

ANNUAL CAMPUS SECURITY & FIRE SAFETY REPORT

2020



UNIVERSITY *of*
DENVER

CAMPUS SAFETY

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INTRODUCTION

Selecting the right college or university to attend is an important decision for students and their families. Additionally, deciding where to work and build a career is also a big decision and one that needs to be made based on an assessment of a number of factors. Campus safety and security is a factor that goes into both of these decisions and should not be taken lightly. Responding to concerns regarding campus safety and security at colleges and universities, Congress enacted the “Crime Awareness and Campus Security Act of 1990,” which amended the “Higher Education Act of 1965.” The 1998 amendments to this Act renamed it the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” in memory of Jeanne Clery, a freshman student at Lehigh University who was raped and murdered in her dorm room in 1986. This federal law has largely become known across the United States as the “Clery Act.”

All public and private postsecondary institutions that participate in Title IV student financial assistance programs must comply with the Clery Act. Among the various requirements, these colleges and universities are required to prepare, publish, and distribute a report concerning campus crime statistics, safety and security policies on an annual basis through appropriate publications, mailings or via an online computer network. This report must be distributed to all current students and employees as well as all prospective students and employees upon request. Additionally, all Title IV institutions with on-campus student housing are required to prepare and distribute an Annual Fire Safety Report with specific statements of fire safety policies and procedures as well as the annual fire safety statistics for the past three calendar years.

The University of Denver’s (DU) Annual Campus Security and Fire Safety Report, published annually, provides crime and fire statistics and information on safety and security related services offered by the university, in compliance with the above mentioned Acts. The report summarizes university campus and safety programs and contains policies and procedures designed to enhance personal safety at the University of Denver. This report is prepared by DU’s Division of Campus Safety with data and information provided by this Division in collaboration with; the Office of Student Rights and Responsibilities, the Office of Equal Opportunity & Title IX, Housing and Residential Education, the Health and Counseling Center, the Office of Emergency Preparedness & Fire Safety, other DU departments and campus security authorities (as defined by federal law), as well as in cooperation with the Denver Police Department and other law enforcement agencies that provide services to DU owned and/or controlled properties within their jurisdictions. The report includes crime statistics for the previous three calendar years concerning reported crimes that occurred within Clery boundaries, to include on campus; in certain non-campus buildings or property owned or controlled by the University of Denver; and on public property within or immediate adjacent to and accessible from the campus. Fire statistics for the previous three calendar years are also included in this report. Each department or entity provides crime statistics and/or updated information on its educational efforts and programs to comply with required acts, including the Jeanne Clery Act.

The 2020 Annual Campus Security and Fire Safety Report is posted on the University of Denver’s (DU) Department of Campus Safety website du.edu/campussafety/reports/index.html in PDF format. Printed copies are available at the DU Campus Safety Center. A link to this report is distributed to all student, faculty and staff members via their du@edu email account. For more information regarding campus safety or to request a paper copy of the report, contact the University of Denver’s Division of Campus Safety at 303. 871.2334, or e-mail the Clery Coordinator or write to the department at 2130 S. High St., Denver, CO, 80208-6200.

MESSAGE FROM THE DU CAMPUS SAFETY DIRECTOR

There is no higher priority here at the University of Denver than ensuring that our community is as safe and secure as possible for our students, faculty, staff and visitors to work, live and learn. We are fortunate to have the support and services of what I believe to be one of the best community-focused Campus Safety departments in the country looking out for all of us here.

The 2020 Annual Security and Fire Safety Report includes information about the services the university provides and the resources available to the campus community. I encourage you to ask questions and share ideas with staff at the Division of Campus Safety or any of the other departments listed as you work to protect yourself and help maintain a safe, secure environment for all.

At the University of Denver, we continue to build a unique Division of Campus Safety. Our mission is to serve everyone on our campus, with student safety and security first in our thoughts and actions.

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, a copy of this Annual Security and Fire Safety Report is available online and/or a hard copy may be obtained by contacting the Division of Campus Safety at 303-871-3215. This report includes crime statistics for the previous three (3) years, institutional policies concerning campus safety, University response to reported crimes, security and other crime prevention information.

Newly enrolled students learn about living in the campus community during a student orientation program. Topics include personal safety, crime reporting, emergency procedures, respect for others, alcohol, consent and sexual assault. The Annual Campus Security and Fire Safety Report is produced by the Division of Campus Safety in collaboration with multiple departments on campus as well as in cooperation with the Denver Police Department, the local law enforcement agency that provides services to DU properties within their jurisdiction.

Safety is a shared responsibility at DU, and we do everything we can to partner with student and employee leaders, and others in the community, to educate our students, faculty, staff and visitors about how we can all work together to look after one another, share information, and be active friends and bystanders in making our community a safe place.

For the 2020-2021 academic year, our Division will continue to partner with student leaders and our professional colleagues in Student Affairs & Inclusive Excellence, Human Resources & Inclusive Communities and other safety and risk services, to educate and engage students in order to prevent crime, promote safe behaviors, and help one another to forge a safe campus environment. Areas of focus include getting students home safely, having an exceptionally trained and equipped corps of officers, and working diligently with campus neighbors and local businesses to prioritize student well-being.

We encourage our students, colleagues, families, community members and all stakeholders to reach out to us with their needs, concerns, and ideas. Please join us.

Michael Holt
Interim Director of Campus Safety
University of Denver

UNIVERSITY OF DENVER'S DIVISION OF CAMPUS SAFETY

The University of Denver's (DU) Division of Campus Safety (DCS) is a professional organization, accredited by the Commission on Accreditation for Law Enforcement Agencies (CALEA) under this organization's Campus Security Accreditation Program. The DCS provides services 24 hours a day, 365 days a year. The DCS Campus Safety Officers (CSOs) conduct preventative patrols within their jurisdictional boundaries as well as provides building and property security; basic first responder services; safety escorts and responds to calls for service by the campus community. If university students commit minor offenses involving university rules and regulations, DU Campus Safety Officers may refer the students to the Office of Student Rights and Responsibilities for possible disciplinary action.

DU Campus Safety Officer's Authority and Relationship with the Denver Police Department

DU Campus Safety Officers (CSOs) are non-commissioned/non-sworn officers licensed by the City and County of Denver. All CSOs must maintain a valid Denver Security Guard License. CSOs are unarmed and do not have authority to make arrests; however, CSOs may detain individuals on campus properties owned and controlled by the University of Denver, under specific Colorado state statutes, for disposition by the Denver Police Department (DPD). CSOs may detain individuals for disposition by Denver Police if they have viewed an individual commit an act that the CSO reasonably believes has violated a city ordinance, or a state or federal law.

DPD police officers have the jurisdictional and legal authority to make the final determination regarding violations of law, as well as the disposition of detained persons. Conversely, the DPD regularly informs the Division of Campus Safety (DCS) when it investigates a crime or complaint involving student conduct at on or off-campus locations. The University of Denver does not systematically monitor criminal activity in which students or student organizations engage off campus. However, DCS routinely cooperates with the DPD and other external police agencies in the investigation of, and response to, this type of activity when it is brought to the University's attention.

The Division of Campus Safety strives to provide campus safety, security, prevention and educational programs complementary to the University's mission of education, research and community service. DCS personnel regularly meets with law enforcement agencies to exchange ideas and discuss problems that are of concern in the campus community. While not a sworn law enforcement agency, DU Campus Safety Officers (CSOs) serve as the University's primary liaison with law enforcement officials and may take reports to assist outside law enforcement and other public agencies, including, but not limited to the following situations: at the direct request of an agency; if CSOs encounter a serious criminal offense in the performance of their duties; or if CSOs have begun a preliminary investigation or contributed to an investigation that is later determined to be under the jurisdiction of another entity.

The Division of Campus Safety maintains a professional and cooperative relationship with the Denver Police Department (DPD). Members of the DU community are encouraged to immediately report suspicious circumstances and crimes occurring on campus to the DCS. In turn, the DCS coordinates with DPD to determine the appropriate response. The Division of Campus Safety and the Denver Police Department have a Memorandum of Understanding (MOU) that serves as the operational framework for their ongoing and cooperative public safety efforts. The University of Denver campus is wholly located within the statutory boundaries of the City and County of Denver, Colorado. The Denver Police Department has primary jurisdiction and responsibility for handling police related events occurring at the University as follows:

- Crimes of violence resulting in significant injury or death, including actual and attempted homicides, rape, and sexual assaults, robberies, serious assaults, such as first degree assaults and those involving the use or implied use of a weapon, suicides, suspicious or unattended deaths and industrial accidents. Serious bodily injuries are defined as those injuries requiring hospitalization and/or significant medical treatment and include in-progress and late reported crimes. The DCS will immediately refer any such crimes to the DPD for investigation.

- Missing person cases. The DCS will report missing person cases to the DPD immediately so that a DPD officer may be dispatched to handle the investigation.
- All controlled dangerous substance violations. The DCS will immediately refer such matters to the DPD for investigation and action.

In cases where the members of the DCS have detained or initiated criminal process (i.e. criminal investigation detention and/or peace/protective order), they will notify the DPD of their actions in a timely fashion. Copies of all documents or reports relating to the matter will be provided to the appropriate DPD representative in a timely manner.

In every case where an apprehension and/or detention of a suspect is made by authorized members of the Division of Campus Safety, the detainee will be transferred to the responding DPD officer as quickly as practical. Summons or arrest is at the discretion of the responding DPD officer. The prosecuting attorney may subpoena the appropriate DCS staff as witnesses for trial. Arrangements for the suspect's transport will be made through the DPD Communications Section with the knowledge of the on-duty DPD Patrol Supervisor. Patterns of crime developing within the University community will be reported to the DPD Communications Center as soon as practical or any time an on-duty supervisor of the DCS feels that a case or situation exceeds DCS personnel's ability to safely, effectively and appropriately handle or investigate a matter/case, it should be referred to the DPD at that time. Care should be taken to involve the DPD at the earliest possible opportunity to reduce confusion and duplication of effort while maximizing the integrity of the crime scene and preliminary investigation. If this should occur, the on-duty DCS supervisor will ensure that all involved DCS personnel complete detailed reports to be provided to the DPD investigator at the earliest possible opportunity.

Crimes involving suspects from outside the campus community create unique challenges for the Division of Campus Safety personnel. Accordingly, cases potentially involving suspects from outside the University community will immediately be referred to the DPD for investigation at the earliest opportunity. In the event a crime occurs on-campus and is reported to both DPD and the Division of Campus Safety, investigations may be assigned and completed by both agencies. As in all matters, the Division of Campus Safety works collaboratively with DPD to investigate crimes occurring on campus. Assuming criminal charges have or may result, the Division of Campus Safety will always defer to DPD's authority in an effort to maintain evidentiary integrity and the best possible outcome. In these cases, the Division of Campus Safety's investigation will be coordinated with, or completed immediately subsequent to, the DPD investigation.

I. Annual Security and Fire Safety Report

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I. ANNUAL SECURITY AND FIRE SAFETY REPORT

CLERY ACT COMPLIANCE

In 1998, the federal government passed the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, or the Clery Act. This law requires colleges and universities receiving federal funding to:

- Publish an annual report disclosing campus security policies and three years of selected crime and fire statistics.
- Make timely warnings to the campus community about crimes that pose a serious or ongoing threat.
- Keep a public crime log.
- Uphold basic rights to victims of sexual assault.
- Make accurate crime statistics available to the U.S. Department of Education, which centrally collects and disseminates campus crime statistics at the national level.
- Face possible fines from the U.S. Department of Education when schools fail to comply with the Clery Act.

The purpose of the Clery Act is to provide current and prospective students and employees with accurate, complete and timely information about campus safety so that they can make informed decisions. The University of Denver's Department of Campus Safety publishes the Annual Campus Security and Fire Safety Report in compliance with the Clery Act, and also offers it as a resource guide, directing readers to campus safety and security services and providing crime prevention and personal safety guidance and strategies.

This report also includes information and policy statements regarding campus security and safety; for example, prevention and response to sexual assault (termed gender based violence at DU) and other serious crimes, crime prevention and security awareness information, crime reporting procedures, alcohol and substance abuse prevention and education, campus and community services and resources for students, faculty and staff members who are victims of crime, fire safety and emergency evacuation procedures, as well as other matters of importance to the campus community.

The 2020 Annual Campus Security and Fire Safety Report meets Clery Act federal requirements, as set forth by the Department of Education, including the Higher Education Opportunity Act of 2008, as related to the Jeanne Clery Act, and including amendments to the Clery Act under the Higher Education Act of 1965 and more recently, the Violence Against Women Reauthorization Act of 2014. Compliance with the final regulations and provisions of the Violence against Women Reauthorization Act of 2014 (VAWA) does not constitute a violation of §444 of the General Education Provisions Act (20 USC 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

Clery Associated Records: The Division of Campus Safety's Clery Coordinator is the custodian for all Clery-associated records. These records include the current and prior annual reports, Clery crime statistics, and the public crime log (available on the Division of Campus Safety website and in paper copy format at the Division's Campus Safety Center. The institution is required to keep Clery-associated records for seven years.

REPORTING THE ANNUAL DISCLOSURE OF CRIME AND FIRE STATISTICS

As required by federal law, the University of Denver's yearly crime statistics are compiled on a calendar-year basis in accordance with the definitions of crimes provided by the FBI for use in the Uniform Crime Reporting (UCR) system. The report includes statistics for the previous three years concerning crimes that occurred on campus and were reported to the Division of Campus Safety or other designated campus officials, referred to as Campus Security Authorities. Additionally, these statistics include people referred for campus disciplinary action for categories required under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, including liquor and drug law violations and illegal weapons possession. Statistical information for certain non-campus locations or property owned or controlled by the university, as well as public property within or immediately

adjacent to and accessible from campus, are collected or requested from the Denver Police Department other law enforcement agencies. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year in which the crime was reported. Reported crimes may involve individuals not associated in any way with the University of Denver. Additionally, Fire statistics, are collected and provided by the Division of Campus Safety, to include those which occur in student residential facilities. This information is also included in the Annual Security and Fire Safety Report.

The current daily crime log is available for public review on the Division of Campus Safety's website at <https://www.du.edu/campusafety/reports/index.html>. Previous daily crime logs for up to seven years can be requested and/or reviewed at the Division's Campus Safety Center, 2130 S. High Street, Denver, Colorado. If a crime report is determined to be "unfounded," the Division of Campus Safety will update the disposition of the complaint to "unfounded" in the daily crime log. The report will not be deleted from the crime log.

The Annual Campus Security and Fire Safety Report is published on the University of Denver's Department of Campus Safety (DU Campus Safety) web site annually. This year's report reflects crime and fire statistics that were reported in the calendar year of 2018, 2017, and 2016. Statistics for the current calendar year will appear in the report for the following year.

Development of the Annual Campus Security and Fire Safety Report.:

The University of Denver Division Of Campus Safety's Clery Coordinator is responsible for the collection and compilation of required data and information included in the Annual Security and Fire Safety Report as well as the preparation and publication of the annual report. In addition to crime and fire statistics; program, procedures, policy statements are collected from other DU departments for inclusion into this report. The below departments include, but are not limited to, those who work in conjunction with the Division of Campus Safety to achieve compliance with the Clery Act:

- The Office of Equal Opportunity and Title IX
- The Office of Student Rights and Responsibilities
- Housing and Residential Education
- Fraternity and Sorority Life
- Student Outreach and Engagement
- Human Resources and Inclusive Community
- The Health and Counseling Center
- Athletics and Recreation
- The Office of Emergency Preparedness and Fire Safety

The Division of Campus Safety also collects statistical information from other Campus Security Authorities (CSA's) as well as law enforcement agencies that include, the Denver Police Department (DPD), Aurora Police Department, Durango Police Department, Glenwood Springs Police Department, Arapahoe Sheriff's Office, Clear Creek County Sheriff's Office, and Jefferson County Sheriff's Office, accordingly. Additionally, crime statistics are requested and collected from those law enforcement agencies within jurisdictions that provide lodging services where students stay when traveling for study abroad programs and school sanctioned activities. This information will be included based on the reporting parameters established by the Clery Act. The DCS also gathers statistical information about fires at on-campus student housing facilities and collects this information from a variety of source, including campus security authorities, to include the University's Housing and Residential Education, Fraternity and Sorority Life, and the Office of Emergency Preparedness and Fire Safety.

The Division of Campus Safety (DCS) makes a good faith effort to obtain the statistics by requesting them, in writing, from non-police campus security authorities and law enforcement agencies. The DCS relies on the information

obtained but is not responsible if the information is inaccurate or not provided. Reports are sometimes completed by both the Denver Police Department and the Division of Campus Safety regarding the same incident. Although this data is reviewed in an effort to avoid double reporting, some replication may exist. Pertinent statistical data are also obtained from other entities with “campus security authority” as defined by the Clery Act.

When collecting and compiling statistics, the Clery Coordinator does not require any identifying information about a victim, as such information is not required for Clery statistical disclosure. Specific data required and collected for the Clery statistical reporting includes the date the incident was reported, the location and the crime classification.

Notification and Distribution of the Annual Campus Security and Fire Safety Report:

The Annual Campus Security and Fire Safety Report is published and distributed by October 1st of each year, in compliance the Clery Act. Additionally, the required statistical crime and fire data is submitted to the Department of Education by October 1st of each year. All DU employees and enrolled students receive an e-mail notification regarding the content and availability of the Annual Campus Security and Fire Safety Report. The e-mail provides information regarding how to access the report as well as a direct link to Division of Campus Safety website to access this report.

An electronic notice is distributed via e-mail to:

- All DU employees (faculty and staff members)
- All DU students (currently enrolled and those who have applied by October 1)

Notification is also posted in the following locations:

- A link to the report is provided on the Shared Services website and is embedded in all available job listings.
- A link to the report is provided on the Admission’s website and is provided to prospective students via an auto-response e-mail generated when an application is submitted electronically (undergraduate, graduate and law school submissions).
- A link to the report is provided on the Division of Campus Safety’s website for the campus community as well as for the general public.

To request a paper copy of the report, contact DU Campus Safety at 303-871-2334, or e-mail the [Clery Coordinator](#) or write to the department at 2130 S. High St., Denver, CO, 80208-6200. Printed copies are available at the DU Campus Safety Center (2130 S. High St., Denver, CO) and are also distributed to the University on-campus student housing facilities. This report may be viewed on the University’s Division of Campus Safety website: du.edu/campus_safety/reports/index/html.

CAMPUS SECURITY AUTHORITIES

All Clery Act crimes reported to a Campus Security Authority (CSA) will be evaluated for the purposes of making timely warning and/or emergency notifications to the campus community and for inclusion in the annual disclosure of crime statistics. Campus Security Authority is a Clery Act specific term that encompasses four groups of individuals and organization associated with an institution:

1. *A campus police department or a campus security department of an institution.*

The University of Denver Division of Campus Safety officers, Communication Technicians, and administrative personnel are considered Campus Security Authorities under this definition.

2. *Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g. an individual who is responsible for monitoring the entrance to institutional property).*

Non-Campus Safety personnel of offices responsible for security presence or access control authority on University of Denver owned or controlled property. This includes, but is not limited to student patrol officers, security staff at athletic events, and student ID checkers for the University.

3. Any individual or organization specified in an institution's statement of campus security police as an individual or organization to which students and employees should report criminal offenses.

Officials with significant responsibility for student and campus activities category is defined broadly to ensure complete coverage and thorough reporting of crimes. To determine which individuals or organizations are CSAs, consider job functions that involve relationships with students. Look for officials (not support staff) whose functions involve relationships with students. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the university.

If an individual has significant responsibility for student and campus activities, they are considered a CSA. Some examples of CSAs in this category include, but are not limited to: deans, student life professionals, student residential housing staff, athletic director/assistant directors, coaches, student activities coordinators, and faculty/staff advisers to student organizations.

4. An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and duty to take action or respond to particular issues on behalf of the institution.

The University of Denver's Office of Student Rights and Responsibilities is the entity designated as having the authority and duty to take action or respond to particular issues on behalf of the University. Personnel assigned to the Office of Student Rights and Responsibilities that are involved in campus judicial proceedings and/or the decision and issuance of student discipline are considered Campus Security Authorities under this definition.

The function of a campus security authority is to report to the official or office designated by the institution to collect crime report information, such as the campus police or security department, those allegations of Clery Act crimes that he or she receives. CSAs are responsible for reporting allegations of Clery Act crimes that are reported to them in their capacity as a CSA. This means that CSAs are not responsible for investigating or reporting incidents that they overhear students talking about in a hallway conversation; that a classmate or student mentions during an in-class discussion; that a victim mentions during a speech, workshop, or any other form of group presentation; or that the CSA otherwise learns about in an indirect manner.

At the University of Denver, the Division of Campus Safety is the office designated by the University to collect crime and fire safety report information. When a CSA is made aware of a Clery Act-qualifying crime, they are required to report it to the University's Division of Campus Safety for statistical reporting. CSAs should gather incident information that would provide sufficient detail to properly classify the incident. CSAs should not investigate the crime or attempt to determine whether a crime, in fact, took place.

The Division of Campus Safety reviews these reports and make a determination if an incident warrants a timely warning and/or emergency notification of the University community using established procedures and whether it is a reportable crime in the Annual Security and Fire Safety Report. The Clery Compliance Coordinator will consolidate crime data from multiple sources, report qualifying crime data to the federal Department of Education, publish campus security reports and inform the campus community when and where Annual Security and Fire Safety Reports are available.

CLERY ACT REPORTING GEOGRAPHY AND CLERY CRIME MAP

The University of Denver must report statistics for Clery offenses occurring in areas that meet the definitions below. Clery crimes that occur in these areas are listed on the crime statistics tables included in this document and reported

to the Department of Education according to these categories. Pursuant to reporting requirements mandated by the federal government, offense locations have been delineated into: On-Campus; Non-Campus; Public Property; and, as a sub category location on campus, On-Campus Residential.

Geographic locations are defined as follows:

On-campus:

Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (2) any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of the definition, that is owned by an institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

On-Campus Residential:

Dormitories or other residential facilities (DU has included all its fraternity and sorority residences in this category. Residential facilities are a subset of the locations that are defined under "on-campus." The crime statistics that are reported in this column are also included in the column under "on-campus"; they are not additional incidents.

Non-campus:

Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students and is not within the same reasonably contiguous geographic area of the institution.

