

FAQ: RESPONDENT

Q: I JUST RECEIVED A LETTER FROM THE OFFICE OF EQUAL OPPORTUNITY & TITLE IX INFORMING ME THAT SOMEONE HAS FILED A COMPLAINT WHAT DOES THIS MEAN?

If you have received a Letter of Notice informing you that a complaint has been filed against you, it means that the Office of Equal Opportunity & Title IX has received a report that alleges that you engaged in conduct that is prohibited by the Office of Equal Opportunity & Title IX Procedures. You can learn more about what conduct is prohibited by reviewing Section V of the Procedures, starting on page 7, [here](#). This letter does NOT mean that the Office has determined you engaged in prohibited conduct; it simply means that there has been an allegation that the Office will investigate to determine what, if anything, happened.

Q: AM I REQUIRED TO PARTICIPATE IN AN INVESTIGATION WITH THE OFFICE OF EQUAL OPPORTUNITY & TITLE IX?

No. You may decide whether, or to what extent, you wish to participate. All Respondents may attend an informational meeting with the Director of Equal Opportunity or the Title IX Coordinator. The meeting is designed to help you make an informed decision regarding whether or how you would like to participate. You will also be invited to participate in an investigative interview with the assigned Investigator in the case, which you may also decide, whether, or to what extent, you wish to participate. Please note that the investigation will proceed without your perspective should you choose not to participate in an interview, and that the Investigators can only make a determination regarding alleged policy violations based on the information provided during the investigation process.

Q: MAY I BRING SOMEONE ELSE WITH ME TO A MEETING OR INTERVIEW?

Yes. You may bring a support person and/or advisor, of your choice, to any meeting or interview with our Office. The support person/advisor may be any person who does not have first-hand information that would be valuable to an investigation. While this person may provide you guidance, please note that the support person/advisor may not speak on your behalf.

Q: HOW LONG DO I HAVE TO DECIDE WHETHER I WILL PARTICIPATE IN THE PROCESS?

You have five (5) business days after the formal Letter of Notice is sent to complete an informational meeting with the Director of Equal Opportunity or Title IX Coordinator. At the informational meeting, you will review the procedures, discuss your responsibilities, and be given an opportunity to ask any questions you may have.

Q: WILL I HAVE THE OPPORTUNITY TO GIVE MY OWN PERSPECTIVE ABOUT THE ALLEGATIONS?

Yes. After your informational meeting is complete, or after the deadline passes for the Respondent to attend such a meeting, the Investigator assigned to the complaint will invite you to participate in an investigative interview. You will have ten (10) business days after the formal Letter of Notice is sent to complete this interview. You are not required to participate in an investigative interview. Additionally, if you decide to participate, you can decide to what extent you participate. At that time, you may also provide evidence and names of other people who you would like the Investigator to interview.

Q: DO I GET TO SEE THE COMPLAINANT'S ALLEGATIONS IN WRITING?

Yes. Both the Complainant and Respondent will have the opportunity to view all relevant information in a written Preliminary Report at the end of the fact-gathering process, and to respond with any additional information that should be considered. For the purpose of gathering candid perspectives from all parties, complaints and interview statements are not disclosed to any participant before the Preliminary Report is issued. However, you will have an opportunity to respond to details of the specific allegations during the interview process and following the release of the Preliminary Report.

Q: HOW LONG DOES A FORMAL INVESTIGATION TAKE?

There is no fixed time frame to complete an investigation. In previous years, the average time to complete an investigation has been about 90 days. A formal investigation begins from the date that a complainant submits his/her/their final statement. The Office strives to complete the investigation in a timely manner balancing principles of thoroughness and fundamental fairness with promptness. An investigation may take longer depending on the complexity of a case, the number of witnesses, volume of information provided by the parties, University breaks or vacations, or other factors. The Office will provide the parties periodic updates about the status of the investigation. You can contact the Investigator at any time to receive any update.

Q: IF I PROVIDE INFORMATION FOR THE INVESTIGATION, WILL OTHERS BE ABLE TO VIEW IT OR OBTAIN COPIES OF THE INFORMATION THAT I PROVIDE?

If you are a student, the Family Educational Rights and Privacy Act ("FERPA") generally prevents DU from disclosing your Title IX or Equal Opportunity records without your consent. However, all records are subject to lawful subpoena. Additionally, DU may share these records with other University personnel who have an educational "need to know."

