officer shall not be the same person as the decision-makers that reached the determination regarding responsibility, the Investigator(s), the Associate Vice Chancellor, any member of the Outcome Council for the matter, or the University official(s) who determined Disciplinary Action in the matter.
   a. The Appellate Officers are as follows:
   b. For students, the Vice Chancellor for Student Affairs or designee;
   c. For employees who are staff, the Vice Chancellor for Human Resources or designee; and

d. For employees who are faculty, the Provost and Executive Vice Chancellor or designee.
e. The University will notify both Parties of the identity of the Appellate Officer, and the Parties will have two (2) days from receipt of the name to raise any objection to the participation of the member based on a perceived conflict of interest, bias, or prejudice.

3. The Appellate Officer will consider the appeal, including any written statements submitted by the Parties. The Appellate Officer may also consider the investigative report, including any Party's written response to the investigative report, but may not engage in independent fact finding such as interviewing the Parties or other Witnesses.
   a. The Appellate Officer may take one of the following actions:
      i. Deny the appeal based on not satisfying the Appeal Criteria and uphold the written determination issued following the hearing;
      ii. Accept the appeal in whole or in part based on satisfying the Appeal Criteria and either:
      iii. Send the matter back for supplemental investigation; or
      iv. If the defect cannot be cured through supplemental investigation, then the Appellate Officer may order a new investigation; or
      v. Dismiss the Complaint.
4. The Appellate Officer will prepare a written determination of appeal, which will describe the result of the appeal and the rationale for the result, and will provide the written determination to the Associate Vice Chancellor. The Associate Vice Chancellor will provide the written determination of appeal concurrently to the Parties.
5. The result of the appeal is final.

F. Grievance of Disciplinary Action for Employees

In addition to the appellate rights set forth in this Section 16, employees may file a grievance in accordance with the following procedures:

1. Faculty members may pursue their applicable rights pursuant to the Policies and Procedures Relating to Faculty Appointment, Promotion, & Tenure;
2. Staff may pursue a grievance pursuant to the Employee Grievance procedures outlined in the Employee Handbook; and
3. Employees who are subject to a collective bargaining agreement must pursue their grievance rights pursuant to that agreement.

18. Recordkeeping and Recordings

The Office of Equal Opportunity & Title IX documents each report or investigation of Prohibited Conduct, requests for assistance, and resolutions under these Procedures. Consistent with University's Records Management Policy, the Office of Equal Opportunity & Title IX will maintain separate, secure records in order to track patterns and systemic behaviors. The University will not store records related to the investigation of any allegations of Prohibited Conduct in personnel files of employees reporting alleged conduct, and instead the Office of Equal Opportunity & Title IX shall retain such records in a separate, secure location. However, the University will document any disciplinary action taken against an employee found responsible for Prohibited Conduct in the employee's personnel file. The University will keep such records confidential to the extent permitted by law.

The University has the right to make electronic recordings of any meeting, interview, or other proceeding under these Procedures. Each Party, Witness, advisor, and support person is prohibited from making an electronic recording of any meeting, interview, hearing or other proceeding under these Procedures.

The University shall retain for a period of seven (7) years after the date of case closure or for Students seven (7) years from the completion of all Outcomes:

1. The official file relating to a formal resolution, including any investigation, sanctioning, and/or appeals processes involving allegations of Prohibitive Conduct.
2. In cases in which a Respondent was found to have violated the Policy and was dismissed or terminated, the University may retain such official case files indefinitely.

19. Additional Considerations

A. Responsibilities of Parties

Throughout their involvement in any process under these Procedures, the Complainant Respondent, Witnesses, as well as third parties, have the following responsibilities:

1. Provide the University with truthful information and operate in good faith with University officials.
2. Not engage in Retaliation or Obstruction against any person who is perceived to have participated in any process pursuant to these Procedures.
3. Notify one's advisor or support person of the time, date, and location of any meeting associated with any process pursuant to these Procedures. The Investigator is not required to reschedule meetings to accommodate an advisor or support person.
4. Provide notification to the Investigator that an advisor or support person will be present for meetings no later than 48 hours before the scheduled meeting.
5. Provide the University with accurate address and other contact information so that notifications are not unduly delayed.
6. Promptly open and read any communication from the Office of Equal Opportunity & Title IX, the Office of Student Rights & Responsibilities, or any other University administrator involved in any process pursuant to these Procedures.

B. External Agreements

The University will not recognize or enforce agreements between the Parties outside those contemplated by these Procedures. However, the University will recognize any lawful order of a local, state, or federal law enforcement or similar agency or any lawfully-issued protective or other order of a court or similar authority with appropriate jurisdiction.

C. External Resources

An individual who believes that they have been subjected to unlawful Discrimination, Harassment, Gender-Based Violence, or Retaliation has the right to file a complaint with an appropriate local, state, or federal agency, such as the U.S. Department of Education Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), or the Colorado Civil Rights Division (CCRD), within the agency's applicable time limits.

In addition, any person who is dissatisfied with the University's internal procedures for handling complaints, or with the result of the investigation or the Outcomes and/or Disciplinary Action imposed, may seek redress through these means to the extent allowed by law. The Complainant should be aware that filing a report with

the Office of Equal Opportunity & Title IX or any other University office does not extend or postpone the deadline for filing with external agencies.

Any individual who believes that they have been discriminated against under the laws and regulations identified in these procedures, to meet the strict procedural timelines and the ability of the EEOC to investigate the complaint and protect the individual's right to file a private lawsuit, should promptly contact:

Equal Employment Opportunity Commission
131 M Street, NE
Washington, DC 20507
(202) 663-4900
(202) 663-4494 (TTY)
(844) 234-5122 (ASL Video Phone)
info@eeoc.gov

Denver Field Office
950 17th Street
Suite 300
Denver, CO 80202
United States
(800) 669-4000
(800) 669-6820 (TTY)
844-234-5122 (ASL Video Phone)

20. Education and Prevention Programs

The University is committed to offering educational programs to promote awareness of Discrimination, Harassment, Gender-based Violence, and Retaliation. Educational programs include an overview of the University's policies and procedures; relevant definitions, including Prohibited Conduct; discussion of the impact of alcohol and illegal drug use; Consent; safe and positive options for bystander intervention; review of resources and reporting options available for students, faculty and staff; and information about risk reduction. All incoming students receive training on the University's policies and procedures, as well as prevention and awareness programming. During on-boarding and annually, employees are required to undertake training on the University's policies and procedures, as well as prevention and awareness programming. The University's Office of Equal Opportunity & Title IX, the Center for Advocacy, Prevention and Empowerment (CAPE), and the Department of Health Promotion provide education and prevention programming and are willing to tailor programming to address specific campus needs and climate.

21. Revisions

Pursuant to University's Discrimination and Harassment Policy, Section 3.10.010, the University may update these Procedures at any time as necessary to comply with applicable local, state, and federal laws and regulations and/or directives from relevant government agencies. The University will make such updates subject to approval from the Provost and Executive Vice Chancellor and the Senior Vice Chancellor for Business and Financial Affairs and effective upon publication to the University community.