Public Property:

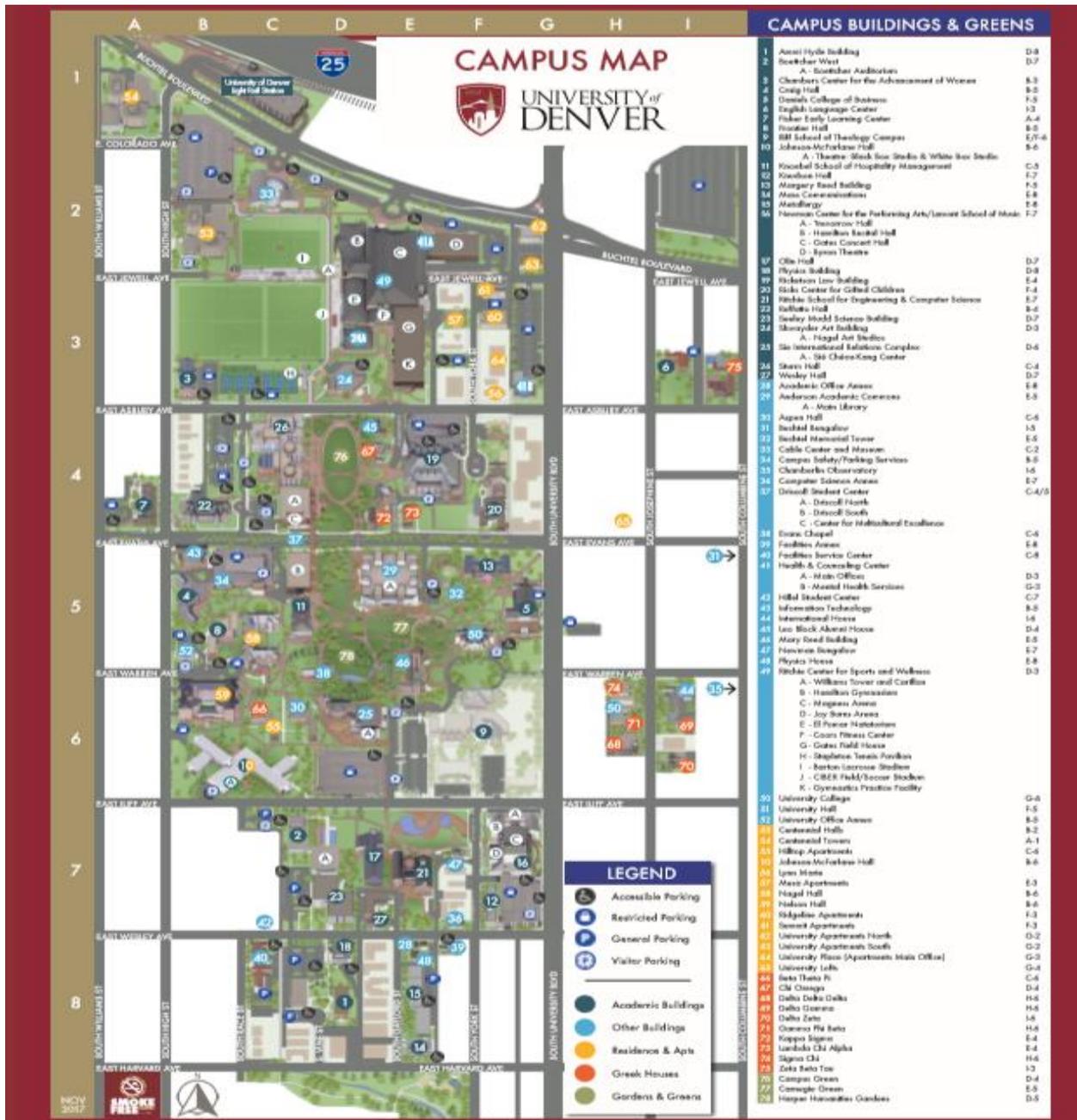
All public property, including thoroughfares, streets, sidewalks, parking facilities, parks and waterways, that is within the campus, or immediately adjacent to and accessible from the campus. For Public Property reporting, the following campus parameters are defined as:

DU University Park Campus*:

- (North) Buchtel Boulevard
- (East) South Columbine Street
- (South) East Harvard Avenue
- (West) South Williams Street

*Refer to Campus Map on the following page for additional boundaries and descriptors. The University of Denver Campus Maps can be viewed on their website at: <https://www.du.edu/site-utilities/maps>

DU University Park Campus Map



CLERY DEFINITIONS AND TERMINOLOGY

Clery Act Crime Definitions

The Clery Act applies the crime definitions from the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Program when classifying and counting Clery crimes. The definitions for murder/non-negligent manslaughter, negligent manslaughter, rape, robbery, aggravated assault, burglary, motor vehicle theft, weapon law violations, drug law violations, and liquor law violations are derived from the "Summary Reporting System (SRS) User Manual" from the FBI's UCR Program. The definitions of fondling, incest and statutory rape are from the "National Incident-Based Reporting System (NIBRS) User Manual" from the FBI's UCR Program. The definitions of larceny-theft (except motor-vehicle theft), simple assault, intimidation, and destruction/damage/vandalism of property are from the "Hate Crime Data Collection Guidelines and Training Manual" from the FBI's UCR Program. The definitions of dating violence, domestic violence, and stalking (for purposes of Clery crime statistics) are from the Code of Federal Regulations (Clery Regulations) section 668.46(a).

It should be noted that Clery crime definitions used in the compiling Clery crime statistics are different than Colorado state crime and Denver municipal ordinances definitions that may be used by law enforcement authorities and prosecutorial agencies as well as University of Denver administrative policy definitions of certain crimes. The Clery Act crime definitions are as follows (in hierarchical order):

Murder/Non-Negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

Negligent Manslaughter: The killing of another person through gross negligence.

Sexual Assault (Sex Offenses): Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Include attempted Sexual Assaults, but do not include in your Clery Act statistics any Sexual Assaults other than the four types of Sexual Assaults described below:

- **Rape** - the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
- **Fondling** - 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 his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest** - sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** - sexual intercourse with a person who is under the statutory age of consent

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

- **Administration of a Date Rape Drug:** The administration of a date rape drug in an unsuccessful attempt to incapacitate and sexually assault the victim, and investigation determines that the perpetrator's attempt was to commit a sex offense, is a sexual assault. Administration of a date rape drug in which intent cannot be proven is an Aggravated Assault.

Burglary: The unlawful entry of a structure to commit a felony or a theft.*

*An incident must meet three conditions to be classified as a burglary:

1. There must be evidence of unlawful entry (trespass).
2. The unlawful entry must occur within a structure, which is defined as having four walls, a roof and a door.
3. The structure was unlawfully entered to commit a felony or a theft. If the intent was not to commit a felony or a theft, the incident is not a burglary.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned, including joyriding).

Arson: The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another, etc.

Clery Act Hate/Bias Crime Reporting

Bias Definition: A preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, sexual orientation, ethnicity, national origin or disability. Although there are many possible categories of bias, under Clery, only the following eight categories are reported:

- **Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity, which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).
- **Gender:** A preformed negative opinion or attitude toward a group of persons because those persons are male or female
- **Gender Identity:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity (e.g., bias against transgender or gender non-conforming individuals).
- **Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).
- **Sexual Orientation:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived sexual orientation.
- **Ethnicity:** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term race in that “race” refers to grouping based mostly upon biological criteria, while “ethnicity” also encompasses additional cultural factors.
- **National Origin:** A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and/or traditions.
- **Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Hate Crime Defined: A hate crime is defined as any crime that manifests evidence that a victim was selected because of his/her actual or perceived race; gender; gender identity; religion; sexual orientation; ethnicity; national origin or disability. A hate crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. If the facts of the case indicate that the offender was motivated to commit the offense because of his/her bias against the victim's perceived race; gender; gender identity; religion; sexual orientation; ethnicity; national origin or disability, the crime is classified as a hate crime. For Clery Act purposes, Hate Crimes include any of the following offense that are motivated by bias:

- Murder and Non-Negligent Murder
- Sexual Assault
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- **Larceny-Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Note: Constructive possession is defined by Black's Law Dictionary, 6th ed. as "where one does not have physical custody or possession but is in a position to exercise dominion or control over a thing.")
- **Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- **Destruction/Damage/Vandalism of Property (Except "Arson"):** To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

For more information on the definition and classification of hate crimes, see;

<https://www.fbi.gov/about-us/cjis/ucr/hate-crime-data-collection-guidelines-and-training-manual.pdf>

VAWA Offenses Definitions

The Violence Against Women Act Reauthorization Act of 2014 (VAWA) definitions are as follows:

Domestic Violence: 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 jurisdiction in which the crime of violence occurred;
- 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 jurisdiction in which the crime of violence occurred

**To categorize an incident as Domestic Violence, the relationship between the perpetrator and the victim must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship*

Dating Violence: violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.

For the purposes of this definition—

- Course of conduct means two 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.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

Clery Violations, Arrests and Referrals (Liquor, Drug, Weapons) Definitions

The Clery Act also requires disclosure of statistics for liquor law violations, drug law violations and weapons offenses (see definitions above). These violations are reported according to the total number of individuals arrested or referred for campus disciplinary action, rather than total number of incidents.

Liquor Law Violations: The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

Drug Law Violations: The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacture and making of narcotic drugs.

Weapon Law Violations: The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

Arrest:

Persons processed by arrest, citation or summons. An arrest has occurred when a law enforcement officer detains an adult with the intention or seeking charges against the individual for the specific offense(s) and a record is made

of the detention. A juvenile should be counted as “arrested” when the circumstances are such that if the individual were an adult, an arrest would have been counted.

Referred for Disciplinary Action:

The referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

Additional Terms and Definitions

Awareness Programs: Community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

Business Day: Monday through Friday, excluding any day when the institution is closed.

Bystander Intervention: Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Hierarchy Rule: A requirement in the FBI’s UCR program that, for purposes of reporting crimes in that system, when more than one criminal offense was committed during a single incident, only the most serious offense be counted.

Ongoing Prevention and Awareness Campaigns: Programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution.

Pastoral Counselor: A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

Primary Prevention Programs: Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

Proceedings: all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim. *(University of Denver) Refers to those courses of action taken in response to reports of alleged policy violation(s) as described in the Student Rights and Responsibilities Policies & Procedures, the Equal Opportunity & Title IX Procedures, or the Employee Handbook.*

Professional Counselor: A person whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of the counselor’s license or certification.

Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault, and Stalking

- (i) Comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that—
 - (a) Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and
 - (b) Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.
- (ii) Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees, as defined in paragraph (j)(2) of this section.

Result: any initial, interim and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly referred to as the Family Educational Rights and Privacy Act (FERPA), the result must also include the rationale for the result and the sanctions. *(University of Denver) Refers to “Outcomes” for students and “Corrective Actions” for faculty and staff as outlined in either the Student Rights and Responsibilities Policies & Procedures, the Equal Opportunity & Title IX Procedures, or the Employee Handbook.*

Test: Regularly scheduled drills, exercises, and appropriate follow through activities, designed for assessment and evaluation of emergency plans and capabilities.

CRIMES STATISTIC REPORTING

The University of Denver’s Division of Campus Safety is responsible for the gathering of statistics for criminal activity, identifying reportable crimes and delivering reports of this data annual to the Department of Education via an online survey and to the campus community in the Annual Campus Security and Fire Safety Report.

Throughout the year, DU Campus Safety collects and records Clery crimes occurring on campus, in adjacent public areas, at other DU owned and leased properties, and potentially other non-campus locations. These crimes are reported to the Division of Campus Safety via the public; the Office of Student Rights and Responsibilities; the Title IX Coordinator; and other campus security authorities listed earlier in this report. The Clery Act also requires reports of arrests for drug, alcohol and weapons offenses and student disciplinary referrals.

The University of Denver provides the option of confidential and anonymous reporting and while these statistics may not be reportable per local, state, or federal law enforcement guidelines, they are potentially reportable under the Clery Act. Licensed professional counselors are exempt from reporting based upon confidential privilege. Licensed professional counselors employed by the University of Denver, when deemed appropriate, are encouraged, but not required to report statistical crime information for inclusion in the Annual Security and Fire Safety Report. The University of Denver does not employ a University Chaplain or other pastoral counseling services; therefore, the pastoral counselor reporting exemption is not applicable.

DU Campus Safety sends a written request for Clery crimes reported in the previous calendar year to the Denver Police Department and any other law enforcement agencies that provides services to DU owned or controlled properties within their jurisdictions. The Division of Campus Safety also requests statistics from law enforcement agencies that provide services to lodging where students stay when traveling for study abroad programs and school sanctioned activities. When criminal activity occurs outside of the jurisdiction of DU (e.g., a student organization located off campus), the local law enforcement agency follows its own procedures to create a police report for each incident. This agency will then, upon the request of the Division of Campus Safety, submit its statistics. When this data is received, it is reviewed, particularly to ensure that there are no duplications in reporting efforts between the

Division of Campus Safety and outside reporting agencies. Although every effort is made to avoid duplication of reports received from outside police agencies, campus security authorities and other reporting entities, an individual incident potentially could be reported to us, and thus counted as a statistic, more than once.

VAWA (Violence Against Women Act) regulations require an institution to report to the Department of Education, and disclose in its annual security report statistics, the number of crime reports that were “unfounded” (false or baseless) and subsequently withheld from its crime statistics during each of the three most recent calendar years. Institutions may only exclude a reported crime after a full investigation. Only sworn or commissioned law enforcement personnel can make a formal determination that the report was false or baseless when made and that the crime report was therefore “unfounded.” Crime reports can be properly determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner. Crime reports can only be determined to be baseless if the allegations reported did not meet the elements of the offense or were improperly classified as crimes in the first place.

Those crimes determined to be unfounded, and subsequently not disclosed as a crime statistic, would be listed below each crime table by calendar year shown in the associated table. The Division of Campus Safety is a non-commissioned security entity and thus, does not have the legal authority to “unfound” reported crimes. When a crime is reported, individual reports may be forwarded to other department or campus units and/or agencies for follow up. In most cases, the report is forwarded to the Office of Student Rights and Responsibilities for adjudication through the campus's disciplinary referral process.

Compiled data and statistics are reported in different formats and categories depending upon legal requirements of each report. The Clery Act requires its statistics to be reported from a specific geographic area. Crime statistics shown in the included tables are for the year in which they are reported and not necessarily in the year they occurred. Reported crimes may involve individuals not associated with the University of Denver. The below listed statistics may differ from previous publications of this data from year to year. These differences may be due to revised reporting requirements and updates to the Higher Education Opportunity Act and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. These differences will be noted below each table.

The Department of Education allows for presenting hate/bias crime and unfounded report information in a tabular, narrative or descriptive format. DU Campus Safety has elected to list this information in a descriptive format directly below the crime statistics table for each campus.

CLASSIFYING CRIME STATISTICS

The crime statistics shown in the included tables are for the prior three calendar years (2018, 2017, 2016) and are compiled and published in accordance with the standards and guidelines used by the Federal Bureau of Investigation Uniform Crime Reporting Handbook, applicable federal laws and regulations, including the Clery Act as amended, and The Handbook for Campus Safety and Security Reporting 2016 Edition.

Certain Clery crimes fall under the hierarchy rule, meaning if more than one crime occurs during the same incident, only the most serious crime is reported. This applies to the Clery crimes listed below in the order in which they fall in the hierarchy. The one exception to the hierarchy rule is if a murder and a sexual assault occur, both are counted.

- Murder
- Manslaughter
- Sexual Assault
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft

The following Clery offenses are not captured under the hierarchy rule.

- Arson
- Hate Crimes
- Dating Violence
- Domestic Violence
- Stalking
- Liquor, Drug and Weapons Violations

Crimes that do not fall under the hierarchy rule will be counted as separate statistics if more than one of these crimes occurs during the same incident. This includes any non-hierarchical crimes that occur with a hierarchical crime. For example, if one incident includes a burglary, arson, stalking and drug possession violation, each of these offenses would be reported individually, as four separate statistics.

The number of victims involved in a particular incident is indicated for the following crime classifications: murder/non-negligent manslaughter, manslaughter by negligence, rape, fondling, incest, statutory rape, and aggravated assault. For example, if an aggravated assault occurs and there are three victims, this would be counted as three aggravated assaults in the crime statistics chart.

The number of incidents involving a particular offense is indicated for the following crime categories (includes one offense per distinct operation): robbery, burglary, larceny, and arson. For example, if five students are walking across campus together and they are robbed, this would count as one instance of robbery in the crime statistics chart. Attempted crimes also are counted.

In cases of motor vehicle theft, each vehicle stolen is counted.

In cases involving liquor law, drug law, and illegal weapons violations, each person who was arrested is indicated in the arrest statistics. If an arrest includes offenses for multiple liquor and drug law violations, it is only counted once in the category determined to be the most egregious offense.

The Clery Act also requires disclosure of statistics for liquor law violations, drug law violations and weapons offenses. These violations are reported according to the total number of individuals arrested or referred for campus disciplinary action, rather than total number of incidents. The statistics captured under the “Referred for Disciplinary Action” section for liquor law, drug law, and illegal weapons violations indicate the number of people who are referred to the disciplinary system in the Office of Student Rights and Responsibilities for violating those specific laws. These include referrals that resulted in disciplinary action being initiated by the Office of Student Rights and Responsibilities and a record of the action being kept on file.

Statistics for hate crimes are counted in each specific Clery Act- reportable crime category and therefore are part of the overall statistics reported for each year. In addition to those offenses, larceny-theft, simple assault, intimidation, and destruction/ damage/vandalism of property are reported only if they are hate crimes.

Criminal Offenses Reported By Hierarchy

Crimes	On- Campus	On-Campus Residential Only	Non-Campus Buildings & Property	Public Property
Murder & Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Sexual Assault:				
Rape	5	4	0	1
Forcible Fondling	10	5	1	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	2	1	0	1
Aggravated Assault	0	0	0	1
Burglary	18	13	0	0
Motor Theft	6	1	0	4
Arson	0	0	0	0

Violence Against Women Act (VAWA) Offenses

	On- Campus	On-Campus Residential Only	Non-Campus Buildings & Property	Public Property
Domestic Violence	2	2	0	0
Dating Violence	4	0	0	0
Stalking	16	6	0	0

Arrests and Referrals for Disciplinary Action

	On Campus	On-Campus Residential Only	Non-Campus Buildings & Property	Public Property
Illegal Weapons Arrests	0	0	0	0
Illegal Weapons Disciplinary Referrals	6	5	0	0
Drug Law Arrests	1	1	0	0
Drug Law Disciplinary Referrals	200	190	0	0
Liquor Law Arrests	0	0	0	0
Liquor Law Disciplinary Referrals	338	316	0	0

Criminal Offenses Reported By Hierarchy

Crimes	On- Campus	On-Campus Residential Only	Non-Campus Buildings & Property	Public Property
Murder & Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Sexual Assault:				
Rape	6	5	0	0
Forcible Fondling	3	3	0	1
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	0	0	0	2
Aggravated Assault	4	3	0	1
Burglary	17	2	0	0
Motor Theft	6	4	0	5
Arson	1	0	0	0

Violence Against Women Act (VAWA) Offenses

	On- Campus	On-Campus Residential Only	Non-Campus Buildings & Property	Public Property
Domestic Violence	1	1	0	0
Dating Violence	9	5	0	0
Stalking	8	2	0	0

Arrests and Referrals for Disciplinary Action

	On Campus	On-Campus Residential Only	Non-Campus Buildings & Property	Public Property
Illegal Weapons Arrests	0	0	0	0
Illegal Weapons Disciplinary Referrals	4	4	0	0
Drug Law Arrests	2	0	0	4
Drug Law Disciplinary Referrals	175	174	0	0
Liquor Law Arrests	0	0	0	0
Liquor Law Disciplinary Referrals	365	343	0	0

Criminal Offenses Reported By Hierarchy

Crimes	On- Campus	On-Campus Residential Only	Non-Campus Buildings & Property	Public Property
Murder & Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Sexual Assault:				
Rape	12	1	0	0
Forcible Fondling	6	5	0	1
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	0	0	0	1
Aggravated Assault	0	0	0	2
Burglary	16	4	0	0
Motor Theft	3	0	0	6
Arson	0	0	0	0

Violence Against Women Act (VAWA) Offenses

	On- Campus	On-Campus Residential Only	Non-Campus Buildings & Property	Public Property
Domestic Violence	0	0	0	0
Dating Violence	5	5	0	0
Stalking	12	4	0	0

Arrests and Referrals for Disciplinary Action

	On Campus	On-Campus Residential Only	Non-Campus Buildings & Property	Public Property
Illegal Weapons Arrests	0	0	0	1
Illegal Weapons Disciplinary Referrals	1	1	0	0
Drug Law Arrests	2	1	0	5
Drug Law Disciplinary Referrals	144	144	0	0
Liquor Law Arrests	0	0	0	0
Liquor Law Disciplinary Referrals	408	399	0	0

HATE CRIMES

2019

- One Intimidation incident characterized by Race bias. The incident occurred on- campus in a residential facility.
- One intimidation incident characterized by Race bias. The incident occurred on public property adjacent to the University's campus.

2018

- One simple assault incident characterized by religion bias. The incident occurred on- campus in a residential facility.
- One intimidation incident characterized by sexual orientation bias. The incident occurred on public property adjacent to the University's campus.

2017

- One vandalism incident characterized by ethnicity bias. This incident occurred on public property adjacent to the University's campus.

UNFOUNDED CRIME REPORTS

There were no unfounded crimes in 2019.

There were no unfounded crimes in 2018.

There were no unfounded crimes in 2017.

II. Reporting

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II. REPORTING

PROMPT AND ACCURATE REPORTING

The University of Denver (DU) campus community members (students, faculty and staff members), contracted employees and guests are strongly encouraged to report all criminal incidents, suspicious persons and activities, and emergency situations occurring at all DU owned or controlled facilities and property, or at non-campus locations owned or controlled by DU, including study abroad programs and away trip lodging, to the local law enforcement agency where the incident occurs. Reports of crime should be made to the Denver Police Department and the DU Division of Campus Safety. DU does not have a campus police department but is under the jurisdiction of the Denver Police Department for police response. These incidents should also be reported to DU's Division of Campus Safety in a timely manner to provide any needed support services, perform follow-up, and allow for proper notifications and reporting of crimes.

Examples of what to report?

- You see someone committing a crime
- You need to report an old crime
- You see anyone or anything suspicious
- Someone is injured or ill
- You see fire or smell smoke
- You have knowledge of a chemical spill

Prompt reporting aids in providing timely warning notices to the community when appropriate, may aid in the prevention of similar crimes and may assist in the investigation and apprehension of the perpetrator(s). The University of Denver encourages accurate and prompt reporting of all criminal offenses, including when the victim of a crime elects to report, or when the victim is unable to make a report, to ensure that all crimes are included in the institutions Clery Act statistics.

REPORTING CRIMES IN PROGRESS OR LIFE-THREATENING EMERGENCIES

In the event of a crime in progress, crimes that have just occurred or a life-threatening emergency, make the following TWO calls:

- 911*
- DU Campus Safety at 303.871.3000 (1-3000)

*911 Operators will assist in directing the necessary response from city emergency services, i.e., police, fire, and paramedics. Be prepared to give the operator information about the emergency, including, but not limited to:

- Your name, location and phone number for verification
- The nature of the emergency (i.e., crime, fire, medical)
- A description of suspicious person(s) or vehicle(s) involved (if applicable)
- If a medical or first aid call, determine if the victim is conscious and breathing.

For additional 9-1-1 system information, visit denvergov.org.

While the Division of Campus Safety (DCS) is staffed 24 hours a day, year-round, by trained professionals employed to serve the University Community in life threatening emergencies, or when immediate police, fire or medical assistance is needed, **please dial 911 first.** This will activate the appropriate emergency agency response from Denver's emergency response system. Additionally, if the emergency call is made from a campus phone, it will be reflected in the Division of Campus Safety's Communications Center. A DCS Campus Safety Officer (CSO) will respond immediately to the location from where the emergency call was made. If circumstances permit, also call

the Division of Campus Safety emergency phone line **303.871.3000 (1-3000)** and inform the DCS Communications Center of your emergency. This will help the responding CSOs understand the nature of the emergency prior to their arrival.

REPORTING NON-EMERGENCY CRIMES OR INCIDENTS

Because using 9-1-1 for non-emergency calls may delay help for individuals caught in a real emergency, non-emergency crime reports and security or public safety related matters should be reported to the University of Denver's Division of Campus Safety by calling the non-emergency phone line, **303.871.2334 (1-2334)** and/or the Denver Police Department's non-emergency line, **720.913.2000 (main) or 720-913-1300 (District 3)**. More information on non-emergency reporting of crime is listed in the below section.

Emergency Phone (Blue Light E-Phones) and Assistance Stations

E-Phones: Emergency phones are marked prominently throughout the campus. Each of these exterior phones is marked with a blue light directly above it. These phone are designed for use in reporting any crimes, suspicious activities, medical emergencies, or any other safety concern. When one of these phones is activated, the individual is immediately connected to the DU Campus Safety Communications Center at **303.871.3000 (1-3000)**. In response to an emergency call from these phones, the Campus Safety Communication Technicians will take the information, send a Campus Safety Officer, and if applicable, contact emergency personnel from other agencies (i.e. police, fire and/or paramedics). Campus Safety officers will respond to the phone's location, even if no voice contact is made with the person who activated the phone.

Assistance Stations: Assistance Stations are fixed phones placed throughout the DU Campus that provide a direct link to the DCS Communication's Center. These stations are blue in color, feature the words "Assistance" on the tower or wall box, and have a push button on the front that reads "Call". They are used to provide assistance to anyone who is in distress, needs emergency assistance, or general campus assistance.