Q: (STUDENTS-ONLY) WILL I BE REFERRED TO THE OFFICE OF STUDENT RIGHTS AND RESPONSIBILITIES (THE STUDENT CONDUCT OFFICE) IF THE INCIDENT THAT I AM DISCUSSING INVOLVED THE ILLEGAL USE OF ALCOHOL OR DRUGS?

No. Our foremost interest is to obtain as much relevant information as possible about the concern that is under investigation. The use of drugs or alcohol—whether voluntary or involuntary— is often relevant to our investigation. Accordingly, students will not be disciplined for candid disclosure of these facts in our process. However, the University may require educational measures be completed which are not part of a student's conduct record.

Q: IS THE COMPLAINANT ALLOWED TO CONTACT ME DURING THE INVESTIGATION? AM I ALLOWED TO CONTACT THE COMPLAINANT?

We generally recommend that parties not interact with one another while an investigation is ongoing. Additionally, any person may seek a mutual no-contact order from the University, prohibiting or limiting contact for a specified period of time. We also encourage all individuals involved to inform the Office if they feel that any interaction with an individual is retaliatory in nature, as defined by our procedures. Concerns of retaliation will be investigated separately as an independent policy violation.

Q: (STUDENTS-ONLY) WILL MY PARENT/FAMILY MEMBER BE NOTIFIED IF I AM INVOLVED IN AN INVESTIGATION?

No. Information about the investigation is considered to be part of your private student record, and will not be disclosed to your parent or family member without your written permission. For more information about granting permission for others to access your student records, please visit <http://www.du.edu/registrar/privacy/>.

Q: (EMPLOYEES-ONLY) WILL A SUPERVISOR BE NOTIFIED IF I AM INVOLVED IN AN INVESTIGATION?

Yes. Regardless of the nature of the matter under investigation, your immediate supervisor will be notified that the investigation is pending. In the event that the investigation finds a policy violation to be more likely than not, the supervisor will be responsible for determining which corrective action is appropriate.

Q: WILL MY FRIENDS OR CO-WORKERS FIND OUT ABOUT THE INVESTIGATION?

It depends. The Investigators are obligated to seek the relevant information necessary to make an informed, factual determination. This information is often only available from close friends and/or co-workers. While these individuals may be contacted to share any information that they have, the Investigators will never share unknown or unnecessary information about the investigation with these individuals. They will also not be notified of the results of the investigation.

Q: WHERE CAN I ASK ADDITIONAL QUESTIONS ABOUT THE INVESTIGATIVE PROCESS?

Investigations are supervised by the Director of Equal Opportunity and Title IX Coordinator. They are available during business hours to answer any questions regarding the investigative process:

Interim Director of Equal Opportunity
Monica.Reynoso@du.edu
303.871.3941

Interim Title IX Coordinator
Molly.Hooker@du.edu
303.871.2032

Q: IS THERE SOMEONE I CAN TALK TO FOR SUPPORT?

Yes. The University has confidential and non-confidential resources that you may connect with to discuss your concerns and receive support.

[Health & Counseling Center \(HCC\)](#)

CONFIDENTIAL

Ritchie Center, 3rd floor North

info@hcc.du.edu

Phone: 303.871.2205 (Monday - Friday, 8:00 a.m. - 4:30 p.m.)

Counselor on Call 24 hours a day by calling their Hotline: 303.871.2205 (press 8)

[Student Outreach & Support \(SOS\)](#)

NON-CONFIDENTIAL

Student Outreach & Support (SOS) connects students in need of resources to appropriate campus or community services. Support comes through an individualized approach using the C.A.R.E. philosophy (Communicate, Assess, Refer, Educate).

Driscoll Center South, 2055 E. Evans Ave Denver, CO 80208

care@du.edu

Phone: 303.871.4724 (Monday - Friday, 8:00 a.m. - 4:30 p.m.)

[Employee Assistance Program \(EAP\)](#)

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All University of Denver employees are eligible for the Employee Assistance Program (EAP). University employees can attend up to six counseling visits each fiscal year at the HCC: the initial consultation + 5 sessions.

Contact the HCC to access EAP

You can also find a full list of resources on our webpage:

<https://www.du.edu/equalopportunity/resources/index.html>