To familiarize yourself with the locations of the E-phones and Assistance Stations, visit <https://www.du.edu/site-utilities/maps>. Intermittent and ongoing campus construction may impact the availability and placement of E-Phone and Assistance Stations. Information is located at: du.edu/campussafety/crimeprevention/index.html.

REPORTING METHODS (CRIME OR SUSPECTED CRIMINAL ACTIVITY)

Students, faculty, staff, guests and other community members are encouraged to report all crimes, suspicious activity, and public safety-related incidents that occur on campus or on non-campus properties owned and controlled by the University of Denver, in a timely manner. Reporting timely information assists in developing Emergency Notifications, Timely Warnings, and/or Crime Advisories regarding potential danger on campus. Reporting crimes also aids in the collection of crime statistics for this report. When reporting a crime or incident, please be ready to provide detailed information such as a brief description of the incident, when and where the incident occurred, description of the suspect(s), weapons the suspect(s) carried, where and when the suspect(s) was last seen and any other relevant information. Whenever possible, the actual victim or witness of the crime should report the incident directly. The following reporting resources for crime or suspected criminal activity are as following:

Division of Campus Safety
du.edu/campussafety/index.html

303.871.3000 (1-3000) (Emergencies)
303.871.2334 (1-2334) (Non-Emergencies)
303.871.3130 (Anonymous Tip Line)

In Person:
Campus Safety Center
2130 S. High St.
Denver, Colorado 80210

Denver Police Department
denvergov.org/content/denvergov/en/police-department/police-stations/district-3-station-se.html

9-1-1 (Emergencies)
720.913.1300 (Non-Emergencies)

In Person:
1625 South University Blvd
Denver, Colorado 80210

Report in person:

You may make a report at the DU Campus Safety Center, 2130 S. High St., Denver, located at the corner of Evans Avenue and High Street. The Division of Campus Safety is available 24 hours a day, 365 a year. Normal business hours are 8:00 a.m. – 4:30 p.m., Monday-Friday (excluding holidays). After hours, contact the Division of Campus Safety non-emergency line at 303.871.2334 (1-2334) and let the Communications Center know you would like to come to the Campus Safety Center to make a report, so that an officer can meet you at this location.

You may make a report The Denver Police Department District 3, which is the station that serves the area the University of Denver is located. The Denver Police Department is available 24 hours a day, 365 a year. Normal business hours of DPD's District 3 is Monday-Friday, 8:00am – 4:30pm. After hours, the Denver Police Department may be contacted by dialing the emergency or non-emergency contact numbers listed above.

Request response from a DU Campus Safety Officer and/or Denver Police Department Officer:

You may contact the Division of Campus Safety and/or the Denver Police Department and request a response to your location to report a crime or other security related incident. The Division of Campus Safety will respond to calls for service within the University of Denver's campus or properties owned or controlled by the University of Denver within close proximity to DU's campus. Additionally, the University of Denver is located within the jurisdiction of the Denver Police Department's District 3 Station. You may contact the Denver Police Department directly to request police response.

For crimes in progress or life threatening emergencies, dial 9-1-1. If able, also contact the Division of Campus Safety's emergency line at 303.871.3000 (1-3000) following a call to 9-1-1. For non-emergencies, you may contact the Division of Campus Safety at 303.871.2334 (1-2334) to request a Campus Safety Officer respond to you location on campus. You can contact the Denver Police Department's District 3 Station's non-emergency line at 303.719.1300 to request a police officer respond to your location. Both the Division of Campus Safety and the Denver Police Department provide service 24 hours a day, 365 days a year.

Report by Phone:

- Dial 9-1-1 for emergencies, crimes in progress or just occurred, or life-threatening situations. Dialing 9-1-1 from any cellular, campus or other public phone reaches the Denver 911 Emergency Communications Center and emergency services (police, fire, paramedics, and ambulance) are dispatched from this center to incidents inside the Denver Metro area, including the University of Denver campus community.
- Use an Emergency Phone (Blue Light Phone) or Assistance Station located throughout the campus. Campus Safety officers will respond to the phone's location, even if no voice contact is made with the person who activated the phone.

- Contact the Division of Campus safety at 303.871.2334 (1-2334) for non-life threatening urgent situations, or non-emergencies, to report a crime, or to report security related issues.
- Contact the Denver Police Department at 720.913.1300 for non-life threatening urgent situations, or non-emergencies, to report a crime.

Campus Safety Tip-Line: The Division of Campus Safety operates an anonymous tip phone line for campus community members and others to report safety and security information as well as concerns to the University about criminal incidents and suspicious behavior on campus or non-campus properties owned or controlled by the University of Denver. Contact the Division of Campus Safety’s Anonymous Tip line at **303.871.3130 (1-3000)**.

On-Line Reporting:

The University of Denver’s Division of Campus Safety does not currently have an on-line reporting system for general crimes. The Division of Campus Safety invites and encourages the campus community to report criminal and suspicious activity observed in person, or by phone at the above listed contact numbers. The University of Denver provides several on line reporting mechanisms for the reporting of gender-based violence (sexual assault, Domestic Violence, Dating Violence and Stalking). Additional information is located in the sections titled “Gender Based Violence”.

The Denver Police Department provides an on-line non-emergency reporting form for the community to report crimes. If you are interested in reporting another type of incident, or if there is a known suspect in the incident being reported, you are encouraged to contact the Denver Police Department’s non-emergency line at **720.913.2000**. Dial **9-1-1** for emergencies only. To complete and submit an online reporting form with the Denver Police Department, visit: denvergov.org/content/denvergov/en/police-department.html

Reporting Crimes – Outside Jurisdiction:

Crimes or incidents occurring outside the Denver Police Department’s jurisdiction should be reported to the agency having jurisdiction where the incident occurred. The University of Denver should be notified as well to aid in the collection of crime statistics for this report as well as allow the University to provide available resources and services to DU students, faculty and staff who are a victim of a crime.

Reporting Crimes to Other “Campus Security Authorities” and or “Responsible Employees”:

Campus Security Authorities - The Division of Campus Safety personnel are considered “Campus Security Authorities” under definitions outlined by the Clery Act. However, other members of the campus community could also be designated “Campus Security Authorities”. These “campus security authorities” are defined as “officials of the institution who have significant responsibility for student and campus activities”. These Campus Security Authorities (CSAs) are directed to formally report to the Division of Campus Safety, specified information on criminal incidents that are reported to them or that have occurred within the institutions campus geography or in association with, official university sanctioned events and/or activities. Personally identifying information is not always required to report to the Division of Campus Safety for statistical reporting purposes. *For more on the role of a Campus Security Authority as well as the positions at the University of Denver considered to be a CSA, see section in this document titled “Campus Security Authorities”.*

Required Reporters (Responsible Employees) – DU faculty and staff (including housing and residential education staff) considered “Responsible Employees” and required to report to the Office of Equal Opportunity & Title IX, if they have credible information that gender based violence (sexual assault, domestic violence, dating violence and stalking) or discrimination or discriminatory harassment, including sexual harassment. The only exceptions to this requirement are people directly employed by one of the three confidential resources on campus: The Health and Counseling Center - Counseling services (licensed psychologists), medical services and CAPE

(Center for Advocacy, Prevention and Empowerment). *For more on the role of a Responsible Employee and reporting on gender-based violence (sexual assault, domestic violence, dating violence and stalking) or harassment or discrimination, see section contained in this document titled “Gender Based Violence”.*

Reporting Suspicious Activity:

Any suspicious activity observed in campus parking lots, around vehicles, or inside of residence halls or buildings should be reported to the Division of Campus Safety at **303.871.2334**, unless a life-threatening situation occurs, then call **9-1-1**.

Crime Awareness:

DU students, faculty and staff members should be aware of crime in order to take necessary precautions to avoid becoming a victim. The Division of Campus Safety informs the campus community of crimes that occur on or near campus utilizing one or more of the following methods:

Campus Crime Alerts

- Distributed via email (DU Alert System).
- Posted on the Division of Campus Safety’s website at: du.edu/campussafety/reports/index.html
- Posted on social media sites.

Emergency Notifications

- Distributed via the University’s Emergency Notification System (DU Alert)
- Phone, Text, Email, Social Media, Digital Displays campus wide (DU Alert System)

Community Advisories

- Posted on the Division of Campus Safety’s social media sites
- May be distributed via email to campus community depending on circumstances

Monthly Crime Statistics

- Distributed to key Division of Campus Safety personnel via email
- Posted on Division of Campus Safety’s website at: du.edu/campussafety/reports/index.html
- Posted on social media sites

Crime Log

- The campus crime log is accessible to the campus community and general public on the Division of Campus Safety’s website at: du.edu/campussafety/reports/index.html.
- A printed copy of the campus crime log is available at the DU Campus Safety Center during normal business hours.

Additional Reporting Resources: In addition to the above-mentioned University Departments, campus community members may also contact the following departments to report crimes that occur at any DU owned or controlled facilities and property, or at non- campus locations owned or controlled by DU, including study abroad programs and away trip lodging:

<p>Office of Equal Opportunity & Title IX</p> <p>Phone: 303-871-7016 equalopportunity@du.edu https://www.du.edu/equalopportunity/</p> <p>Interim Exec. Dir. Of Equal Opportunity & Title IX Coordinator, Erika Hollis</p> <p>Phone: 303-871-3142 Erika.Hollis@du.edu https://www.du.edu/equalopportunity/titleix/index.html</p>	<p>Office of Student Rights & Responsibilities</p> <p>Phone: 303-871-2455 Email: studentconduct@du.edu Website: https://www.du.edu/studentlife/studentconduct/rightsresponsibilities.html</p>	<p>Student Outreach & Support</p> <p>Phone: 303-871-4724 Email: SOS@du.edu</p>
<p>Housing and Residential Education</p> <p>Phone: 303-871-2246 Email: housing@du.edu Website: https://www.du.edu/housing/</p>	<p>Fraternity and Sorority Life</p> <p>Phone: 303-871-3111 Email: CL.fslinfo@du.edu Website: https://www.du.edu/studentlife/engagement/get-involved/fraternity-sorority-life.html</p>	<p>Athletics and Recreation</p> <p>Phone: 303-871-3845 Email: Lynn.Coutts@du.edu</p>
<p>Human Resource & Inclusive Community</p> <p>Phone: 303-871-3931 Email: employeeservices@du.edu Website: https://www.du.edu/human-resources/</p>	<p>Office of International Education</p> <p>Phone: 303-871-4912 Email: duabroad@du.edu Website: https://www.du.edu/abroad/index.html</p>	

Voluntary Confidential Reporting: The University of Denver encourages anyone who is the victim of a crime to report it directly to the Division of Campus Safety and/or local law enforcement agencies having jurisdiction over the area where the incident occurred. It is important to note that certain information from police reports is public record under Colorado law, so confidentiality of reports cannot be guaranteed. Exceptions exist for sexual assault and crimes where victims or witnesses would be at risk should their names be released to the public. Additionally, a Division of Campus Safety report is considered a law enforcement record exempt from restrictions under the Family Educational Rights and Privacy Act of 1974 (“FERPA”). As such, the Division of Campus Safety report may be shared with law enforcement agencies upon request as part of an investigation. The University of Denver and Division of Campus Safety is a private University; therefore, requests under the Freedom of Information Act do not apply to the University of Denver. The University treats all records as proprietary.

If you are the victim of a crime and do not want to pursue action within the university or the criminal justice systems, you may still want to consider making a confidential report. Confidential Reporting Resources within the University of Denver are as follows:

<p>Health and Counseling Center (Medical Services) *</p> <p>Phone: 303-871-2205 After Hours: 303-871-2205 (follow prompts) Email: info@hcc.du.edu</p> <p>Website: https://www.du.edu/health-and-counseling-center/medical/index.html</p> <p>*Confidential Reporting</p>	<p>Health and Counseling Center (Counseling Services) *</p> <p>Phone: 303-871-2205 After Hours Counselor on Call: 303-871-2205 (follow prompts) Email: info@hcc.du.edu</p> <p>Website: https://www.du.edu/health-and-counseling-center/counseling/index.html</p> <p>*Confidential Reporting</p>	<p>Center for Advocacy, Prevention and Empowerment (CAPE) *</p> <p>Business Hours: 303-871-3853 After-Hours, contact the Counselor on Call at 303-871-2205 Email: cape@du.edu</p> <p>Website: https://www.du.edu/health-and-counseling-center/cape/index.html</p> <p>*Confidential Reporting</p>
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Information disclosed as part of a confidential report will be maintained confidential to the extent allowable by law and University policy and will not be disclosed without the victim’s consent to anyone outside of the office to which it was reported. However, consent may not be required in limited situations, such as suspected child or elderly adult abuse or neglect, court orders, or subpoenas, or a danger to others. In some instances, statistical information may be disclosed in the annual security and fire safety report when required under the Clery Act. If this occurs, no personally identifying information is required to be shared for this purpose. *For information on Victim Confidentiality with respect to reporting Gender based violence, refer to the section titled “Sexual Assault” in this document.*

Confidential Reporting (Professional Counselors and Pastoral Counselors):

As a result of the negotiated rulemaking process, which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus “Pastoral Counselors” and Campus “Professional Counselors,” when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. The aforementioned committee defines counselors as:

- **Pastoral Counselor**
An employee of an institution who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor
- **Professional Counselor**
An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

Other persons who have significant responsibility for campus and student activities and counsel or advise students and employees are not exempt from reporting, even if the counseling is confidential.

At the time of this report, the University of Denver does not employ or retain the services of any type of Pastoral Counselor (as defined by the Clery Act). DU does employ licensed professional counselors (as defined by the Clery Act), who are considered exempt from reporting requirements. DU encourages counselors, if and when they deem it appropriate, to inform those they counsel of procedures for reporting crimes on a voluntary, confidential basis for inclusion in the Campus Security Report. However, there are no procedures or policies, which require licensed professional counselors (as defined by the Clery Act) to report crimes disclosed to them on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. The Campus Clery Coordinator may meet with staff in these areas to discuss Clery requirements and the importance of reporting for statistical purposes.

Anonymous Reporting:

The University of Denver's Division of Campus Safety has an anonymous reporting tip line as a reporting option at 303.871.3130 (1-3130). Additionally, reports or information may be submitted online with the option to exclude personally identifying information of involved parties. These online reporting avenues include:

Office of Equal Opportunity & Title IX online reporting form at:
https://cm.maxient.com/reportingform.php?UnivofDenver&layout_id=110

Student Outreach and Support (SOS) online referral form at:
https://cm.maxient.com/reportingform.php?UnivofDenver&layout_id=99.

In such a case, the report will not be confidential in that the information will be distributed but will be anonymous since the identity of the reporter will not be known.

A victim/survivor of a crime who does not wish to pursue action within the criminal justice system or through the University of Denver, or who has chosen to pursue confidential reporting options, should consider making an anonymous report. The purpose of an anonymous report is to comply with a victim/survivor's wish to keep the matter confidential, while taking steps to ensure the future safety of those involved and others. Additionally, with such information, the university can keep accurate records of the number of incidents, determine where there is a pattern of crime with regard to a particular location, method, or assailant, alert the campus community to potential danger and use the information to inform, guide and improve education, prevention and awareness efforts.

Anonymous reports are counted and disclosed to the Department of Education in the annual crimes statistics for the institution and are listed in the crime statistics tables included in this report.

Reporting Sexual Assault, Dating Violence, Domestic Violence and Stalking:

When a gender based violence (sexual assault, domestic violence, dating violence and stalking) or discrimination or discriminatory harassment including sexual harassment occurs, it is imperative that the victim/survivor file a report as soon as possible to ensure the victim/survivor receives the appropriate medical attention (if applicable), resources, and support. The University recognizes it is a victim's choice to report a crime. If a victim chooses not to report the crime immediately, the report can be made at a later time, however immediate reporting may allow the University to:

- To take action which may prevent further victimization, including issuing a Timely Warning or Emergency Notification to the campus community.
- To assist in the apprehension of a suspect.
- To assist in the collection and preservation of any physical evidence is necessary for successful investigation, arrest, and prosecution of the perpetrator(s) and may be helpful in obtaining a protective order. Such evidence may assist in the administrative as well as criminal investigations.
- To assist in proper documentation for criminal prosecution and administrative investigation.
- To have the incident recorded for purposes of reporting statistics about incidents that occur on campus.

A victim/survivor may elect, or decline, to notify the Division of Campus Safety and/or local law enforcement. If the victim/survivor chooses to file a police report, the institution can assist with the process. For detailed information and guidance regarding gender based violence (sexual assault, domestic violence, dating violence and stalking) or discrimination or discriminatory harassment, including sexual harassment, to include; reporting options, victim/survivor rights and resources, confidentiality, prevention and education, discipline process and other specific information, please refer to the section titled, "Gender-Based Violence Policy" in this document, the

policies/procedures related to the Office of Equal Opportunity & Title IX and the Office of Student Rights and Responsibilities listed in the appendix at the end of this document, or contact the following University Departments:

<p>Office of Equal Opportunity & Title IX</p> <p>Phone: 303-871-7016 equalopportunity@du.edu https://www.du.edu/equalopportunity/</p> <p>Interim Exec. Dir. Of Equal Opportunity & Title IX Coordinator, Erika Hollis</p> <p>Phone: 303-871-3142 Erika.Hollis@du.edu https://www.du.edu/equalopportunity/titleix/index.html</p>	<p>Office of Student Rights & Responsibilities</p> <p>Phone: 303-871-3111 Email: studentconduct@du.edu</p> <p>https://www.du.edu/studentlife/studentconduct/rightsresponsibilities.html</p>
<p>Division of Campus Safety du.edu/campusafety/index.html</p> <p>Phone: 303.871.3000 (1-3000) (Emergencies) 303.871.2334 (1-2334) (Non-Emergencies)</p> <p>du.edu/campusafety/index.html</p>	<p>Center for Advocacy, Prevention and Empowerment (CAPE) *</p> <p>Business Hours: 303-871-3853 After-Hours, contact the Counselor on Call at 303-871-2205 Email: cape@du.edu</p> <p>Website: https://www.du.edu/health-and-counseling-center/cape/index.html</p> <p><i>*Confidential Reporting</i></p>

Additional Information on Reporting Crime:

Victims of offenses committed by DU students, faculty or staff member have several reporting options. These include but are not limited to; 1) reporting to the police for criminal action, 2) filing a civil lawsuit against the suspect, 3) reporting to campus officials for University sanctions to be considered. You may pursue these options simultaneously, or any one of them separately.

The University recognizes it is a victim’s choice to report a crime. Reporting a crime and cooperating with a law enforcement investigation are necessary for criminal prosecution of a crime but are not required for University sanctions to be brought against a DU student, faculty or staff member found responsible, either through the Student Rights and Responsibilities process or respective employee discipline process, whichever is applicable. If you are the victim of a crime, you may want to proceed with reporting to both law enforcement and to University officials, or you may want to report only at the University level. That choice is yours. Questions regarding these processes may be answered by contacting the reporting resources listed in this report.

Response to Crimes Reported to the Division of Campus Safety:

When a crime is reported to the Division of Campus Safety, a Campus Safety Officer will respond, complete a preliminary investigation, and coordinate further action with the Denver Police Department, if appropriate (or at the request of the victim). In most cases, an offense, incident or intelligence report is completed by the CSO to record the event. A report made by the Division of Campus Safety (DCS) may also result in follow-up contact by internal DCS Investigator or other personnel from other DU departments.

DU Campus Safety Officers have the authority to refer DU students to the Office of Student Rights and Responsibilities for possible University Sanctions. If a DU student is identified as a suspect, the report will be forwarded to the Office of Student Rights and Responsibilities for processing and disposition.

When an incident of gender-based violence (sexual assault, domestic violence, dating violence and stalking) or discrimination or discriminatory harassment, including sexual harassment, is reported on campus first to the Division of Campus Safety, the Office of Equal Opportunity and Title IX will be contacted and the information shared with the Title IX Coordinator.

The Division of Campus Safety personnel on scene will offer the victim/survivor a wide variety of services and resource information available to them. The University of Denver has access to such support services available to assist a victim twenty-four hours a day.

The Office of Equal Opportunity & Title IX handles all investigations that involved gender-based discrimination, harassment, and violence, including sexual assault, relationship or dating violence, and stalking. The University's response to reports of gender-based violence and gender based harassment or discrimination can be located see section contained in this document on Gender Based Violence.

DAILY CRIME AND FIRE LOG

The Division of Campus safety maintains a Daily Crime and a separate Fire Log. The Daily Crime Log contains a record of all crimes reported to the Division of Campus Safety that have occurred on the Clery Act reportable geography of the campus. All entries or additions to the Daily Crime Log are made within two business days of the report of the information being made to the Division of Campus Safety, unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim.

Regarding criminal incidents, the Daily Crime Log reflects the nature of the reported crime, the time and date the crime was reported, the time and date the crime occurred (if known), the location of the crime (if known) and current disposition of the case for the past 60 days (if known). A crime is considered “reported” when it is brought to the attention of a Campus Security Authority (“CSA”) or a local law enforcement agency. All crimes in the Daily Crime Log are recorded by the date the crime was reported to the Division of Campus Safety. The Division of Campus Safety may withhold information from the Fire Log if there is clear and convincing evidence that the release of such information would jeopardize an on-going criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence.

Regarding fire incidents, any fire that occurs in an on-campus student housing facility that is reported to any official at DU is documented and reported in the Fire Log. The Daily Crime Log reflects the date the fire was reported, the date and time the fire occurred, the nature of the fire, the general location, the number of injuries requiring treatment (if applicable), the number of deaths related to the fire (if applicable) and any value of property damage caused by the fire. The Division of Campus Safety may withhold information from the Fire Log if there is clear and convincing evidence that the release of such information would jeopardize an associated criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence.

The Division of Campus Safety will disclose any information withheld from the Daily Crime and Fire Log once the adverse effect is no longer likely to occur. The Daily Crime and Fire Log will include all crime and fire incidents from the most recent 60 day period, and it is available for public inspection at the DU Campus Safety Center, 2130 S. High Street, Denver, Colorado, 80210; or at the Division of Campus Safety’s website:

<https://www.du.edu/campussafety/reports/index.html>

EMERGENCY NOTIFICATION AND TIMELY WARNING/CAMPUS SAFETY ALERTS

The university sends out two types of alerts to keep the campus informed about safety and security threats: "emergency notifications," and "timely warning notices."

"Emergency notifications" are used to immediately notify the campus community upon the reliable report of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. The process for the university's emergency notifications, can be found in this section.

“Timely warning notices” are used to inform the campus community, in a timely manner, about serious or continuing threats to the campus community. The intent of a timely warning is to inform students and employees about crimes on or near campus, enable the campus community to protect themselves, provide prevention and safety tips and aid in the prevention of similar crimes.

Timely Warning Notices:

Timely warning notices, called “Campus Safety Crime Alerts” are usually distributed for the following Clery reportable crimes: criminal homicide, sexual assault, robbery, and aggravated assault; and may be distributed for burglaries, motor vehicle theft, arson and hate crimes. However, this list is not inclusive, and warnings may be issued for any serious or continuing threat to person, property or campus safety. Each incident is considered and evaluated on a case-by-case basis, depending on the facts of the case and the information known by the Division of Campus Safety (DCS). For example, if an assault occurs between two students who have a disagreement, there may be no ongoing threat to other campus community members and a timely warning notice would not be distributed. Cases involving sexual assault are sometimes reported long after the incident occurred, thus there is no opportunity to distribute a timely warning notice to the community.

In instances where information was not provided to DCS in a timely manner (very generally, incidents having occurred within the past at which point the intent and the spirit of the warning are no longer viable) or if the threat has been appropriately mitigated (an arrest has been made), DCS will not issue a timely warning notice. If new information surfaces, in either case, DCS will reevaluate the incident and may issue a timely warning.

When DCS is notified of a crime categorized under the Clery Act, or other serious incident that may pose a serious or continuing threat to person, property or campus safety in a neighboring or nearby jurisdiction that is close enough to the campus community to be of concern or in an area commonly frequented by DU students, DCS works closely with local law enforcement agencies who serve these jurisdictions to obtain the pertinent facts of the incident. Based on the known facts, incidents DCS becomes aware of in these areas are evaluated on a case-by-case basis and DCS may issue a timely warning notice.

The content of a timely warning generally consists of:

- a brief summary of the incident,
- a physical description (if known),
- whether the case is under investigation,
- resources, safety and prevention tips, and;
- who to contact to report additional information.

Timely warning notices include information intended to inform the community, enable community members to protect themselves, provide prevention and safety tips, and aid in the prevention of similar crimes.

Institutions must keep confidential the names and personally identifying information of crime survivors when issuing a timely warning. DCS will never release a crime survivor's personally identifying information. When issuing a timely warning for sensitive matters, such as sexual assault, DCS makes every effort to not release specific incident details that may identify a crime survivor; however, an institution may need to release information, such as a location that may lead to identification of a crime survivor. The institution must balance the need to provide information of an ongoing or serious threat to the campus community while also protecting the confidentiality of the crime survivor to the maximum extent possible. If a timely warning is issued for a sensitive matter, DCS makes every effort to notify the crime survivor before the warning is released.

Timely warning notices are developed, activated and distributed under the direction of the DCS Campus Safety Director or designee. The timely warning notice development process is as follows:

- Division of Campus Safety personnel receives information about a Clery crime or similar incident on or near campus, from a campus security authority, from the public, or from another law enforcement agency.
- The information is referred to the DCS Associate Director, who consults with the Associate Director of Compliance and Administration, the Manager of Emergency Preparedness, and the Director of Campus Safety to determine if the incident warrants the issuance of a timely warning.
- Each such incident is considered on a case-by-case basis and is evaluated on the following:
 - the facts and circumstances surrounding the incident
 - the location of the incident
 - any other information available to DU at the time of the report
 - the existence of an ongoing or serious threat to the campus community
- If a timely warning is indicated, a staff member (usually the DCS Associate Director, Assistant Director of Compliance and Administration, Manager of Emergency of Preparedness and Fire Safety) drafts a notice, and verifies facts and pertinent information with relevant law enforcement personnel where applicable.
- The Associate Director or designee forwards the draft version to DU Marketing and Communication for grammatical review as well as selected law enforcement personnel to ensure the timely warning will not be hindering any active law enforcement investigation, just prior to the release to the campus community.

- The timely warning is issued to the entire campus community via mass email.

Timely warning notices are normally issued by either the Associate Director, Assistant Director of Compliance and Administration or the DCS Manager of Emergency Preparedness and Fire Safety. Trained staff members in the DCS Communication Center may also distribute the timely warning notices at the direction of the Director of Campus Safety or designee. Additionally, other DCS staff may be involved in developing and/or executing the timely warning process as necessary or as directed by the Director of Campus Safety or designee.

Timely Warning notices are distributed via mass email to the “du.edu” email accounts of all employees and students, and may also be posted to the DCS Facebook account, to be immediately received by individuals who follow or subscribe to those accounts. Additionally, the alert will be posted on the Division of Campus Safety’s website at: <https://www.du.edu/campussafety/>. DCS may post a copy of the campus safety crime alert, at the discretion of the Director of Campus safety, at the front desk of each residence hall, and/or at the doorway to each campus building, as well as deliver copies to each fraternity and sorority house. Timely warning notices are issued as soon as pertinent information is available. Follow-up information may be distributed later, such as if a suspect responsible for a series of campus crimes has been apprehended.

DCS may also post Campus Safety Notices (titled “Community Advisories”) in instances where an incident has occurred which constitutes a serious or ongoing threat, however is not a Clery crime and/or has not occurred within a Clery geographic area; or, at the request of another law enforcement agency for crimes which occur within a reasonable proximity of the core campus; or when appropriate to share public safety-related information where there may be investigatory value in releasing the information. These types of notices, while not considered a “Campus Safety Crime Alert” (timely warning notice), may contain the same basic information as a timely warning with a similar purpose of awareness and prevention.

The Director of Campus Safety, Associate Director, and Assistant Director of Compliance and Administration as well as the Manager of Emergency Preparedness and Fire Safety are authorized to create and disseminate Campus Safety Notices (Community Advisories). Additionally, other DCS staff may be involved in developing and/or issuing a Community Advisory as necessary or as directed by the Director of Campus Safety or designee. These notices are posted to the Division of Campus Safety’s social media sites (Facebook and Twitter) and may be distributed via email to the campus community. Additionally, DCS may post local law enforcement media releases and crime advisories depending on the circumstances of the incident and at the discretion of the Director of Campus Safety or designee.

Emergency Response and Notifications:

An emergency is an event, expected or unexpected, that poses an immediate threat to the health and safety of students, faculty and staff. University faculty, staff, and students are instructed through new employee and student orientations, trainings, emergency/evacuations procedures (posted in visible areas in campus buildings and resident halls), printed materials, the Office of Emergency Preparedness and Fire Safety website, and the Division of Campus Safety website, to call 9-1-1 to report life threatening emergencies and for other emergency assistance.

The University has developed a comprehensive emergency notification system (DU Alert) that allows for the use of text messaging, emails, social media, website, telephone, and digital displays to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving immediate threat to the health or safety of student, faculty, and staff on the campus. If a situation arises that poses a confirmed, imminent or ongoing potential threat to the safety, security or health of students, staff, faculty, and the DU community at large, an Emergency Notification (named “DU Alert” at University of Denver) will be issued to immediately notify the campus community and to expedite emergency response and/or evacuation procedures. The goal of an emergency notification is to notify as many people as possible, as rapidly as possible, with adequate follow-up information as needed. To avoid unnecessary panic, notifications are only sent by the Division of Campus Safety once confirmed by authorized individuals.

The university has implemented a formal process that gives designated DCS personnel the authority to do the following:

- Confirm a significant emergency or dangerous situation;
- Develop the content and consider the appropriate segment(s) of the campus community to receive the notification; and
- Initiate some or all of the emergency notification systems to send an emergency message to the campus community.

Confirmation of an emergency or dangerous emergency is determined when:

- A DU or Division of Campus Safety (DCS) Incident Commander, DCS campus safety officer or shift supervisor, police officer, fire official or another emergency responder has assessed the situation to confirm that there is an emergency.
- Visual confirmation via University CCTV systems by DCS personnel
- Audible confirmation by DCS personnel (either in person or via telephone systems)
- Three (3) unique reports to DCS personnel of the incident from members of the public of University community
- As authorized by the DCS Office of Emergency Preparedness

The following positions within the University's Division of Campus Safety are authorized to release information via the emergency notification system after confirmation is received:

- Director of Campus Safety
- Associate Director (Commander)
- Assistant Director (Compliance and Administration)
- Manager of Emergency Preparedness & Fire Safety
- Captain (Patrol Operations)
- Campus Safety Sergeants
- Campus Safety Corporals
- Campus Safety Officers
- Campus Safety Communication Technicians

The Director of Campus Safety and/ or designee may also consult directly with the University's Marketing and Communication Division to ensure an immediate, timely notification to the campus via the emergency notification mechanisms.

Emergency notifications are issued for incidents which include but are not limited to; active threat/active harmer, major hazardous materials release, major fire, bomb threat, civil unrest, terrorist incident, infectious disease outbreak, crimes in progress posing a threat to the physical safety of the community, or a tornado or other extreme weather conditions that would directly impact campus.

The policy guiding emergency communication confirms that the University of Denver's Division of Campus Safety will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. The process stipulates that an immediate emergency notification will not be sent if, in the judgment of authorities, the message would compromise efforts to assist a victim, or to contain, respond to or otherwise mitigate the emergency.

Once the decision is made to send an emergency notification, the Division of Campus Safety' Communications personnel or the DCS Manager of Emergency Preparedness or designee will send it to the entire campus community unless notifications to targeted groups are necessary. The Director of Campus Safety or designee determines if the emergency notification is to be limited to a targeted group(s). In most cases, the emergency notification messages sent by Division of Campus Safety (DCS) are created using an established template format developed by the DCS Office of Emergency Preparedness and Fire Safety. A script has been created to serve as an initial DU Alert message notifying the community that an emergency incident has been reported and that appropriate response is underway. When possible, additional incident specific information will be included. The use of this script will help reduce the time between the report of an incident and emergency notification to the community. The text of any additional or follow-up DU Alert messages will be crafted by the DCS Communications Technicians, the Incident Commander (when applicable), and/or the DCS Manager of Emergency Preparedness and Fire Safety or designee.

The system utilized to communicate with the campus community during a crisis or emergency includes several modes that can reach students, faculty, staff and the community at large, including parents, visitors, neighbors, and community partners. These modes include text message, email, social media, and digital display in select areas throughout campus.

Mechanisms To Disseminate An Emergency Notification

- **DU Alert – Mass Text Message**
The University of Denver has the ability to send DU Alert text messages to students, faculty, staff, and parents of DU students that opt-in and register their personal cellular device in the Division of Campus Safety's web portal.
- **DU Alert – Mass Email Notification**
The University of Denver has the ability to send emails to all students, faculty and staff members with "@du.edu" email addresses. All "@du.edu" email addresses are automatically added to the DU Alert system and cannot opt-out.
- **Social Media** - The University of Denver has the ability to send DU Alert messages directly to several social media outlets. DU Alert messages can be sent to the following Facebook and Twitter accounts:

<https://www.facebook.com/uofdenver>
<https://twitter.com/DUCampusSafety>
- **Digital Displays**
Some departments around campus utilize digital signage in buildings to share information and announce events and activities. Several of these digital display systems are configured to receive and display DU Alert messages.
- **Telephone Alert System**
Members of the DU community have the option to register a telephone number with the system to receive a telephone call with an automated message when the system is used.

Information critical to members of the larger campus community may be disseminated using additional mechanisms at the discretion of the Director of Campus Safety or designee.

Communication with the Larger Community

Any individual, even those who are not students, staff, or faculty, can view social media posts and information included on campus digital displays. Parents and guardians of students have the ability to opt into the University of Denver's DU Alerts system to receive emergency notifications via social media sites (Facebook and/or Twitter). DU

Alerts are sent to the University of Denver's social media sites, which are monitored by local media outlets as well. The media are able to view and monitor all DU alerts via Facebook and Twitter. Designated individuals in key positions within the Denver Police Department, the University of Denver's local law enforcement agency, are registered with the DU Alert system to receive emergency notifications via text messages and emails.

DU-Alert

All students, faculty and staff are encouraged to update contact information for the DU emergency notification system by visiting <https://www.du.edu/emergency/notification/signup>.

The system is tested by the DCS Manager of Emergency Preparedness three times a year (once during each academic quarter, excluding summer). For questions or problems concerning the DU-Alert service, individuals are directed to contact the Division of Campus Safety at (303)-871-2334.

How to Receive DU Alert and Emergency Notifications DU Alert Emails:

All "@du.edu" email addresses are automatically subscribed to receive D Alert messages. There is no option to unsubscribe.

How to Receive DU Alert text messages:

Individuals with a campus identification number may subscribe to receive DU Alert text messages. Students, faculty or staff can follow the instructions below.

1. Log into the Division of Campus Safety's home page: <https://www.du.edu/campussafety/>
2. Select the "Sign up for Emergency Notifications" tab on the home page
3. Select the Notifications tab under MyWeb/Personal Information on DU's PioneerWeb if not automatically directed.
4. Enter up to two (5) text-enabled cell phone numbers, including area code or international code. Hit "Submit"

EMERGENCY RESPONSE AND EVACUATION POLICY

The Division of Campus Safety's Office of Emergency Preparedness & Fire Safety develops, communicates and trains on the University's emergency policies, strategies, plans and procedures. The Office of Emergency Preparedness works closely with departments and offices to design, train and exercise emergency response and continuity of operation plans. This office educates students, faculty and staff on mitigation, preparedness, and response/recovery strategies. The office assesses the University's preparedness for natural, epidemic and human caused emergencies while working collaboratively with representatives from the City and County of Denver and other local, regional, state and federal agencies on emergency planning. More information on what to do in case of emergency is located on the Division of Campus Safety's website: <https://www.du.edu/emergency/index.html>

The University of Denver has a comprehensive emergency operation plan that details immediate response and evacuation procedures, including the use of electronic and cellular communication. The university's campus emergency operations plan includes information about the Emergency Support Functions Committee, other incident management teams; incident priorities; shelter-in-place and evacuation guidelines; and overall command and control procedures. University mission critical departments are responsible for developing their own emergency action plans and continuity of operations plans for their staff and areas of responsibility.

The University's Emergency Management Framework and the Critical Incident Management Board approved policy(ies) details the processes and functions for the University to prevent, plan for and respond to events that become critical incidents. Critical incidents are defined as events that may impact the life safety, financial condition, property and reputation of the University.

As a portion of the Emergency Management Framework, the University has an Emergency Management Plan managed by the Division of Campus Safety. The plan outlines the appropriate response strategy for a variety of

critical incidents and the organizational hierarchy to be utilized by the University during response and recovery. The Division of Campus Safety then identifies Emergency Response Teams, which consists of a group of individuals in each building to augment Campus Safety's response during a fire evacuation or shelter-in-place situation. Members of the Emergency Response Team are trained on the University's Emergency Management Plan.

Emergency and Evacuation Procedures On-Campus Residential Buildings (Student Housing)

Evacuation procedures are posted on each floor in all student housing managed by the University's Housing and Residential Education (HRE). Additionally, evacuation procedures are listed in HRE's Guide to Residence Living. Fire evacuation procedures apply to all students, HRE staff and contracted employees who reside or work within all residence halls (to include dining halls and parking structures where applicable) as well as other student residential housing buildings managed by HRE:

University of Denver's Housing and Residential Education Guide to Residence Living

If a fire alarm sounds, residents must immediately vacate the building via the nearest stairwell and proceed at least 50 feet (15 meters) outside the building until a Campus Safety officer or first responder allows residents to re-enter the building. Residents and guests must fully cooperate in all evacuations.

Failure to evacuate the building in the event of an alarm sounding may result in a referral to the Office of Student Rights & Responsibilities.

Exit the building immediately in a safe manner. If you are not in your own room, do not go back to your room to retrieve items. If you are in your room, please do the following:

- Check to see if the doorknob is hot.
- If it is hot:
 - ✓ Do not open your door
 - ✓ Wait in plain view next to your window
 - ✓ Open blinds and leave your lights on.
 - ✓ Call the Division of Campus Safety at 303-871-300 or 911 to report your location if a phone is available.
- If your doorknob is not hot:
 - ✓ Take a dampened towel and cover nose and mouth to prevent smoke inhalation.
 - ✓ Put on shoes.
 - ✓ Close room door behind you.
 - ✓ Go to the exit stairway closest to your room/apartment – do not use the elevator.
 - ✓ If the outside exit door does not open immediately, kick the emergency strike plate.
- When evacuating the building:
 - ✓ Leave the building immediately.
 - ✓ Do not investigate the source of the emergency.
 - ✓ Walk, don't run, to the nearest exit.
 - ✓ Use stairs, not elevators.
 - ✓ Follow instructions of the Division of Campus Safety officials or other identified emergency personnel.
 - ✓ Upon exiting the building, move at least 50 feet away from the structure.
 - ✓ Do NOT reenter the building until told to do so by Campus Safety officials or the Denver Fire Department.

Special Considerations:

Certain evacuations may last longer than your typical fire alarm. In cases where there is an actual fire, carbon monoxide alarm, or any instance where one cannot re-enter their assigned living quarters for a prolonged period of time, please go to the following gathering points located in a building different than your living quarters:

- Residents of **Centennial Halls** will gather at **Centennial Towers** main lounge.
- Residents of **Centennial Towers** will gather at **Centennial Halls** main lounge.
- Residents of **Johnson-McFarlane** will gather inside the **Nelson Hall** cafeteria.
- Residents of **Nelson and Nagel Hall** will gather at the **Johnson-McFarlane** main lounge and classroom.
- Residents of the Dimond Family Residential Village will gather at Centennial Halls main lounge.

Persons with disabilities:

- If a person is unable to evacuate a building due to a physical disability, the following steps should be taken.
- If the building has a designated area of rescue, the person should be moved to this area.
- If the building does NOT have a designated area of rescue, the person should be moved to the closet stairwell.
- Call 911 or Campus Safety at 303-871-3000 and inform first responders of the person requiring rescue.

You are required to evacuate the building safely and quickly when a fire alarm sounds. Failure to comply with these directions may result in referral to the Office of Student Rights & Responsibilities and potential criminal action based on federal, state or city fire codes.

Emergency and Evacuation Procedures On-Campus Non-Residential Buildings

The university publicizes general emergency response and evacuation procedures to the broad campus community through emergency procedures posters/safety sheets. The Division of Campus Safety's Office of Emergency Preparedness website and safety sheets include information on how to respond to a number of different hazards/threats. The website and safety sheets also include general information about evacuation, evacuation for persons with disabilities, and emergency planning. Additionally, evacuation maps are posted in on-campus buildings when required by fire code.

The information in the Emergency Safety Sheets is written for use by all University of Denver facilities including those on-campus residence halls and Greek housing. The telephone numbers listed in the safety sheets, with the exception of 9-1-1, are telephone numbers for resources located on campus. The Division of Campus Safety has site-specific emergency procedures information with local phone numbers.

The Emergency Procedures safety sheets are available on the Division of Campus Safety's Office of Emergency Preparedness [website](#). Evacuation information is provided for emergency evacuation, medical evacuation, shelter-in-place situations, lockdown situations, and evacuation for persons with disabilities. Additionally, the university's Emergency Operations Management Plan (DU Institutional Emergency Management Framework) is posted on the Division of Campus Safety's Office of Emergency Preparedness website.

Testing, Exercises and Evacuation Drills

As a part of the comprehensive emergency operation plan for the University of Denver, regularly scheduled tests, drills, or exercises, and follow-through activities are conducted annually to assess the university's emergency response and evacuation procedures on a campus-wide scale. All tests are documented with description of exercise, date, time and whether announced or unannounced. The university's Emergency Operations Management Plan (DU Institutional Emergency Management Framework) is available for use in conjunction with campus exercises.

Each year, the Division of Campus Safety's Office of Emergency Preparedness conducts at least one table-top exercise with the Emergency Support Functions Committee, which includes representatives from various University Departments. In addition, planned, announced tabletop exercises and drills may be completed with individual units, groups of units, and external entities on a regular basis. The Office of Emergency Preparedness conducts at least one table top exercise annually with representatives from the City and County of Denver and other local, regional, state and federal agencies on emergency planning and response. This includes, but is not limited to; police, firefighters, emergency medical technicians and other applicable first responders.

These exercises are considered an opportunity for specialized training related to the threats confronting campus or for anticipated scenarios such as athletic events or hazardous material incidents. Additionally, exercises bring together internal and external partners to enhance interoperability and provide opportunities to test the emergency notification system and emergency response on campus. Real incidents are also an opportunity to evaluate policies and procedures and through after-action reports, determine improvements.

Following all tests and exercises, an appropriate after-action report, post-exercise improvement plan or corrective action plan is completed documenting the details and outcomes of the exercise to evaluate response plans, efficiency

of implementation, and opportunities for improvement. After-action reports detail lessons learned, and follow-up items are identified with responsibilities assigned to appropriate campus entities. Follow-up activities may include, but are not limited to, post-exercise improvement plans, surveys, or interviewing of participants to obtain feedback.

The Office of Emergency Preparedness has overall responsibility for coordinating fire and non-fire related emergency tests and exercises on campus. Tests and exercises provide opportunities to evaluate the university's emergency response training and its ability to respond effectively to an emergency. They allow the university to identify weaknesses in policies, plans, procedures, facilities, equipment, training, and performance. Action items identified during post-exercise and post-test evaluations are recorded for potential incorporation into emergency plans, procedures, and training, as appropriate.

Announced and/or unannounced evacuation drills are scheduled and conducted by the University's Division of Campus Safety Office of Emergency Preparedness in coordination with Housing and Residential Education staff; Fraternity and Sorority Life staff; members of the University's Emergency Response Team and the local fire department for all on-campus university buildings and residence halls facilities to ensure that emergency response and evacuation procedures are tested. The University of Denver and Denver Fire Code requires that all buildings on-campus undergo at least one evacuation fire drill annually. The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency.

The University of Denver's business and academic buildings located on-campus undergo at least one evacuation fire drill annually. Primary and Early Education buildings (The Ricks Center and Fisher Early Learning Center) undergo 3 drills per quarter (one type each month): an evacuation fire drill, a lockdown drill, and a tornado drill. Prior to these drills being carried out, evacuation procedures are communicated to the occupants of these buildings via the Division of Campus Safety Office of Emergency preparedness or designated members of University's Emergency Response Teams.

Evacuation fire drills are conducted 3 times a year (fall, winter, and spring semester) for on-campus residence halls and Greek Housing. Prior to these drills being carried out, evacuation procedures are communicated to residents via Housing and Residential Education staff, Fraternity/Sorority Life staff, or designated members of University's Emergency Response Team. Students living in these facilities are provided the locations of emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. Residents are not told in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus and other factors such as the location and nature of the threat. In these cases, University Housing staff and/or first responders on scene will communicate information to students regarding the developing situation or any evacuation status changes.

HRE Residence Assistants are given fire-safety training on an annual basis, which they disseminate to the residents in their residence halls. The University of Denver's Division of Campus Safety conducts a fire safety presentation/training to HRE and Fraternity/Sorority Life (Greek Life) personnel annually at the beginning of each academic year. Training includes a review of use of fire extinguishers, fire safety components of their assigned building, expectations of the staff, evacuation procedures and their role, fire safety guidelines, and emergency assistance procedures. This information is disseminated to the residents in each respective on-campus residential facility. Students who reside in university residence halls receive information about evacuation and shelter-in-place procedures during their onboarding meetings and other educational sessions throughout the year. University Housing staff members act as an ongoing resource for the students living in residential facilities.

Evacuation procedures are posted on each floor in all student housing managed by the University's Housing and Residential Education (HRE). Additionally, evacuation procedures are listed in HRE's Guide to Residence Living. Fire evacuation procedures apply to all students, HRE staff and contracted employees who reside or work within all

residence halls (to include dining halls and parking structures where applicable) as well as other student housing buildings managed by HRE.

Evacuation drills are evaluated by the Office of Emergency Preparedness to review egress and behavioral patterns. Reports are prepared by participating departments that identify deficient equipment so that repairs can be made immediately. Recommendations for improvements are also submitted to the appropriate departments/offices for consideration.

Shelter In Place

There may be emergencies that arise that do not afford individuals the opportunity to evacuate. During these types of emergency situations, sheltering in place may be necessary. Sheltering-in-place means to stay inside a known, safe area to avoid adverse conditions in an exterior environment. Examples of emergencies where the shelter-in-place option may be necessary and/or preferred include severe weather or a hazardous material situation.

Shelter In Place (Weather)

Shelter in place is the safety term used to notify the community of a weather-related emergency – typically a tornado or severe storm including hail. The University of Denver’s shelter in place procedures are as follows:

- *Stop classes or other operations in the building*
- *If there are visitors in the building, provide for their safety by asking them to stay--not leave. When public safety officials provide directions to shelter in place, they want everyone to take those steps immediately, wherever they are.*
- *Tornado sirens are intended to notify those individuals who are outdoors to make their way inside.*
- *Once inside, make your way to a room or area without exterior glass.*
- *Remain calm and await further instructions, once the threat has passed, Campus Safety will send the notification.*
- *If out in the open:*
 - ✓ *Do not wait out the storm in your car, attempt to outrun the tornado by driving perpendicular to its path.*
 - ✓ *Move away from the path of the tornado*
 - ✓ *Seek shelter in a sturdy building*
 - ✓ *If no buildings are available, lie face down in the nearest depression, ditch, ravine, or culvert; cover your head with your hands and stay there until the storm has passed.*

Shelter in Place (Hazardous materials)

In some instances, it may be safer to “shelter in place” (i.e. remain indoors) in order to avoid the release of hazardous materials. In this case, it may be necessary to shelter in place following the intentional or accidental release of a chemical, biological, or biological contaminants into the environment. The University of Denver’s shelter in place procedures are as follows:

- *Close and lock all doors leading into your office area*
- *Alert others in your office of the order*
- *Close all exterior windows*
- *Gather all personnel into a central location. Choose a room with none or few windows or vents*
- *Do not use the telephone for non-essential purposes (such as contacting the media)*
- *Do not investigate unusual or suspicious noises outside your office area*
- *Remain until the “all clear” alert is given*

CAMPUS FACILITIES SECURITY AND ACCESS

Normal business office operating hours for the University of Denver are 8a.m. - 4:30 p.m., Monday through Friday. During business hours, the University of Denver and most building (excluding certain University Housing facilities) will be open to students, parents, employees, DU authorized contractors, guests and visitors. During non-business hours, authorized persons may access university facilities by key or electronic card, if issued. In periods of extended closures, only persons with prior or written approval will be admitted to university building and facilities. Emergencies may necessitate changes or alterations to regular building access schedules.

Administrative buildings are typically secured from 5 p.m. to 7 a.m. on weekdays, and 24 hours a day on weekends unless special arrangements are coordinated through the building's access coordinator or the Division of Campus Safety (for buildings not controlled by electronic card access control). Classroom buildings are typically secured from 10 p.m. to 7 a.m., Monday through Saturday and 24 hours on Sunday.

Elevators in academic and business buildings are accessible 24/7 to individuals with valid access to the specific building using their DUID electronic access card. The following buildings contain elevators that are open to the general community during the below times:

Margery Reed Building: Open Mon-Sat., 7am – 11pm, Sun 8am-10pm

Mary Reed Building: Open Mon-Fri, 6am-6pm

Daniel L. Ritchie Center: (3rd and 4th floor) Open Mon-Fri, 8am-5pm

Administrative Offices Building (AOB): (2nd through 4th floor) Open Mon-Fri, 8am-4:30pm

Some student services buildings such as student centers, libraries and computer labs are open extended hours and staffed during their hours of operation. Depending on the building and its requirements, physical security mechanisms including locks and keys, card-entry systems, and/ or electronic alarms on doors and windows are in place as well as closed-circuit security camera systems maintained by the Division of Campus Safety.

Residence Halls require electronic card access 24 hours a day and are divided into two sections: Dorm areas where resident's rooms reside; community spaces (dining facilities, lounges, recreation spaces, etc.) located on the first floor of each residence hall.

The "dorm" areas, which are locked behind a second set of security doors, are accessible 24 hours and only by residents and staff assigned to that specific building. This includes stairwells and elevator control. Non-residents do not have access to the secured dorm areas within the residence halls. DU Community members with a valid DUID are allowed to access community spaces in select residence halls from 6:30 a.m. – 10:30 p.m. Non-DU guests are required to check in at the desk with their DU host. The front desks are staffed 24 hours a day. On-campus apartment buildings are generally accessible only by residents with card access, and they are locked 24 hours a day.

A Housing and Residential Education (HRE) professional staff member is available 24/7 to consult on safety concerns on all residence halls. HRE staff members are assigned to the front desk of each residence hall to monitor access to the building. HRE staff members also complete building rounds during which they address safety and behavioral issues with students. When residence are locked out of their rooms, they can request and check out a temporary spare key or access card from HRE staff following established procedures. If the resident has lost their room key or access card, they shall contact HRE staff for replacement per established procedures.

Maintenance of Campus Facilities

The university maintains facilities and landscaping in a manner than minimized unsafe conditions. The Division of Campus Safety regularly patrols campus and officers regularly patrols campus and officers regularly check for malfunctioning lighting, locks and other unsafe conditions in buildings, bike racks and on walkways. To report

safety or security concerns such as broken lights, doors or windows, contact the Division of Campus Safety non-emergency number. On Campus maintenance issues are generally reported to either the Division of Facilities Management and Planning DU or the Division of Campus Safety. Depending on the nature of the issue, it will be forwarded on to the proper department. Campus Safety generally only handles maintenance issues related to fire and intrusion alarms, CCTV cameras, and the electronic components of the C-Cure Doors. The Division of Campus Safety conducts regularly scheduled tests of all emergency phones and assistance stations located on campus and the DCS Communications Center reports emergency phone and assistance station maintenance issues to DU Information and Technology Services Division as they occur.

DCS conducts security and safety patrols of buildings and grounds on campus as well as DU owned and controlled non-campus facilities within or reasonably contiguous to the main campus. DCS Campus Safety Officers perform security checks, lock and unlock buildings throughout campus, including DU housing facilities, and are present at many special events taking place on campus. DCS Campus Safety Officers are also available to provide courtesy safety escorts to students and employees during evening or early morning hours.

Security surveys are conducted at the request of campus faculty and staff. These surveys examine issues such as physical security, alarms, landscaping, lighting, emergency phones, assistance stations, communication systems and other safety issues. Additionally, the Division of Campus Safety's Community Resource Officer walks through the campus with other University staff, DU Facilities Management and Planning staff, and interested campus community members, to identify areas in need of improved lighting, landscaping, and other modifications that could make campus travel safer.

The Division of Campus Safety is often consulted on Crime Prevention Through Environmental Design (CPTED) principles. University buildings are evaluated on an ongoing basis and when they are first designed to include thoughtful landscaping design, good lighting, security cameras, intrusion detection systems, door access, control and other architectural and design features that can prevent crime.

III. Crime Prevention: Safety Tips and Security Awareness

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III. Crime Prevention: Safety Tips and Security Awareness

The University of Denver attempts to prevent crimes from occurring rather than react to them after the fact. The goal of crime prevention is to eliminate or minimize criminal opportunities whenever possible and to encourage students, faculty, and staff to be responsible for both their own safety and the safety of others. The Division of Campus Safety (DCS) promotes the following information to students, faculty, and staff:

Incident Reporting

- For emergencies or a crime being committed, call 9-1-1; and the Division of Campus Safety at 303-871-3000 (1-3000).
- Report all crimes no matter how minor they seem. Notify the Division of Campus Safety of all suspicious persons or activity at 303-871-2334 (1-2334)
- On campus, report any dim or unsafe-looking areas, or any malfunctioning lights, doors or windows, to the Division of Campus Safety at 303-871-2334 (1-2334)
- For further information on reporting, see the Division of Campus Safety [Crime Reporting](#) page.

Important Information

- Emergencies: 9-1-1
- The Division of Campus Safety emergencies: 303-871-3000 (1-3000)
- The Division of Campus Safety non-emergencies: 303-871-2334 (1-2334)
- Denver Police Department non-emergencies: 720-913-2000

Emergency Phones (E-Phones) and Assistance Stations

Outdoor direct access phones are located throughout the campus to use for reporting crime and requesting assistance. There are two types of direct access phones: Emergency Phones (often referred to as “Blue Light E-Phones”) and Assistance Stations. When one of these devices is activated, the individual is immediately connected to the DU Campus Safety Communications Center. The Campus Safety Communication Technicians will take the information, and if applicable, send a Campus Safety Officer and/or contact emergency personnel from other agencies (i.e. police, fire and/or paramedics). Campus Safety officers will respond to the device’s location, even if no voice contact is made with the person who activated the phone.

The locations of these devices can be found on the University of Denver’s website under interactive campus maps: <https://www.du.edu/site-utilities/maps.html>

All efforts are made to regularly check and maintain the emergency phones so that they are in good working order. If there are any issues with an emergency phone, individuals are directed to call the Division of Campus Safety non-emergency number at 303-871-2334 (1-2334). Intermittent and ongoing campus construction may impact the availability and placement of E-Phone and Assistance Stations. Additional information is located at: [du.edu/campussafety/crimeprevention/index.html](https://www.du.edu/campussafety/crimeprevention/index.html).

CRIME PREVENTION AND SAFETY TIPS

Preventing Violence on Campus

If residing on campus:

- Do not prop doors open

- Lock your residence at all times
- Report suspicious activity by calling 911 and 303-871-3000.

If residing off campus:

- Keep doors and windows locked, blinds/curtains closed, exterior lights on and report suspicious activity by calling 911.

If driving in a vehicle:

- Keep the doors locked at all times and have keys in hand before getting into vehicle.
- Do not stop for hitchhikers.

If walking:

- Stay in well-lit, high-traffic areas. All community members are welcome to contact the Division of Campus Safety for a walking escort 24-hours a day, 7-days a week, by calling the Division of Campus Safety non-emergency number at 303-871-2334 (1-2334).

In a Threatening Situation:

- If physically attacked, attract attention by yelling loudly or using a whistle.
- If using self-defense tactics or equipment such as pepper spray, run away as soon as the attacker is disabled.
- Decide what to do in various situations before they occur. Try role-playing with a friend.
- If confronted by someone who only wants property, give it to them.
- Try to get an accurate description of the assailant. If a vehicle is involved, get the license number and call the Division of Campus Safety.

Awareness and Personal Safety:

- Be aware. Awareness of your surroundings can add to your personal safety. If you think you are being followed, or notice someone who is suspicious, go to a place of calculated security and call Campus Safety.
- While on campus, report suspicious activity to the Division of Campus Safety immediately by calling 303.871.3000 (1-3000).
- Use the "Buddy System" whenever possible. Travel with a trusted friend to minimize your vulnerability. When going to parties or on community walks, have a friend with you to assure you both are safe.
- When traveling alone on campus after dark, call the Division of Campus Safety for a walking escort. Escorts are available to students, staff and faculty by calling the Division of Campus Safety non-emergency number at 303-871-2334 (1-2334).
- Become familiar with lighted areas when walking at night. The DU campus has several well lit sidewalk areas throughout campus. Use these sidewalks after dark.
- Keep your doors locked, even if you are in the room. Do not allow people to follow you into secure locations. Request that a "tailgater" use his or her key or swipe card to gain entry.
- Report any unusual or suspicious activity you witness. Even the smallest bit of information could prevent a crime and help protect yourself or others.
- Stay aware of your surroundings. Listening to music or using your phone can distract you from people or vehicles around you.
- Seek training in viable self-defense techniques. Do not allow the opportunity for a crime to occur — avoid placing yourself in environments in which it's easier for criminals to commit a personal crime.
- If possible, let a friend or roommate know where and with whom you'll be and when you'll be back when you go out.
- Consider carrying a whistle or a personal alarm to alert others if you need help.
- Lock your car doors and roll up the windows completely — even if you're only parking for a moment.
- If you choose to drink, drink legally and responsibly. Your ability to respond is diminished by overconsumption of alcohol.

- When driving, be aware of pedestrians and bicyclists and yield to them when required by law
- Update your contact information with the University of Denver's emergency notifications system (DU Alert) on the Division of Campus Safety webpage [DU Campus Safety](#) to receive messages about critical safety issues on campus.

Property Protection:

- Don't leave valuables unattended (backpacks, wallets, purses, keys, computers, phones, electronic devices, etc.).
- Engrave personal property, such as electronic or sporting equipment, with a Driver's License number, or similar numbered identification (do not use Social Security number).
- Keep a written record of all personal valuables, including descriptions and serial numbers. It is evidence that the property belongs to the rightful owner.

Fraud Prevention:

- Shred trash (checks, junk mail and personal documents) with a cross-cut or confetti shredder.
- Minimize financial and personal information carried on your person or in public, especially your Social Security Number.
- Do not give out personal or account information unless you initiated contact and know the person being contacted.
- Research and become aware of the numerous types of fraud and scams such as shipping scams, check cashing scams, Nigerian scams, Lotto scams, confidence games and internet scams.

Laptop Theft Prevention:

- Never leave your laptop unattended
- Consider the purchase a locking device for your laptop to secure the equipment when left unattended.
- Consider the purchase of insurance for your laptop.
- Back up important data daily.
- SAFEWARE insurance agency provides insurance for laptop computers. Call 1.800.800.1492 (or visit online at www.safeware.com) to begin coverage immediately. Coverage includes loss from theft, fire and damage from natural or accidental causes.
- Consider the purchase of a theft-recovery service for your laptop.

Bicycle Security:

- Secure your bicycle using only U-Lock devices and ensure that the U-Lock is through the bicycle's frame. Do not use cable locks. Cable locks are easily cut with basic tools and allow bikes to be stolen in a matter of a few short moments.
- Only secure your bicycle to designated bicycle racks.
- Check on your bicycle every couple of days, at minimum.

Office Security:

- Never leave purses, wallets, or other valuables unattended. Lock them in a drawer or closet, or carry them.
- Do not leave keys unattended, and do not loan out university keys.
- Request authorization from persons asking for confidential information or from delivery or repair people who want to enter an area restricted to employees.

Key Control:

- Those responsible for office keys should not leave them unattended, in plain sight on a desk, or in a top drawer where they could be taken or copied easily.
- Give keys only to those who have a legitimate authorized need and make sure they are returned.
- If keys or key cards are lost or stolen, notify the Division of Campus Safety immediately at 303-871-2334 (1-2334).

Parking Safety:

- Lock vehicles at all times.
- When returning to a vehicle, have the keys out while approaching. Check the interior before getting inside.
- Notify the Division of Campus Safety immediately of any suspicious people loitering in the parking lot.
- Remove all valuables from vehicles. Leave them at home, carry them, or lock them in the trunk.
- Do not leave animals in vehicles parked on DU property.

Pedestrian Safety, Policy and Laws:

- Always cross the street at an intersection.
- Obey the “walk/don’t walk” pedestrian signals. Don’t enter the crosswalk once the hand begins flashing.
- Use the “push to walk” button, where available. It adds pedestrian crossing time to the traffic signal.
- Always stay alert. Don’t be a distracted walker.
- Never assume vehicles see you. Look both ways before you cross the street.
- Under Colorado State Law, as a pedestrian, you do not have the right of way until you establish yourself in the crosswalk. If you are crossing at any location other than a crosswalk, you must yield to vehicular traffic.

CO § 42-4-801

- (1) A pedestrian shall obey the instructions of any official traffic control device specifically applicable to the pedestrian, unless otherwise directed by a police officer.
- (2) Pedestrians shall be subject to traffic and pedestrian-control signals as provided in sections 42-4-604 and 42-4-802(5) .
- (3) At all other places, pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this title.
- (4) Any person who violates any provision of this section commits a class B traffic infraction.

CO § 42-4-802

- (1) When traffic control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.
- (2) Subsection (1) of this section shall not apply under the conditions stated in section 42-4-803 .
- (3) No pedestrian shall suddenly leave a curb or other place of safety and ride a bicycle, ride an electrical assisted bicycle, walk, or run into the path of a moving vehicle that is so close as to constitute an immediate hazard.
- (4) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.
- (5) Whenever special pedestrian-control signals exhibiting “Walk” or “Don't Walk” word or symbol indications are in place, as declared in the traffic control manual adopted by the department of transportation, such signals shall indicate and require as follows:
 - (a) “Walk” (steady): While the “Walk” indication is steadily illuminated, pedestrians facing such signal may proceed across the roadway in the direction of the signal indication and shall be given the right-of-way by the drivers of all vehicles.
 - (b) “Don't Walk” (steady): While the “Don't Walk” indication is steadily illuminated, no pedestrian shall enter the roadway in the direction of the signal indication.
 - (c) “Don't Walk” (flashing): Whenever the “Don't Walk” indication is flashing, no pedestrian shall start to cross the roadway in the direction of such signal indication, but any pedestrian who has partly completed crossing during the “Walk” indication shall proceed to a sidewalk or to a safety island, and all drivers of vehicles shall yield to any such pedestrian.
 - (d) Whenever a signal system provides for the stopping of all vehicular traffic and the exclusive movement of pedestrians and “Walk” and “Don't Walk” signal indications control such pedestrian movement, pedestrians may cross in any direction between corners of the

intersection offering the shortest route within the boundaries of the intersection while the “Walk” indication is exhibited, if signals and other official devices direct pedestrian movement in such manner consistent with section 42-4-803(4) .

(6) Any person who violates any provision of this section commits a class A traffic infraction.

CO § 42-4-803

(1) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

(2) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

(3) Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.

(4) No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic control devices; and, when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic control devices pertaining to such crossing movements.

(5) Any person who violates any provision of this section commits a class B traffic infraction.

Bicycle Safety, Policy and Laws:

- Bikes and cars – same rights, same laws. Obey stop signs, traffic signs and traffic lights. Set an example for everyone and wait for the green light.
- Take your place in traffic. Ride your bike on the street or on campus brick pathways at a safe speed. City sidewalks are reserved for pedestrians.
- Always ride with traffic. Ride on the right (or left on one-ways) where drivers expect to see you.
- Be alert and be visible. Steer clear of riding with earphones and use lights at night

CO § 42-4-1412

(1) Every person riding a bicycle or electrical assisted bicycle shall have all of the rights and duties applicable to the driver of any other vehicle under this article, except as to special regulations in this article and except as to those provisions which by their nature can have no application. Said riders shall comply with the rules set forth in this section and section 42-4-221, and, when using streets and highways within incorporated cities and towns, shall be subject to local ordinances regulating the operation of bicycles and electrical assisted bicycles as provided in section 42-4-111 .

(2) It is the intent of the general assembly that nothing contained in House Bill No. 1246, enacted at the second regular session of the fifty-sixth general assembly, shall in any way be construed to modify or increase the duty of the department of transportation or any political subdivision to sign or maintain highways or sidewalks or to affect or increase the liability of the state of Colorado or any political subdivision under the “Colorado Governmental Immunity Act”, article 10 of title 24, C.R.S.

(3) No bicycle or electrical assisted bicycle shall be used to carry more persons at one time than the number for which it is designed or equipped.

(4) No person riding upon any bicycle or electrical assisted bicycle shall attach the same or himself or herself to any motor vehicle upon a roadway.

(5)(a) Any person operating a bicycle or an electrical assisted bicycle upon a roadway at less than the normal speed of traffic shall ride in the right-hand lane, subject to the following conditions:

(I) If the right-hand lane then available for traffic is wide enough to be safely shared with overtaking vehicles, a bicyclist shall ride far enough to the right as judged safe by the bicyclist to facilitate the movement of such overtaking vehicles unless other conditions make it unsafe to do so.

(II) A bicyclist may use a lane other than the right-hand lane when:

- (A) Preparing for a left turn at an intersection or into a private roadway or driveway;
- (B) Overtaking a slower vehicle; or
- (C) Taking reasonably necessary precautions to avoid hazards or road conditions.

(III) Upon approaching an intersection where right turns are permitted and there is a dedicated right-turn lane, a bicyclist may ride on the left-hand portion of the dedicated right-turn lane even if the bicyclist does not intend to turn right.

(b) A bicyclist shall not be expected or required to:

- (I) Ride over or through hazards at the edge of a roadway, including but not limited to fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards, or narrow lanes; or
- (II) Ride without a reasonable safety margin on the right-hand side of the roadway.

(c) A person operating a bicycle or an electrical assisted bicycle upon a one-way roadway with two or more marked traffic lanes may ride as near to the left-hand curb or edge of such roadway as judged safe by the bicyclist, subject to the following conditions:

(I) If the left-hand lane then available for traffic is wide enough to be safely shared with overtaking vehicles, a bicyclist shall ride far enough to the left as judged safe by the bicyclist to facilitate the movement of such overtaking vehicles unless other conditions make it unsafe to do so.

(II) A bicyclist shall not be expected or required to:

- (A) Ride over or through hazards at the edge of a roadway, including but not limited to fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards, or narrow lanes; or
- (B) Ride without a reasonable safety margin on the left-hand side of the roadway.

- (6)(a) Persons riding bicycles or electrical assisted bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.
- (b) Persons riding bicycles or electrical assisted bicycles two abreast shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane.
- (7) A person operating a bicycle or electrical assisted bicycle shall keep at least one hand on the handlebars at all times.
- (8)(a) A person riding a bicycle or electrical assisted bicycle intending to turn left shall follow a course described in sections 42-4-901(1) , 42-4-903 , and 42-4-1007 or may make a left turn in the manner prescribed in paragraph (b) of this subsection (8).
- (b) A person riding a bicycle or electrical assisted bicycle intending to turn left shall approach the turn as closely as practicable to the right-hand curb or edge of the roadway. After proceeding across the intersecting roadway to the far corner of the curb or intersection of the roadway edges, the bicyclist shall stop, as much as practicable, out of the way of traffic. After stopping, the bicyclist shall yield to any traffic proceeding in either direction along the roadway that the bicyclist had been using. After yielding and complying with any official traffic control device or police officer regulating traffic on the highway along which the bicyclist intends to proceed, the bicyclist may proceed in the new direction.
- (c) Notwithstanding the provisions of paragraphs (a) and (b) of this subsection (8), the transportation commission and local authorities in their respective jurisdictions may cause official traffic control devices to be placed on roadways and thereby require and direct that a specific course be traveled.
- (9)(a) Except as otherwise provided in this subsection (9), every person riding a bicycle or electrical assisted bicycle shall signal the intention to turn or stop in accordance with section 42-4-903 ; except that a person riding a bicycle or electrical assisted bicycle may signal a right turn with the right arm extended horizontally.
- (b) A signal of intention to turn right or left when required shall be given continuously during not less than the last one hundred feet traveled by the bicycle or electrical assisted bicycle before turning and shall be given while the bicycle or electrical assisted bicycle is stopped waiting to turn. A signal by hand and arm need not be given continuously if the hand is needed in the control or operation of the bicycle or electrical assisted bicycle.
- (10)(a) A person riding a bicycle or electrical assisted bicycle upon and along a sidewalk or pathway or across a roadway upon and along a crosswalk shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian. A person riding a bicycle in a crosswalk shall do so in a manner that is safe for pedestrians.
- (b) A person shall not ride a bicycle or electrical assisted bicycle upon and along a sidewalk or pathway or across a roadway upon and along a crosswalk where such use of bicycles or electrical assisted bicycles is prohibited by official traffic control devices or local ordinances. A person riding a bicycle or electrical assisted bicycle shall dismount before entering any crosswalk where required by official traffic control devices or local ordinances
- (c) A person riding or walking a bicycle or electrical assisted bicycle upon and along a sidewalk or pathway or across a roadway upon and along a crosswalk shall have all the rights and duties applicable to a pedestrian under the same circumstances, including, but not limited to, the rights and duties granted and required by section 42-4-802 .
- (d) Deleted by Laws 2005, Ch. 301, § 1, eff. July 1, 2005.
- (11)(a) A person may park a bicycle or electrical assisted bicycle on a sidewalk unless prohibited or restricted by an official traffic control device or local ordinance.
- (b) A bicycle or electrical assisted bicycle parked on a sidewalk shall not impede the normal and reasonable movement of pedestrian or other traffic.
- (c) A bicycle or electrical assisted bicycle may be parked on the road at any angle to the curb or edge of the road at any location where parking is allowed.
- (d) A bicycle or electrical assisted bicycle may be parked on the road abreast of another such bicycle or bicycles near the side of the road or any location where parking is allowed in such a manner as does not impede the normal and reasonable movement of traffic.
- (e) In all other respects, bicycles or electrical assisted bicycles parked anywhere on a highway shall conform to the provisions of part 12 of this article regulating the parking of vehicles.
- (12)(a) Any person who violates any provision of this section commits a class 2 misdemeanor traffic offense; except that section 42-2-127 shall not apply.
- (b) Any person riding a bicycle or electrical assisted bicycle who violates any provision of this article other than this section which is applicable to such a vehicle and for which a penalty is specified shall be subject to the same specified penalty as any other vehicle; except that section 42-2-127 shall not apply.
- (13) Upon request, the law enforcement agency having jurisdiction shall complete a report concerning an injury or death incident that involves a bicycle or electrical assisted bicycle on the roadways of the state, even if such accident does not involve a motor vehicle.
- (14)(a)(I) A person may ride a class 1 or class 2 electrical assisted bicycle on a bike or pedestrian path where bicycles are authorized to travel.
- (II) A local authority may prohibit the operation of a class 1 or class 2 electrical assisted bicycle on a bike or pedestrian path under its jurisdiction.
- (b) A person shall not ride a class 3 electrical assisted bicycle on a bike or pedestrian path unless:
- (I) The path is within a street or highway; or
- (II) The local authority permits the operation of a class 3 electrical assisted bicycle on a path under its jurisdiction.
- (15)(a) A person under sixteen years of age shall not ride a class 3 electrical assisted bicycle upon any street, highway, or bike or pedestrian path; except that a person under sixteen years of age may ride as a passenger on a class 3 electrical assisted bicycle that is designed to accommodate passengers.
- (b) A person shall not operate or ride as a passenger on a class 3 electrical assisted bicycle unless:
- (I) Each person under eighteen years of age is wearing a protective helmet of a type and design manufactured for use by operators of bicycles;
- (II) The protective helmet conforms to the design and specifications set forth by the United States consumer product safety commission or the American Society for Testing and Materials; and

- (III) The protective helmet is secured properly on the person's head with a chin strap while the class 3 electrical assisted bicycle is in motion.
- (c) A violation of subsection (15)(b) of this section does not constitute negligence or negligence per se in the context of any civil personal injury claim or lawsuit seeking damages.

Skateboard and In-line Skates Safety and Policy

The University of Denver strongly encourages all University community members to use caution and safety for both an operator and others in the immediate area when traversing the pedestrian corridors on a skateboard or in-line skates. If a person is injured from a skateboarding or in-line skating accident, the Division of Campus Safety or Health and Counseling Center should be immediately notified. Unlike bicycles, skateboarders and in-line skaters must always act as pedestrians. This means they must take care and yield to other pedestrians while maintaining a safe speed. In some areas skateboarding/in-line skating is prohibited, so it is important to be aware and follow the posted laws. Since skateboards/in-line skates are not considered vehicles, skateboarders/in-line skaters cannot ride in the street. Skateboards/in-line skates may not be operated on campus property in any manner that endangers the life, safety or property of others. Trick-riding or similar type of actions with a skateboard/in-line skates on campus property is strictly prohibited.

Motorized Scooters and Hoverboard Safety and Policy

Scooters: The Department of Parking Services has been charged with managing, promoting and regulating the efficient and safe conduct of vehicular traffic on University property. Beginning on October 27, 2014 all Scooters with an engine capacity of 49cc and under will no longer be allowed to park at any bicycle rack or other non-designated location on campus such as lawns, sidewalks and pedestrian walkways. Scooter operators will be required to purchase a scooter parking permit and park only in designated scooter parking areas that are located in the following parking lots: 103, 311, behind the Schwayder Art building as signed, Q, T, W, F, 121 and P. [Parking Map](#) Scooters will be required to have a valid DU Scooter parking permit and only be authorized to park in our S Lot designated scooter parking areas. Scooters found in undesignated areas will be subject to ticketing, immobilization and or towing at the owner's expense. If you own/operate a scooter and you would like to park it on campus, please stop by the Parking Services office during regular business hours (Monday-Friday 8:30am-4:30pm) to purchase your \$20.00 scooter parking permit. Scooters are required to be registered with the state of Colorado (www.colorado.gov/dmv) prior to purchasing a DU parking permit. You will need to provide us with the make, model, color, Colorado registration sticker number, and VIN (vehicle identification number) of your scooter to purchase a DU Scooter parking permit.

Hoverboards: The University of Denver is committed to providing a safe place to study, live, and work. Due to potential fire hazards and other safety concerns raised by the Consumer Product Safety Commission, effective immediately, the University prohibits the use, possession, or storage on campus of all self-balancing scooters, also referred to as battery-operated hoverboards, skateboards, self-balancing boards, or any similar devices. This prohibition will remain in effect until a determination is made that these devices no longer present safety concerns. In order to ensure campus safety, any self-balancing scooter found on campus may be confiscated, disposed of, and/or destroyed.

Personal Mobility Vehicle Safety and Policy: These rules apply to all motorized vehicles designed to move a single person.

This includes motorized (electric or fueled): scooters, skateboards, one wheels, solo wheel, electric unicycle and any other motorized vehicles that may be developed.

1. Motorized personal mobility vehicles are not allowed on campus paths
2. Personal mobility vehicle users must follow common safety practices: motorized vehicles yield to non-motorized, non-motorized personal mobility vehicles yield to pedestrians

Shared ride/Dockless mobility vehicles refer to commercial shared mobility vehicles. Rules include:

1. All dockless shared mobility vehicles must park in areas designated by parking box markings on the ground
2. Dockless mobility vehicles are not allowed to be ridden, carried, or otherwise transported into campus buildings
3. Motorized dockless mobility vehicles may not be charged on campus property

Exemptions include motorized wheel chairs and University owned vehicles.

MISSING STUDENTS POLICY

Members of the University community who believe that a student residing in on-campus housing is missing should immediately contact Campus Safety at 303.871.2334 (1-2334).

They may also notify the student's Resident Assistant, Resident Director, Graduate Resident Director or the residence hall's Desk Assistant. Those who suspect a student living in a fraternity or sorority may be missing should contact Campus Safety or the Director or Assistant Director of Campus Activities. Once notified of a potentially missing student, Campus Safety will initiate an investigation to determine the student's status.

Methods employed by Campus Safety to determine if a student is missing may include, but are not limited to: attempting to contact the missing student utilizing phone and email contact information they have provided the University, retrieving their ID photo from the Pioneer Card office, checking their class schedule and attempting to contact them in class, contacting their parents, their roommate, friends, etc.

Should Campus Safety's investigation determine that the student is in fact missing, and has been missing for more than 24 hours, the Denver Police Department and the student's designated missing person emergency contact will be notified. If the missing student is under the age of 18 and is not an emancipated individual, Campus Safety will notify the student's parent or legal guardian immediately after the student has been determined to be missing more than 24 hours.

Students living in on-campus housing are directed to designate a missing-person contact. All students may designate a missing-person contact online when designating other emergency contacts. This person is distinct from other emergency contacts, although students may opt to have their missing-person contact the same as other emergency contacts. In the event the student is suspected to be missing, the University will contact that individual.

IV. Security Awareness and Crime Prevention Education Programs

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IV. Security Awareness and Crime Prevention Education Programs

The Division of Campus Safety employs a Community Resource Officer who regularly presents crime awareness, prevention and victim services materials on campus. Information about safety classes and other programming provided by the Division of Campus Safety is listed on its website:

<https://www.du.edu/campussafety/classes/index.html>.

Individual or group presentations may be arranged by contacting the Division of Campus Safety Community Resource Officer at 303.871.6803 or by submitting an inquiry at:

<https://www.du.edu/campussafety/contact-us/index.html>

During orientation sessions for new students, and periodically throughout the year, students and their parents are informed about the types of crimes that occur on campus and prevention resources offered by the Division of Campus Safety. Additionally, this information is provided during New Employee Orientation held periodically throughout the year.

During the year across the University of Denver campus, many programs and services from various and collaborating departments work to raise awareness of safety and security issues and best practices, and in doing so, help prevent many types of crime both on-campus and off. In essence, all security awareness programs also help prevent crime, and therefore all such efforts are listed together. The following list is constantly being augmented by new programs created by students and by university offices serving the student and employee populations:

Program Name: RAD (Rape Aggression Defense Training)

Explanation: Personal self-defense classes for female students (separate classes are also provided to male participants) presented by trained officers with Campus Safety; available to students and staff through course registration.

Audience: Students, Faculty, Staff

Frequency: Offered upon request

Awareness and Prevention Targets: Sexual Assaults, robbery, assault, risk reduction

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: 90 Minute Self-Defense Class

Explanation: In response to requests from the community, the Department of Campus Safety now offers free, 90-minute basic self-defense classes for students, staff and faculty of all genders. These courses go over basic self-defense and risk-avoidance techniques. This class is perfect for community members who want to feel prepared to defend themselves if necessary.

Audience: Students, Faculty, Staff

Frequency: Offered upon request

Method: In-person class

Awareness and Prevention Targets: Sexual assault, robbery, assault, risk reduction.

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: Mace-in-Your-Face Class

Explanation: 45 min – Participants will learn about the legal aspects and medical considerations for carrying and using pepper spray or mace for their own personal safety. The course includes practice with inert spray canisters.

Audience: Students, Faculty, Staff

Frequency: Offered upon request

Method: In-person class

Awareness and Prevention Targets: Sexual assault, robbery, assault, risk reduction.

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: Crime Prevention 101

Explanation: 1 hour – Participants will learn about common crimes and actions they can take to mitigate those issues.

Audience: Students, Faculty, Staff

Frequency: Offered upon request.

Method: In-person class

Awareness and Prevention Targets: Sexual assault, assault, robbery, drug/alcohol crimes, trespassing, burglary, theft, risk reduction

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: Denver Police Department Crime Prevention

Explanation: Crime prevention information on property security best practices.

Audience: Students, Staff, Community

Frequency: Periodically throughout year.

Method: Email and social media advertisements, in-person tabling on request

Awareness and Prevention Targets: Burglary, car theft, theft, risk reduction.

Primary Sponsor: Denver Police Department, 720-913-6010

Program Name: New Employee Orientation

Explanation: HR delivers New Employee Orientation and provides an overview of the services the Division of Campus Safety provides.

Audience: New Faculty & Staff

Frequency: The first and third Monday of each month.

Method: In-person meeting or virtual online.

Awareness and Prevention Targets: Overview of the Division of Campus Safety functions.

Primary Sponsor: Human Resources & Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: DCS Crime Prevention Presentations

Explanation: The Division of Campus Safety's Community Resource Officer conducts in-person presentations on preventing and reporting crime. Promoted by email, regular meetings with student and community groups.

Audience: Students, Faculty, Staff, Community.

Frequency: Offered upon request

Method: In-person presentations.

Awareness and Prevention Targets: All crimes including active-shooter response; crime prevention, bystander intervention, risk reduction.

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: DCS Officer Liaison Program

Explanation: This program pairs Campus Safety Officers and personnel with various groups across campus. These groups can range from internal University Departments or Units, student clubs, staff/faculty groups, or community organizations. The purpose of the Liaison program is to provide a forum for a deeper level of engagement between Campus Safety personnel and campus groups; allowing for both parties to be involved in each other's events & campaigns. Campus Safety officers conduct in-person presentations on preventing and reporting crime. Promoted by email, regular meetings with student and staff groups.

Audience: Students, Faculty, Staff

Frequency: Ongoing

Method: In-person, email, and phone

Awareness and Prevention Targets: All crimes including active-shooter response; crime prevention, bystander intervention, risk reduction.

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: Campus Community Concerns Meetings

Explanation: Representatives from various university departments, student leadership, city government, law enforcement, and community neighborhood groups meet to discuss safety issues, problems and opportunities impacting the university and surrounding community, including prevention and response.

Audience: Students, Staff, Community

Frequency: Quarterly.

Method: In-person meetings, recommending broad programming and response as necessary.

Awareness and prevention targets: Safety and security, drug and alcohol crimes, crime reporting, risk reduction.

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: Good Neighbor Community Meetings

Explanation: Meetings are open to community neighbors outside of the DU community. The meeting addresses safety concerns and new construction projects that are happening at the University of Denver. This also is an open forum to discuss any concerns the community may have pertaining to DU.

Audience: Community neighbors outside of the DU community

Frequency: Quarterly

Method: In response to COVID-19, meetings were adjusted to be held virtually.

Awareness and Prevention Targets: Safety and security, drug and alcohol crimes, crime reporting, risk reduction.

Primary Sponsor: Office of Government Relations and Community Affairs

Program Name: Residence Hall Mandatory Meetings

Explanation: Meetings with residence hall staff on critical safety and security practices and expectations, for incoming university residence hall staff prior to students' first term living on campus.

Audience: University Housing Staff

Frequency: Fall term, one meeting each quarter

Method: In-person meetings

Awareness and Prevention Targets: Crime reporting and responsibility awareness, sexual assault, robbery, assault, drug/alcohol crimes, burglary, theft

Primary Sponsor: Housing and Residential Education

Program Name: RA Development Institute (RADI)

Explanation: Training with incoming and returning residence hall staff that includes critical safety and security practices and expectations for university residence hall staff and incoming students prior to students' first term living on campus.

Audience: Incoming and returning University Housing Staff

Frequency: Annually at the beginning of the fall term

Method: In-person training

Awareness and Prevention Targets: Sexual assault, robbery, assault, drug/alcohol crimes, burglary, theft, crime reporting, crime prevention.

Primary Sponsor: Housing and Residential Education

Program Name: International Student Orientation

Explanation: During orientation, representatives from several DU offices including Campus Safety and ISSS provide information about safety and security on campus and around Denver, as well as information about avoiding scams that target international students. Additionally information is provided about health services and resources for both physical and mental health.

Audience: Incoming international students

Frequency: One large orientation at the start of the Fall term and three smaller orientations at the start of each quarter.

Method: A mix of in person presentation, handouts, online videos and pre-arrival information.

Awareness and Prevention Targets: Health and Counseling resources, Personal safety/security and Property protection in Denver and on campus. Awareness of common safety concerns and fraud. Crime prevention and reporting, risk reduction

Primary Sponsor: ISSS

Program Name: International Program Leaders

Explanation: Experts from DU present to staff and faculty overseeing students on short term strip abroad on health, safety and security issues and crime prevention and Clery Reporting.

Audience: DU Staff and Faculty working as advisors with students during short term academic trips abroad

Frequency: Periodically throughout year

Method: In person instruction with occasional follow up

Awareness and Prevention Targets: Health, Safety and security, sexual assault, drug and alcohol crimes, robbery, assault, burglary, theft, crime reporting (Clery), risk reduction

Primary Sponsor: Enterprise Risk Management

Program Name: Safe-Walk Program

Explanation: Walk through campus with staff from the Division of Campus Safety, DU Facilities and interested campus community members, to identify areas in need of improved lighting, landscaping, and other modifications that could make campus travel safer. Promoted through social media and email advertising

Audience: Students, Staff, Campus community members

Frequency: Annually

Method: In-person discussion and tour

Awareness and Prevention Targets: Sexual assault, robbery, assault, safe routes, crime prevention, crime reporting, risk reduction

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: DCS Security Escorts

Explanation: On request Campus Safety Officer escort for anyone on campus, from and to any campus location, provided by the Division of Campus Safety (DCS) with a call to the DCS Communications Center. Promoted through student and parent orientations, online and printed materials.

Audience: Students, Staff

Frequency: As requested, year-round, 24-hours per day

Method: In-person safety escort

Awareness and Prevention Targets: Sexual assault, robbery, assault, risk reduction

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: DU Campus Shuttle

Explanation: Fixed-route van service operating 7am-7pm during the academic year on routes around campus. Free to students and employees, operated by a contracted vendor. Shuttle locations are viewable in real time online at <https://www.du.edu/parking/mobility/shuttle.html>

Audience: Students, Faculty, Staff

Frequency: Year-round.

Method: Direct intervention ride service.

Awareness and Prevention Targets: Drug/alcohol crimes, sexual assault, robbery, assault, crime prevention, risk reduction.

Primary Sponsor: Parking and Mobility Services, 303-871-3210

Program Name: Campus Safety Anonymous Crime Tip Line

Explanation: A 24-hour hotline, 303-871-3130 (1-3130) from the Division of Campus Safety, providing an avenue for the campus community to report information about a crime or suspected crime in a confidential manner. Promoted through orientations and website.

Audience: Students, Faculty, Staff, Community.

Frequency: Ongoing.

Method: Phone resource

Awareness and Prevention Targets: All interpersonal violence and sex-related crimes; all other persons and property crimes; bystander intervention, risk reduction, crime reporting.

Primary Sponsor: Division of Campus Safety, 303-871-3130 (1-3130)

Program Name: The Division of Campus Safety Website

Explanation: The campus safety website with Clery Act information and resources, crime prevention resources, crime prevention education and opportunities, crime reporting information and resources. Promoted through social media, orientations, and print marketing.

Audience: Students, Faculty, Staff, Community.

Frequency: Ongoing.

Method: Web-based resource.

Awareness and Prevention Targets: All crimes; crime reporting, risk reduction.

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: DU Alert

Explanation: Email and text emergency notification system. Promoted through orientations, media, print and online marketing.

Audience: Students, Faculty, Staff

Frequency: Periodic, as incidents indicate.

Method: Emails and texts to all subscribed university accounts.

Awareness and Prevention Targets: Emergency notification, including fires, bomb threats, active shooter or dangerous person, gas leaks, hazardous weather.

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: Campus Crime Alerts

Explanation: Email, social media and web bulletins with information about Clery crimes that pose a serious or ongoing threat, on Clery-reportable property, packaged with crime prevention and personal protection tips, and campus and community resources for victims of crime.

Audience: Students, Faculty, Staff

Frequency: Periodic, as indicated by incidents.

Method: Email direct to all university addresses, web, Twitter and Facebook.

Awareness and Prevention Targets: Clery crimes, risk reduction, bystander intervention, crime reporting.

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: DU Campus Safety/Community Security Advisories

Explanation: Email, social media and web bulletins with information about crime, security or safety trends, advice, prevention strategies, or incidents that may not pose a serious or ongoing threat.

Audience: Students, Employees.

Frequency: Periodic, as needed.

Method: Email to all university accounts, web, Twitter, Facebook.

Awareness and Prevention Targets: Sexual assault, robbery, assault, burglary, theft, drug/alcohol crimes, bystander intervention, risk reduction, crime reporting.

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: Bicycle Registration

Explanation: Mandatory bike registration for all bikes on DU campus, through the Parking and Mobility Services. Includes theft prevention tips, and low-cost bike U-locks. Promoted by print and online marketing, orientations.

Audience: Students, Staff, Faculty

Frequency: Ongoing.

Method: Registration program and marketing outreach.

Awareness and Prevention Targets: Theft, crime prevention, crime reporting.

Primary Sponsor: Parking and Mobility Services, 303-871-3210

Program Name: Active Shooter Response Training (Are You Prepared)

Explanation: 1 hour - Participants will learn concerning behaviors exhibited by potential shooters, a brief history, what to do during an active shooter incident, and what the University and City response will be. Includes demonstration with simulated firearms.

Audience: Students, Faculty, Staff, DU community

Frequency: Offered upon request

Method: In-person class. In addition to in person trainings, employees are required to watch the Run, Hide, Fight Video on Canvas

Awareness and Prevention Targets: Safety and security, crime reporting, murder, assault, harassment, bystander intervention, risk reduction

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: Emergency Response Team Training & Certification

Explanation: This is a volunteer program open to all University faculty and staff. Upon joining participants are provided with training in how to respond to basic emergencies and are assigned to their building's Emergency Response Team. Team Members are given a certificate and identification vest upon completion of initial training.

Audience: Students, Faculty, Staff

Frequency: At least once per academic term, and as requested by groups.

Method: In-person class

Awareness and Prevention Targets: Safety and security, crime reporting

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: Safety/Risk Assessments

Explanation: The Division of Campus Safety's Manager of Emergency Preparedness and Fire Safety conducts physical and office site security assessments for all university department's workplace environments. Assessment includes information on best practices and industry standards in the area of workplace safety and response to emergency situations.

Audience: Students, Staff, Faculty

Frequency: Offered upon requests

Method: In-person assessment

Awareness and Prevention Targets: Lockdown, evacuation, and shelter in place procedures, Safety and Security

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: Emergency Support Functions Committee

Explanation: A group of director level or above that respond to wide scale emergencies, once there has been disruption in operations that have gone beyond 24 hours.

Audience: Emergency Support Functions Committee

Frequency: Per incident response. (Group conducts biannual table top exercise as part of training)

Method: In person meetings and electronic communication, responds to incidents as necessary.

Awareness and Prevention Targets: Safety and Security

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: Standard Response Protocol (Ricks and Fisher)

Explanation: Program targeted for k-12 students and employees that encompasses all wide scale emergencies, divided into four different actions to take during emergencies (lockdown, lockout, evacuate, shelter in place).

Audience: K-12 (Students, Staff)

Frequency: Once a year for each facility

Method: In-person training

Awareness and Prevention Targets: Safety and security.

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: Fire Extinguisher Training

Explanation: 1 hour - This is a free course to all DU Community Members with the goal of enhancing emergency preparedness on campus. Participants will receive hands-on instruction with extinguishers and training simulator.

Audience: Students, Faculty, Staff

Frequency: At least once per academic term, and as requested by groups.

Method: In-person class

Awareness and Prevention Targets: Life safety

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: First Aid/CPR/AED Training

Explanation: Participants will be trained in adult, child, and infant CPR, choking response, and use of an Automated External Defibrillator. Certifications are through the American Heart Association and last 2 years.

Audience: Students, Faculty, Staff

Frequency: Offered upon request

Method: In-person class

Awareness and Prevention Targets: Life safety

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: Administrative Clery Committee

Explanation: This committee is comprised of key University community stakeholders who meet to review the University's Clery act compliance efforts and make recommendation to the Clery compliance officer regarding these obligations.

Audience: Representatives are comprised of specific University Staff members from internal departments.

Frequency: Twice a year.

Method: In person meetings

Awareness and Prevention Targets: Clery crimes, crime reporting.

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: Bias Incident Response Team

Explanation: The University's Bias Incident Response Team (or "BIRT") is an internal working group tasked to coordinate campus response to bias incidents that occur within the University of Denver's community. BIRT does not investigate, adjudicate or otherwise participate in judicial/legal processes, but provides support to individuals and populations affected by such incidents

Audience: Staff, Faculty

Frequency: Quarterly

Method: In-person meeting and electronic communication recommending programming and responses as necessary.

Awareness and Prevention Targets: Safety and security

Primary Sponsor: Office of Equal Opportunity & Title IX, 303-871-7016

Program Name: Crisis Assessment Risk Evaluation Behavioral Intervention Team (C.A.R.E.)

Explanation: The C.A.R.E. team serves as the centralized body for discussion and action regarding students exhibiting aberrant, dangerous, or threatening behavior that might impact the safety or well-being of the campus community. The C.A.R.E. team takes a proactive, objective, supportive, and collaborative approach to the prevention, identification, assessment, intervention, management of, and coordinated response to situations and behaviors that may be disruptive or pose a risk of harm. The C.A.R.E. team is founded on the principles of early intervention and proactive engagement to prevent violence and provide supportive interventions and services.

Audience: Staff, Faculty

Frequency: Weekly team meetings; assessments as needed/requested

Method: In-person meeting and electronic communication recommending programming and responses as necessary.

Awareness and Prevention Targets: Safety and security, health and counseling, violence prevention

Primary Sponsor: Student Outreach and Support/Pioneers CARE, 303-871-4724

Program Name: EO and Title IX Training and Responsible Employees

Explanation: Online and in person training for all faculty, staff, and student employees that are designated as responsible employees under the University of Denver procedures. This required course identifies discrimination, harassment, and gender-based violence (sexual assault, domestic/dating violence and stalking) as prohibited conduct, and their obligation on how to report incidents pursuant to University Policy.

Audience: Employees

Frequency: Upon hire, as changes to the law require and upon request by departments or colleges

Method: Online and in person interactive training.

Awareness and Prevention Targets: Harassment, discrimination, gender-based violence, mandatory reporting

Primary Sponsor: Office of Equal Opportunity & Title IX

Program Name: Title IX and Equal Opportunity 2020-2021 Procedures

Explanation: This required course identifies discrimination, harassment, and gender-based violence (sexual assault, domestic/dating violence and stalking) as prohibited conduct, defines what behavior constitutes gender-based violence under federal law, describes students' options for supportive measures and reporting prohibited conduct under the university's procedures,

Audience: Students

Frequency: Annual

Method: In person meeting

Awareness and Prevention Targets: Sexual violence prevention and adjudication

Primary Sponsor: Office of Equal Opportunity & Title IX

Program Name: Intersections: Preventing Harassment and Sexual Violence

Explanation: Mandatory online training for all new students. This required course identifies discrimination, harassment, and gender-based violence (domestic/dating violence and stalking) as prohibited conduct, defines what behavior constitutes gender-based violence under federal law, defines what behavior and actions constitute consent to sexual activity under the Office of Equal Opportunity & Title IX's Procedures and provides information on safe and positive options and strategies for bystander intervention and risk reduction.

Audience: Students

Frequency: Upon enrollment

Method: Online interactive training and test.

Awareness and Prevention Targets: Sexual harassment, discrimination, gender-based violence, bystander intervention, University and community resources

Primary Sponsor: Office of Equal Opportunity & Title IX

Program Name: Bullying in the Workplace

Explanation: Online training for faculty, staff, and student workers related to identifying bullying and similar misconduct in the workplace. This EVERFI course identifies and defines prohibited conduct, reporting options, resources, and intervention techniques.

Audience: Employees.

Frequency: Offered year-round.

Method: Online interactive training

Awareness and Prevention Targets: Bullying; workplace violence; bystander and direct intervention; respectful behavior in the workplace

Primary Sponsor: Human Resources & Inclusive Community

Program Name: Harassment & Discrimination Prevention for Non-Supervisors

Explanation: Online training for all faculty, staff, and student employees that are designated as responsible employees under VAWA and Title IX. This required EVERFI course identifies discrimination, harassment, and gender-based violence (domestic/dating violence and Stalking) as prohibited conduct, and their obligation on how to report incidents pursuant to University Policy.

Audience: Employees

Frequency: Upon hire and as law updates require.

Method: Online interactive training.

Awareness and Prevention Targets: Harassment, discrimination, gender-based violence, mandatory reporting

Primary Sponsor: Office of Equal Opportunity & Title IX

Program Name: Harassment & Discrimination Prevention for Supervisors

Explanation: Online training for all faculty, staff, and student employees that are designated as responsible employees under VAWA and Title IX. This required EVERFI course identifies discrimination, harassment, and gender-based violence (domestic/dating violence and Stalking) as prohibited conduct, and their obligation on how to report incidents pursuant to University Policy. Additionally, this course defines a supervisor's responsibilities when harassment and/or discrimination is reported to them.

Audience: Supervisors.

Frequency: Upon hire and as law updates require.

Method: Online interactive training.

Awareness and Prevention Targets: Harassment, discrimination, gender-based violence, mandatory reporting

Primary Sponsor: Office of Equal Opportunity & Title IX, Human Resources and Inclusive Community and Office of Diversity Equity and Inclusion

Program Name: Workplace Violence Prevention Training

Explanation: Online training for faculty, staff, and student workers designed to identify different forms of workplace violence. This EVERFI course is designed to raise awareness, identify risks, prevent incidents of workplace violence, and promotes a safe workplace.

Audience: Employees

Frequency: Offered year-round.

Method: Online interactive training

Awareness and Prevention Targets: Workplace violence, risk reduction, awareness, intervention

Primary Sponsor: Human Resources and Inclusive Community

Program Name: Faculty-Staff Hiring Guidelines

Explanation: In-person training for hiring managers about how to conduct an Equal Opportunity hiring process. This course defines permissible and impermissible questions to ask applicants in the hiring process, as well as, permissible and impermissible grounds on which to consider for making a hiring decision.

Audience: Hiring Managers

Frequency: Offered year-round.

Method: In-person interactive training

Awareness and Prevention Targets: Discrimination, equal opportunity, hiring practices

Primary Sponsor: Office of Equal Opportunity & Title IX

Program Name: Managing Bias

Explanation: Online training for faculty, staff, and student workers designed to identify bias incidents and how that affects the workplace. This course defines terms such as discrimination, harassment, bias, microaggressions, and seeks to promote awareness about employees' behaviors and how to manage their own biases.

Audience: Employees

Frequency: Offered year-round.

Method: Online interactive training

Awareness and Prevention Targets: Bias, discrimination, harassment, microaggressions

Primary Sponsor: Human Resources and Inclusive Community

Program Name: Resident Assistant Development Institute – Responding to Crime and Gender-Based Violence

Explanation: In-person training for Resident Assistants (RA) employees designed to identify discrimination, harassment, and gender-based violence (domestic/dating violence and Stalking). This course defines prohibited conduct, teaches RA's about their obligation to report incidents, and information about how to respond and support students who have experienced these behaviors.

Audience: Resident Assistants

Frequency: Annual

Method: In-Person interactive training

Awareness and Prevention Targets: Discrimination, harassment, gender-based violence, mandatory reporting

Primary Sponsor: Office of Equal Opportunity & Title IX and Division of Campus Safety and the Health and Counseling Center.

Program Name: Sexual Assault Prevention for Undergraduates

Explanation: Mandatory online training for all new undergraduate students. Before incoming first year students come to campus, they are required to complete an online module from the Health and Counseling Center as part of their orientation process. Topics include alcohol and other substances, mental health, as well as sexual violence prevention and consent.

Audience: Incoming First Year Students

Frequency: Upon enrollment

Method: Online pre-orientation module

Awareness and Prevention Targets: Sexual assault, gender violence, bystander intervention, risk reduction.

Primary Sponsor: Health and Counseling Center

Program Name: Thrive Peer Educators

Explanation: The Thrive Peer Educators are a select group of students who educate the DU community on gender violence prevention and active bystander skills through outreach, programs, and training. Educators facilitate "Intervene: DU" for all new, incoming first year students, "Unpacking Gender Violence" training for returning students, and other trainings requested by the DU community at large.

Audience: Faculty, Staff, Students, DU Community

Frequency: At least 3 Intervene programs per month, and as requested

Method: In-person trainings

Awareness and Prevention Targets: Sexual assault, gender violence, bystander intervention, risk reduction.

Primary Sponsor: Health and Counseling Center

Program Name: Intervene: DU Workshop

Explanation: This course is designed to teach students how to take action in harmful or risky situations. Intervene: DU includes scenarios and discussion about topics relevant to DU students, and how they can be active bystanders in situations including high risk alcohol and other drug use, mental and emotional health, hazing, racial bias, and gender violence. This workshop is recommended as an introduction to active bystander intervention.

Audience: Students

Frequency: Ongoing; periodic throughout the year

Method: In-person training

Awareness and Prevention Targets: Sexual assault, interpersonal violence, bystander intervention, risk reduction.

Primary Sponsor: Health and Counseling Center

Program Name: Unpacking Gender Violence

Explanation: This course will define 'what is gender violence?', discuss the impact perpetration has on a community, and review strategies for preventing gender-based violence. Attendees will be able to practice their skills and reflect on their own values.

Audience: Students

Frequency: Ongoing; periodic throughout the year

Method: In-person training

Awareness and Prevention Targets: Sexual assault, gender violence, bystander intervention, risk reduction.

Primary Sponsor: Health and Counseling Center

Program Name: Support a Survivor Workshop

Explanation: This course is designed to give you information on how to best support a survivors' healing and connect them with resources.

Audience: Students

Frequency: Ongoing; periodic throughout the year

Method: In-person training

Awareness and Prevention Targets: Sexual assault, gender violence, bystander intervention, risk reduction.

Primary Sponsor: Health and Counseling Center

Program Name: Trauma-Informed Leadership Training

Explanation: This program trains individuals in higher education on how to support students with trauma survivor identities and how to make their programs, offices, and organizations more inclusive for survivors of gender based-violence.

Audience: Staff, CLIE Graduate Assistant and Fellows, University Student-Staff

Frequency: Ongoing; periodic throughout the year

Method: In-person training

Awareness and Prevention Targets: Sexual assault, gender violence, bystander intervention, risk reduction.

Primary Sponsor: Health and Counseling Center

Program Name: Gender Violence Outreach Programs

Explanation: Custom workshops, presentation and outreach efforts to students and the DU Community regarding topics that relate to gender violence (domestic/dating violence and Stalking).

Audience: Students

Frequency: Ongoing; periodic throughout the year

Method: Table Top activities conducted by peer educators

Awareness and Prevention Targets: Sexual assault, gender violence, bystander intervention, risk reduction.

Primary Sponsor: Health and Counseling Center

Program Name: Red Zone Campaign (Gender Violence)

Explanation: The Red Zone campaign utilized various modes of exposure (printed material, interactive theater performances, and a late-night event) to expose new students to harm reduction and awareness behaviors that can be use during the Red Zone. The Red Zone is typically identified as the first 6 weeks of the Fall Quarter, when new students are at a heightened risk for being targeted by perpetrators of sexual assault. The Red Zone campaigns. Focuses on providing resource information to incoming students on topics related to gender violence (domestic/dating violence, stalking and sexual assault.)

Audience: Students

Frequency: First six weeks of the Fall Quarter

Method: In-person presentation, digital media via social media accounts, printed materials.

Awareness and Prevention Targets: Sexual assault, gender violence, bystander intervention, risk reduction.

Primary Sponsor: Health and Counseling Center

Program Name: Domestic Violence Awareness Month (DVAM Events)

Explanation: Series of awareness events for the entire DU Community taking place in October each year during DVAM. DU Health Promotion partners with other DU campus offices and student organizations to put on programs during this month to raise awareness of domestic violence among college students and to provide prevention programs.

Audience: DU Community

Frequency: Annually in October

Method: Multiple programs, workshops, and events

Awareness and Prevention Targets: Sexual assault, gender violence, bystander intervention, risk reduction.

Primary Sponsor: Health and Counseling Center

Program Name: Sexual Assault Awareness Month (SAAM Events)

Explanation: Series of awareness events for the entire DU Community taking place in April each year during Sexual Assault Awareness month. DU Health Promotion partners with other DU campus offices and student organizations to put on programs during this month to raise awareness of sexual assault among college students and to provide prevention programs.

Audience: DU Community

Frequency: Annually in April

Method: Multiple programs, workshops and events

Awareness and Prevention Targets: Sexual assault, gender violence, bystander intervention, risk reduction.

Primary Sponsor: Health and Counseling Center

Program Name: The Blue Bench

Explanation: A 24-hour sexual assault hotline (303-322-7273) and website (thebluebench.org) providing information, resources and support for survivors of sexual assault, SANE Forensic Exam accompaniment, individual/group therapy, case management, and prevention/education programming.

Audience: Faculty, Staff, Students, DU Community

Frequency: 24 hours a day, 7 days a week

Method: Hotline and website

Awareness and Prevention Targets: Gender violence, sex-related crimes, bystander intervention, risk reduction, crime reporting

Primary Sponsor: Health and Counseling Center

Sexual Violence Prevention and Education Poster Campaigns—Highly visible and very popular poster campaigns are designed DU Health Promotion in an effort to raise awareness about progressive ways to end sexual violence.

Program Name: Safehouse Denver

Explanation: A 24-hour gender violence hotline (303-318-9989) and website (safehouse-denver.org) providing information, resources and support for survivors of gender violence (domestic/dating violence), shelter services, case management, community referrals, same-sex relationship support services for women, and individual/group counseling options.

Audience: Faculty, Staff, Students, DU Community

Frequency: 24 hours a day, 7 days a week

Method: Hotline and website

Awareness and Prevention Targets: Gender violence, sex-related crimes, bystander intervention, risk reduction, crime reporting

Primary Sponsor: Health and Counseling Center

Program Name: EVERFI AlcoholEdu

Explanation: Mandatory online training for all new first time and transfer undergraduate students. Before incoming first year students come to campus, they are required to complete an online module from the Health and

Counseling Center as part of their orientation process. The course is provided by the EVERFI online learning platform.

Audience: Incoming First Year Students

Frequency: Upon enrollment

Method: Online pre-orientation module

Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction

Primary Sponsor: Health and Counseling Center

Program Name: National Collegiate Alcohol Awareness Week (October)

Explanation: Health Promotion observes this national event to raise awareness about alcohol safety and education. DU Health Promotion partners with other DU campus offices and student organizations to put on programs during this month to raise awareness through workshops, social media, and in-person outreach.

Audience: All DU Students

Frequency: As requested

Method: In-person events and social media engagement

Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction

Primary Sponsor: The Department of Health Promotion within the Health and Counseling Center

Program Name: DU Town Hall on Underage & High-Risk Drinking

Explanation: In collaboration with the Collegiate Recovery Community, Student Rights & Responsibilities, Campus Safety, and other campus partners, the Health & Counseling Center held a town hall to share trends in underage and high-risk drinking patterns of DU students and provided discussion opportunity for attendees to brainstorm programs and initiatives to help address the issues.

Audience: All DU Community Members

Frequency: As requested

Method: In-person event

Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction

Primary Sponsor: The Department of Health Promotion within the Health and Counseling Center

Program Name: “Bartending School” Alcohol Education Workshop

Explanation: This workshop is designed to provide students with information about alcohol education topics, ways to practice harm reduction and reduce risk around substance use, how to respond in an alcohol or other drug emergency, active bystander invention, and sharing campus resources. This workshop is part of the RSO Ongoing Harm Prevention Training Requirement.

Audience: Registered Student Organizations, and as requested

Frequency: As requested

Method: In-person/virtual workshop

Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction

Primary Sponsor: The Department of Health Promotion within the Health and Counseling Center

Program Name: Alcohol MythBusters Workshop

Explanation: This Jeopardy style interactive workshop debunks common myths about alcohol and provides more education on harm reduction and moderation strategies.

Audience: All DU Students

Frequency: As requested

Method: In-person/virtual workshop

Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction

Primary Sponsor: The Department of Health Promotion within the Health and Counseling Center

Program Name: Thrive Peer Health Educators

Explanation: The Thrive Peer Health Educators are a select group of undergraduate students who educate the DU community on alcohol and other drug, sexual health, and mental health topics through outreach, programs, and training.

Audience: All DU Students

Frequency: Weekly tabling education activities, and as requested

Method: In-person events

Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction

Primary Sponsor: Health and Counseling Center

Program Name: DU After Dark

Explanation: Late-night, substance-free activities that builds community among DU students.

Audience: All DU Students

Frequency: As requested, or planned during high-risk times

Method: In-person gatherings

Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction

Primary Sponsor: The Department of Health Promotion within the Health and Counseling Center

Program Name: Marijuana – e-CHECKUP TO GO

Explanation: This online program is typically assigned to students who have an AOD violation. This session requires that a student go online prior to their scheduled appointment and complete the e-TOKE through the HCC website. The student must print out their "summary" report at the end and bring it in to their session. This session provides an opportunity for students to explore their motivation for using marijuana and may discuss possible ways of doing so in a less harmful way.

Audience: All DU Students

Frequency: As requested

Method: Online Self-paced modules

Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction

Primary Sponsor: Health and Counseling Center

Program Name: Alcohol - e-CHECKUP TO GO

Explanation: This online program is typically assigned to students who have an AOD violation. This session requires that a student go online prior to their scheduled appointment and complete the e-CHUG assessment online. The student must print out their summary report at the end and bring it in to their session. This session provides an opportunity for students to explore their motivation for using alcohol and may discuss possible ways of doing so in a less harmful way.

Audience: All DU Students

Frequency: As requested

Method: Online Self-paced modules

Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction

Primary Sponsor: Health and Counseling Center

Program Name: B.A.S.I.C.S. (Brief Alcohol Screening & Intervention with College Students)

Explanation: A BASICS assessment consists of two individual 50 minute appointments with a counselor or health educator. BASICS focuses on information gathering (an intake interview & drink tracking homework between sessions), motivational learning, assessments tools, and written feedback utilizing the aforementioned information obtained.

Audience: All DU Students

Frequency: As requested

Method: In-person counseling session

Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction

Primary Sponsor: Health and Counseling Center

Program Name: C.A.S.I.C.S (Cannabis Abuse Screening and Intervention for College Students)

Explanation: A CASICS assessment consists of two individual 50 minute appointments with a counselor or health educator. CASICS focuses on information gathering (an intake interview & marijuana tracking homework between sessions), motivational learning, assessments tools, and written feedback utilizing the aforementioned information obtained.

Audience: All DU Students

Frequency: As requested

Method: In-person counseling session

Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction

Primary Sponsor: Health and Counseling Center

Program Name: CHOICES

Explanation: The mission of the CHOICES program is to educate college student about the effects of alcohol on their behavior, to promote self-evaluation of drinking patterns and to facilitate the acquisition of effective coping strategies so that students can make informed decisions and reduce their alcohol-related risk and harm. Students

discover for themselves that their expectancies don't match their actual experiences with drinking and that the consequence of excessive alcohol use may be incompatible with many of their academic and social goals as well as their future desires.”

Audience: Students

Frequency: One time 90 minute group intervention session to student referred by the Office of Student Rights and Responsibilities.

Method: In-person counseling session

Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction

Primary Sponsor: Health and Counseling Center

V. Alcohol, Illegal Drugs and Substance Abuse Education

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V. ALCOHOL, ILLEGAL DRUGS AND SUBSTANCE ABUSE EDUCATION

POLICIES

University of Denver – Compliance with the Drug Free Schools and Communities Act

The University of Denver promotes a healthy and safe educational, professional, and residential community where alcohol does not interfere with individual performance, personal success, public safety or the integrity of the learning environment. The university informs campus community members about resources for preventing or treating substance abuse and helps to influence healthy decisions about alcohol and other drugs. Prevention of substance abuse is sought in several ways by:

- Promoting accurate information on drug use
- Encouraging healthy use of leisure time through recreation and other activities
- Enhancing skills for dealing with stress
- Working through campus leaders and influencers to establish a healthy environment

The Drug-Free Schools and Communities Act Amendments of 1989 require all institutions of higher education receiving any form of financial assistance to adopt and implement programs to “to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by all students and employees on school premises or as part of any of its activities (EDGAR Part 86 Subpart A 86:3).” As part of this initiative, institutions of higher education are required to provide annual notification to all students and employees regarding the institution’s Drug and Alcohol Abuse Prevention Program.

The annual notification must contain the following:

1. Standards of conduct
2. Legal sanctions under federal, state or local laws for the unlawful possession or distribution of illicit drugs and alcohol
3. Health risks associated with the abuse of alcohol or the use of illicit drugs
4. Drug and alcohol programs available
5. A statement that the institution will impose disciplinary sanctions on students and employees who violate the standards of conduct and a description of those sanctions

The University of Denver is pleased to share this important information with its students and employees. This document will be reviewed for accuracy on an ongoing basis. Every two years, the University of Denver administration will conduct a review of this program and its effectiveness. Additionally, the University of Denver’s Department of Human Resources & Inclusive Community maintains this document on its website, establishing DU as a drug-free workplace.

Federal law and this policy require all university employees, as a condition of their employment, to notify the university within five days should they be convicted of violating, while at the workplace, any criminal drug statute. The university is then required to notify the applicable federal agency if the employee is directly or indirectly engaged in the performance of a federal grant or contract. Additionally, the University shall notify the granting or contracting agency (if required) within ten days of receiving notice that a person employed on any of the University’s federal grants and contracts was convicted of violating, while at the workplace, a criminal drug statute.

The university shall impose an appropriate sanction on and/or shall require satisfactory participation in a drug abuse treatment program by any employee convicted of a criminal drug statute violation as described above.

The university shall maintain a drug-free awareness program to inform employees about the dangers of drug abuse, and the availability of the Employee Assistance Program, drug counseling, rehabilitation, and other assistance

programs. In addition, all employees shall receive descriptions of applicable legal sanctions under local, state, or federal law and health risks associated with the abuse of drugs and alcohol.

University of Denver's' Smoke-Free Policy

University of Denver Policy Manual Policy Number 3.20.050 Smoking Tobacco On Campus

In response to public health concerns related to second-hand smoke from tobacco products, it shall be the policy of the University that smoking will not be allowed in either indoor or outdoor areas of the campus. This smoking ban does not apply to public rights-of-way (sidewalks, streets) on the perimeter of the campus. Because of the high traffic of visitors to the University at the Newman Center for the Performing Arts and the Ritchie Center for Sports and Wellness, the University will establish designated areas outside of these venues where smoking will be permitted. These areas will be located at least 25 feet from the perimeter of these buildings.

A. Requirements

1. The University is a 100% smoke-free campus, meaning the use of smoking products is prohibited on all University owned and operated campus grounds both indoors and outdoors.
2. Smoking products include but are not limited to all cigarette products (cigarettes, e-cigarettes, bidis, kreteks, etc.) and all smoke-producing products (cigars, pipes, hookahs, etc.).
3. "University-owned and operated campus grounds" include but are not limited to all outdoor common and educational areas, all University buildings, fraternities and sororities, University-owned on-campus housing, campus sidewalks, campus parking lots, recreational areas, outdoor stadiums and University-owned and leased vehicles (regardless of location).
4. In keeping with this University Policy, it is our guidance that the sale, distribution, and sampling of all tobacco products and tobacco-related merchandise is prohibited on all University owned and operated property and at University sponsored events.
5. It is our guidance that the sponsorship of University associations and/or University events by organizations that promote tobacco use is prohibited. Additionally, the advertisement of tobacco products on University-owned and operated property or at University events is prohibited.
6. This Policy applies to all employees, students, visitors, contractors and external individuals or companies renting University-owned space.

The University will establish designated areas outside of The Newman Center for the Performing Arts and the Ritchie Center where smoking will be permitted. These areas will be located at least 25 feet from the perimeter of each building.

University Of Denver's Alcohol and Illegal Drugs Polices

The University's policies uphold state and federal laws regarding alcohol and illegal substances and maintain institutional compliance with the federal Drug-Free Schools and Communities Act. The illegal use, possession or sale of alcohol on institutionally-owned or controlled property or as part of any university activity is prohibited conduct. The illegal use, possession, distribution, dispensing or manufacturing of controlled substances on institutionally-owned or controlled property or as part of any university activity is prohibited conduct.

The university may impose educational outcomes and/or disciplinary sanctions against any student found to have violated these rules, consistent with applicable provisions of federal and state laws, administrative rules and regulations; and university policies. The permissible sanctions include, but are not limited to, suspension or dismissal. The university may impose disciplinary sanctions against employees found to have violated these rules, consistent with applicable provisions of administrative rules, state and/or federal laws; collective bargaining agreements; and university policies. The permissible sanctions include, but are not limited to, suspension without pay and termination of employment. The university also reserves the right to refer employees' and students' actions to appropriate civil authorities for possible prosecution.

University of Denver's Drug and Alcohol Statement of Policies for Employees

Employees at DU must abide by all DU drug and alcohol policies as well as local, state and federal drug and alcohol laws, as a condition of their employment. The University's policies for employees on alcohol and drugs are defined below. For a complete copy of DU's drug and alcohol policies, employees may contact the Department of Human Resources or access the documents on the University's website: <https://www.du.edu/bfa/policies.html>

University of Denver Policy Manual

Policy Number 3.20.010 – Alcohol Consumption and Resources: Faculty and Staff Alcohol Use

- I. The University strives to promote a healthy and safe educational, professional, and residential community where alcohol does not interfere with individual performance, personal success, public safety, or the integrity of the learning environment. The University's policies uphold state and federal laws regarding alcohol and other substances and maintain institutional compliance with the federal Drug-Free Schools and Communities Act. In addition, these policies emphasize the University's commitment to the following principles:
 1. Empowering students and employees with the information and skills needed to adopt healthy and safe behaviors.
 2. Providing early intervention, support, and referral services to students and employees suffering from substance abuse disorders.
 3. Defining expectations for conduct with respect to the use of alcohol.
 4. Creating a campus environment that supports the values of the University and reflects those values to the public.
 - II. Individuals who consume alcohol, either on University Premises or while engaged in University-related activities in the community, must follow the University's policies. These policies are guided by the following beliefs:
 1. Consumption of alcoholic beverages should be limited to persons of legal age and undertaken only by personal choice.
 2. Those who choose to consume alcoholic beverages should do so responsibly and in moderation.
 3. Behaviors related to the misuse of alcohol pose a danger to the individual, members of the campus community, and the learning environment.
 4. The use of University resources for the purchase of alcohol are resources that could be deployed directly toward student learning. Therefore, decisions made about the use of University Funds should reflect good stewardship of our students' tuition dollars.
4. **Faculty and Staff Alcohol Use Policy** - The University discourages the consumption of alcoholic beverages during working hours or during the discharge of University duties (whether or not on University premises). Although moderate consumption with meals or during social events is not prohibited, individuals must not report to work under the influence of alcohol.
- i. **Enforcement** - If an employee's supervisor has reasonable grounds to believe, based on observations by the supervisor or others the supervisor believes to be reliable, that the employee is under the influence of alcohol while at work, the employee may be deemed to have violated this policy and may be required to leave the workplace immediately. The University may, but is not obligated to, provide transportation to the employee's destination. To the extent permitted by law, the University may require any employee to submit to a blood alcohol test administered by University- designated laboratories or physicians. If the test indicates that the employee has a blood alcohol level of .5 or higher, the employee is considered to be under the influence. Refusal to consent to an alcohol test may result in disciplinary action. A written admission of being under the influence of alcohol may be allowed in lieu of testing.
 - ii. **Charges** - The University reserves the right to discipline employees found to be in violation of this policy or in violation of applicable laws related to the possession or consumption of alcoholic beverages. Disciplinary action may include immediate termination of an employee. The selection of a disciplinary action for any particular case is at the University's sole discretion.

University of Denver Policy Manual

University Policy Number 3.20.020 – Possession, Use or Distribution of Controlled Substances in the Workplace

- II. **Policy Overview:** The University is committed to a drug-free workplace and prohibits the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances by employees, students, subcontractors, consultants, and visitors. It is the University's Policy to maintain a drug-free workplace and to comply with all reporting and other obligations as imposed by the Drug-Free Workplace Act of 1988, as amended, and the Drug-Free Schools and Communities Act of 1986, as amended.
- III. **Process Overview:** Anyone who has a concern about the unlawful manufacture, distribution, dispensing, possession or use of controlled substances should immediately contact one of the following resources for assistance:

1. The Employee Assistance Program for referrals on treatment and related issues.
2. Campus Safety to report incidents of illegal activity.
3. The Department of Human Resources and Inclusive Community for assistance on the disciplinary process or policy related issues.
4. If an employee's supervisor has reasonable grounds to believe, based on observation by the supervisor or by others whom the supervisor believes to be reliable, that the employee may be under the influence of illegal drugs or improperly under the influence of controlled substances, then the employee may be deemed to have violated this Policy and may be required to leave the workplace immediately. The University reserves the right to conduct drug or alcohol testing of its employees. The University may, but is not obligated to, provide transportation to the employee's destination.

The University reserves the right to discipline employees found to be in violation of this Policy or violation of applicable laws related to the unlawful manufacture, distribution, dispensing, possession or use of controlled substances. Disciplinary action may include immediate termination of an employee. The selection of a disciplinary action for any particular case shall be at the University's sole discretion.

University of Denver's Drug and Alcohol Statement of Policies for Students

The mission of the University of Denver is to promote learning by engaging students, advancing scholarly inquiry, cultivating critical thought and creating knowledge. To foster an environment in which this mission can be realized, certain expectations must be placed upon each member of the University community. These expectations are non-negotiable and are enforced. Students are expected to know and to understand their rights as well as their responsibilities to be a positive and successful community member at the University. All Students at the University should review the Honor Code to understand the expectations, policies, and procedures one can expect if a policy is violated.

Action taken by the University through the Student Rights and Responsibilities Process to address student misconduct is not intended to replace or conflict with other lawful means of accountability, including, but not limited to, criminal charges and/or civil action. Regardless of whether formal criminal charges are filed over alleged behavior, the University may pursue disciplinary action under the Honor Code as deemed appropriate. Such action normally is not deferred or postponed solely due to concurrent criminal or civil proceedings, nor is the reduction or dismissal of criminal charges taken as reason to defer disciplinary action.

Repeat policy violations may result in increased levels of disciplinary action. For example, a student placed on Student Conduct probation for possession of cannabis may risk suspension for any further violation of policy. Additionally, any outcomes imposed as a result of disciplinary action are mandatory and must be completed if the student expects to continue their education. Student Rights and Responsibilities reserves the right to modify these guidelines as warranted by individual cases. Additional outcomes may be imposed by University departments, such as Housing and Residential Education, Fraternity & Sorority Life, Athletics, etc., or as determined in the Honor Code and/or relevant University standards.

The University's policies for students on alcohol and drugs are defined below; however, all students should be familiar with the entire Honor Code. More information on the Student Rights and Responsibilities Process, including the complete text of the Honor Code, as upheld by the Student Rights and Responsibilities Policies, can be found in **Appendix B** of this document and on the Student Rights and Responsibilities website: <https://www.du.edu/studentlife/studentconduct/honorcode.html>

University of Denver Office of Student Rights and Responsibilities Procedures - Student Honor Code – Alcohol Misuse:

B. Alcohol Misuse includes the following:

1. **Unauthorized Possession:** Possession and/or use of alcoholic beverages by any person under the legal drinking age of the United States (currently twenty-one (21) years of age), unless expressly permitted by law and University Policy.
2. **Unauthorized Distribution:** The manufacturing and/or delivery of alcohol, except as expressly permitted by law and University Policies. Students may not provide alcoholic beverages to any person under the legal drinking age of the United States (currently twenty-one (21) years of age).
3. **Intoxication:** Being under the influence of alcohol to the point of causing a disruption to University activities and/or endangering one's own health or safety regardless of age.
4. **Coerced Consumption:** Any act that causes a person to consume alcohol without their Effective Consent.

5. **Paraphernalia:** Any possession or use of paraphernalia used to facilitate the unauthorized use or rapid consumption or distribution of alcohol, including, but is not limited to, beer bongs or similar items.

University of Denver
Office of Student Rights and Responsibilities Procedures -
Student Honor Code – Drug Misuse:

D. Drug Misuse includes the following:

1. **Unauthorized Possession:** Possession and/or use of any Federally Illegal Drug, or any possession and/or use of any prescription drug or other controlled substance except under the direction of a licensed physician and with a valid prescription. The University prohibits possession and/or use of cannabis, including medical cannabis, on University Premises in all circumstances.
2. **Distribution:** Manufacturing and/or delivery of any Federally Illegal Drug, prescription drugs, or other controlled substance, including cannabis in any form.
3. **Intoxication:** Being under the influence of any Federally Illegal Drug, prescription or non-prescription drug, or other controlled substance to the point of causing a disruption to University activities and/or endangering one's own health or safety regardless of age.
4. **Coerced Consumption:** Any act that causes a person to ingest any Federally Illegal Drug, prescription drug, or other controlled substance without their Effective Consent.
5. **Paraphernalia:** Any possession or use of paraphernalia used to facilitate the unauthorized or rapid use or distribution of any Federally Illegal Drug or other controlled substance regardless of age; including but not limited to, cannabis pipes, bongs and scales or other measuring devices.
6. **CBD:** The use of cannabidiol (CBD) is restricted to products with no levels of THC. The product must remain in the original container and the container must state the product has no THC levels. All other CBD products are not allowed in University owned or operated housing or on University Premises.

University of Denver's Housing and Residential Education

Students residing in campus housing must additionally abide by the DU Housing and Residential Education (HRE) drug and alcohol policy. Students are responsible for knowing and abiding by all University Honor Code Policies and HRE policies and regulations. Any violation of the following regulations are subject to the HRE Conduct Process and/or a referral to the Office of Student Rights and Responsibilities. The HRE Conduct Process is an extension of the University of Denver Student Rights and Responsibilities Process. HRE's policies are outlined in their "Guide to Residence Living", which is provided to incoming students residing in campus housing as well as accessible on HRE's website:

du.edu/housing/resources/undergradpolicies.html.

The following are excerpts that pertain specifically to the prohibited acts associated with the possession, use, delivery or manufacturing of alcohol or drugs.

University of Denver
Housing and Residential Education
Guide to Residential Living - Alcohol Policy:

In addition to the policies outlined in the University of Denver Honor Code, residents and guests in University owned or operated housing are expected to uphold all policies in this Guide to Residence Living. Any potential violation of policies may be documented and processed through the Student Rights & Responsibilities process as outlined in the University of Denver Honor Code. If/when guests are permitted, you are responsible for informing your guests of all the policies listed in this document, as well as in all other University publications and to make your guests follow University policies while visiting. The following policies pertain to the prohibitions associated with Alcohol and Drug Use:

A. Alcohol violations include the following:

1. **Delivery:** Alcohol or alcohol paraphernalia must not be delivered through the mail or other delivery service to any resident under the legal drinking age of 21.
2. **Keepsake:** Residents under the age of 21 must not have keepsake or decorative alcohol containers, empty or full, in any common areas, or in their assigned living quarters, regardless of if any roommate(s) or suitemate(s) are of the legal drinking age of 21.

3. Large Quantities: Large quantities of alcohol and devices designed to quickly consume alcohol, including, but not limited to, kegs, and beer bongs, are not permitted in University owned or operated housing regardless of the age of a resident.
4. Open Containers: Open containers of alcohol are not permitted in common areas, including, but not limited to, hallways, stairwells, elevators, lounges, and lobbies, regardless of the age of the individual.
5. Underage Residents: Residents under the legal drinking age of 21 cannot be in the presence of alcohol or alcohol use.
6. Presence of Alcohol: Alcohol cannot be present in any room/suite/apartment unless all residents assigned to that room/suite/apartment are of the legal drinking age.

**University of Denver
Housing and Residential Education
Guide to Residential Living - Drug Policy:**

E. Drug violations include the following:

1. **Delivery:** Any Federally Illegal Drug (as defined in the Honor Code) or drug paraphernalia may not be delivered through the mail or other delivery service to any resident. This does not include federally legal prescription drugs with a valid prescription from a licensed physician. Medical marijuana/cannabis is not allowed in University owned or operated housing.
2. **CBD:** The use of cannabidiol (CBD) is restricted to products with no levels of THC. The product must remain in the original container and the container must state the product has no THC levels. All other CBD products are not allowed in University owned or operated housing.
3. **Presence:** Individuals may not be in the presence of Federally Illegal Drugs or drug use. This includes, but is not limited to, being in the presence of or use of any prescription drug or other controlled substance, except under the direction of a licensed physician and with a valid prescription. Medical marijuana/cannabis is not allowed in University owned or operated housing.

ALCOHOL AND DRUG STATE, LOCAL AND FEDERAL LAWS

Students must also abide by the local, state and federal drug and alcohol laws. As members of the University community, students, faculty and staff are also subject to city ordinances and to state and federal law. Arrest and prosecution for alleged violations of criminal law or city ordinances may result from the same incident for which the University imposes disciplinary sanctions.

Colorado State Laws Governing Possession, Consumption and Sale of Alcohol:

C.R.S. § 18-13-122

(2)(b) As used in this section, "ethyl alcohol" means any substance which is or contain ethyl alcohol. (2)(e) "Possession of ethyl alcohol" means that a person has or holds any amount of ethyl alcohol anywhere on his or her person or that a person owns or has custody of ethyl alcohol or has ethyl alcohol within his or her immediate presence and control.

(3)(a) A person under twenty-one years of age who possesses or consumes ethyl alcohol anywhere in the state of Colorado commits illegal possession or consumption of ethyl alcohol by an underage person. Illegal possession or consumption of ethyl alcohol by an underage person is a strict liability offense.

Colorado Liquor Codes 12-47-901

It is unlawful for any person to sell, serve, give away, dispose of, exchange, or deliver or permit the sale, serving, giving, or procuring of any alcohol beverage to or for any person under the age of twenty-one years.

Colorado Sanctions for Violation of Alcohol Control Statutes:

C.R.S. 12-47-901, 903, 18-1.3-501

- A. Class 1 Misdemeanor - unlawful use of an identification card
- B. Class 4 Felony - fictitious or unlawfully altered identification card
- C. Class 4 Felony - fraudulent identification card
- D. Class 2 Misdemeanor to possess or sell alcohol if you are under 21. *
- E. Class 1 Misdemeanor to sell, give, or deliver alcohol to individuals under 21 years of age. Local ordinances may also be enforced.

Class 1 Misdemeanors are punishable with a fine of \$500.00 to \$5000.00 and up to 18 months in the county jail.

Class 2 Misdemeanors are punishable with a fine of \$250.00 to \$1000.00 and up to 12 months in the county jail.

Colorado State Laws Governing Possession, Consumption and Sale of Controlled Substances:

C.R.S. §18-18-102, § 18-18-404

Except as is otherwise provided for offenses concerning marijuana and marijuana concentrate in sections 18-18-406 and 18-18-406.5, any person who uses any controlled substance, except when it is dispensed by or under the direction of a person licensed or authorized by law to prescribe, administer, or dispense the controlled substance for *bona fide* medical needs, commits a Colorado level 2 drug misdemeanor. These include (without limitation) commonly abused drugs, such as:

- Cocaine
- LSD,
- Heroin,
- Codeine,
- Vicodin,
- OxyContin,
- Fentanyl,
- Amphetamine,
- Methamphetamine,
- Anabolic steroids,
- Ecstasy,
- GHB,
- Ketamine, and
- Barbiturates.

C.R.S. § 18-18-405

It is unlawful for any person knowingly to manufacture, dispense, sell, or distribute, or to possess with intent to manufacture, dispense, sell, or distribute, a controlled substance; or induce, attempt to induce, or conspire with one or more other persons, to manufacture, dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute, a controlled substance; or possess one or more chemicals or supplies or equipment with intent to manufacture a controlled substance.

Colorado Penalties for Illegal Drugs Manufacture or Delivery

Possession or Sale	Type of Offense	Jail Term	Fine	Driver's License
Schedule I and II: Cocaine, opium, heroin, morphine, methadone, LSD, mescaline, psilocybin, GH	1 st offense: Class 3 Felony	4-12 years	\$3,000 – 750,000	Suspension, drug evaluation
	2 nd offense: Class 2 Felony	8-24 years	\$5,000 – 1,000,000	
Schedule III: PCP, codeine, dilaudid	1 st offense: Class 4 Felony	4-12 years	\$2,000 – 500,000	Suspension, drug evaluation
	2 nd offense: Class 3 Felony	8-24 years	\$3,000 – 750,000	
Schedule IV: Chloral hydrate, tranquilizers, some barbiturates, and stimulant	1 st offense: Class 5 Felony	1-3 years	\$1,000 – 100,000	Suspension, drug evaluation
	2 nd offense: Class 4 Felony	2-5 years	\$2,000 – 500,000	

Schedule V: Codeine and other narcotics	1 st offense: Class 1 Misdemeanor Repeat: Class 5 Felony	6-18 Months 1-3 years	\$500 – 5,000 \$1,000 – 100,000	Suspension, drug evaluation
USE:	Type of Offense	Jail Term	Fine	Driver's License
Schedule I, II	Class 6 Felony	1 year – 18 months	\$1,000 to 100,000	Suspension of minor driver's license
Schedule III, IV, V	Class 1 Misdemeanor	6-18 months	\$500 – 5,000	Suspension of minor driver's license

This chart gives examples of the penalties, which may be imposed on individuals convicted of drug possession, manufacturing, or delivery. The circumstances of the case and other factors affect whether or not these are the actual penalties imposed.

Colorado State Laws Governing Possession, Consumption and Sale of Marijuana:

C.R.S. § 18-13-122 (Possession or Consumption by an underage person)

(3)(b) A person under twenty-one years of age who possesses one ounce or less of marijuana or consumes marijuana anywhere in the state of Colorado commits illegal possession or consumption of marijuana by an underage person. Illegal possession or consumption of marijuana by an underage person is a strict liability offense.

(3)(c) A person under twenty-one years of age who possesses marijuana paraphernalia anywhere in the state of Colorado and knows or reasonably should know that the drug paraphernalia could be used in circumstances in violation of the laws of this state commits illegal possession of marijuana paraphernalia by an underage person. Illegal possession of marijuana paraphernalia by an underage person is a strict liability offense.

Penalties:

- Possession of more than one ounce but no more than two ounces is a petty drug offense. If convicted, a violator may face a fine of up to \$100. (Colo. Rev. Stat. § 18-18-406(5)(a)(I) (2019).)
- A person who openly and publicly displays, consumes, or uses two ounces of marijuana or less may be convicted of a petty drug offense. Penalties include a fine of as much as \$100 and up to 24 hours of community service. (Colo. Rev. Stat. § 18-18-406(5)(b)(I) (2019).)
- Possession of between two and six ounces is a level two drug [misdemeanor](#), punishable by a fine between \$50 and \$750, up to 364 days in jail, or both. (Colo. Rev. Stat. §§ 18-1.3-501, 18-18-406(4)(c) (2019).)
- Possession of more than six ounces but no more than 12 ounces of marijuana, or possession of no more than three ounces of marijuana concentrate (such as hashish). This violation is a level one drug misdemeanor, and a conviction is punishable by between six and 18 months in jail, a fine of between \$500 and \$5,000, or both. (Colo. Rev. Stat. §§ 18-1.3-501, 18-18-406(4)(b) (2019).)
- Possession of more than 12 ounces of marijuana, or possession of more than three ounces of concentrate. This violation is a level four drug [felony](#), and a conviction is punishable by between six months and one year in jail, a fine of between \$1,000 and \$100,000, or both. (Colo. Rev. Stat. §§ 18-1.3-401.5, 18-18-406(4)(a) (2019).)

C.R.S. § 18-18-406 (2a)(2b) (Sale and Distribution)

(2) (a) (I) It is unlawful for a person to knowingly process or manufacture any marijuana or marijuana concentrate or knowingly allow to be processed or manufactured on land owned, occupied, or controlled by him or her any marijuana or marijuana concentrate except as authorized pursuant to part 1 of article 42.5 of title 12, C.R.S., or part 2 of article 80 of title 27, C.R.S. (II) A person who violates the provisions of subparagraph (I) of this paragraph (a) commits a level 3 drug felony.

(2)(b)(I) Except as otherwise provided in subsection (7) of this section and except as authorized by part 1 of article 42.5 of title 12, C.R.S., part 2 of article 80 of title 27, C.R.S., or part 2 or 3 of this article, it is unlawful for a person to knowingly dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute marijuana or marijuana concentrate; or attempt, induce, attempt to induce, or conspire with one or more other persons, to dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute marijuana or marijuana concentrate

(2)(b)(II) As used in subparagraph (I) of this paragraph (b), "dispense" does not include labeling, as defined in section 12-42.5-102 (18), C.R.S. (III) A person who violates any of the provisions of subparagraph (I) of this paragraph (b) commits:

- (A) **A level 1 drug felony** and is subject to the mandatory sentencing provision in section 18-1.3-401.5 (7) if the amount of marijuana is more than fifty pounds or the amount of marijuana concentrate is more than twenty-five pounds;
- (B) **A level 2 drug felony** if the amount of marijuana is more than five pounds but not more than fifty pounds or the amount of marijuana concentrate is more than two and one-half pounds but not more than twenty-five pounds;
- (C) **A level 3 drug felony** if the amount is more than twelve ounces but not more than five pounds of marijuana or more than six ounces but not more than two and one-half pounds of marijuana concentrate; Colorado Revised Statutes 2018 Page 617 of 678 Uncertified Printout
- (D) **A level 4 drug felony** if the amount is more than four ounces, but not more than twelve ounces of marijuana or more than two ounces but not more than six ounces of marijuana concentrate; or
- (E) **A level 1 drug misdemeanor** if the amount is not more than four ounces of marijuana or not more than two ounces of marijuana concentrate.

Penalties:

- Level 1 Drug felony – 8 to 32 years imprisonment, a fine of between \$5,000 to \$1million, or both
- Level 2 Drug felony – 4 to 8 years imprisonment, a fine of between \$3,000 to \$750,000, or both
- Level 3 Drug felony – 2 to 4 years imprisonment, a fine of between \$2,000 to \$500,000, or both
- Level 4 Drug felony – 6 months to 1 year imprisonment, a fine of between \$1, 000 to \$100,000 or both

Level 1 Drug misdemeanor – 6 to 18 months in county jail, a fine between \$500 to \$5,0000, or both

C.R.S. § 18-18-406 (Sale to or for an underage person)

(1)(a)The sale, transfer, or dispensing of more than two and one-half pounds of marijuana or more than one pound of marijuana concentrate to a minor if the person is an adult and two years older than the minor is a **level 1 drug felony** subject to the mandatory sentencing provision in section 18-1.3-401.5(7) .

(b) The sale, transfer, or dispensing of more than six ounces, but not more than two and one-half pounds of marijuana or more than three ounces, but not more than one pound of marijuana concentrate to a minor if the person is an adult and two years older than the minor is a **level 2 drug felony**.

(c) The sale, transfer, or dispensing of more than one ounce, but not more than six ounces of marijuana or more than one-half ounce, but not more than three ounces, of marijuana concentrate to a minor if the person is an adult and two years older than the minor is a **level 3 drug felony**.

(d) The sale, transfer, or dispensing of not more than one ounce of marijuana or not more than one-half ounce of marijuana concentrate to a minor if the person is an adult and two years older than the minor is a **level 4 drug felony**.

Penalties:

- Level 1 Drug felony – 8 to 32 years imprisonment, a fine of between \$5,000 to \$1million, or both
- Level 2 Drug felony – 4 to 8 years imprisonment, a fine of between \$3,000 to \$750,000, or both
- Level 3 Drug felony – 2 to 4 years imprisonment, a fine of between \$2,000 to \$500,000, or both
- Level 4 Drug felony – 6 months to 1 year imprisonment, a fine of between \$1, 000 to \$100,000 or both

Marijuana Use (Colorado): Persons must be at least 21 years of age to buy, possess or use retail marijuana. It is illegal to give or sell retail marijuana to minors. Adults 21 and older can purchase and possess up to 1 ounce of retail marijuana at a time. Medical marijuana requires a state red card, which can only be obtained by Colorado residents with a recommendation from a doctor that a patient suffers from a debilitating medical condition that may benefit from medical marijuana. Medical marijuana patients can obtain marijuana from a licensed center, a

primary caregiver or self-grow. Retail marijuana is intended for private, personal use. Such use is only legal in certain locations not open or accessible to the public. Marijuana may not be consumed openly or publicly. This includes but is not limited to areas accessible to the public such as transportation facilities, schools, amusement/sporting/music venues, parks, playgrounds, sidewalks and roads and outdoor and rooftop cafes. It is also illegal to smoke at indoor-but-public locations like bars, restaurants, and common areas in buildings.

It is illegal to drive under the influence of marijuana and it can result in a DUI, just like alcohol. Anyone with 5 nanograms or more of delta 9-tetrahydrocannabinol (known as THC) per milliliter in whole blood (CRS 424-1301) while driving can be arrested for DUI. The consequences of DUI are dependent on the driver but they can include fines, jail time and a revoked license.

Denver Marijuana Laws

Sec. 38-175. - Possession or consumption of marijuana.

- (a) It shall be unlawful for any person under the age of twenty-one (21) to possess one (1) ounce or less of marijuana.
- (b) It shall be unlawful for any person to openly and publicly display or consume one (1) ounce or less of marijuana.
 - (1) The term "openly" means occurring or existing in a manner that is unconcealed, undisguised, or obvious.
 - (2) The term "publicly" means:
 - a. Occurring or existing in a public place; or
 - b. Occurring or existing in any outdoor location where the consumption of marijuana is clearly observable from a public place.
 - (3) The term "public place" means a place to which the public or a substantial number of the public have access, and includes, but is not limited to, streets and highways, transportation facilities, schools, places of amusement, parks, playgrounds, and the common areas of public and private buildings or facilities.
- (c) It shall be unlawful for any person within one thousand (1,000) feet of the perimeter of any public or private elementary school, middle school, junior high school, or high school to display, transfer, distribute, sell, or grow marijuana upon any city-owned street or sidewalk or upon any other property owned by the city.
- (d) For the purposes of this section, section 38-175.5, and section 39-10, the term "marijuana" shall mean and include all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marijuana concentrate. "Marijuana" does not include industrial hemp, nor does it include fiber produced from the stalks, oil, or cake made from the seeds of the plant, sterilized seed of the plant which is incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other product.
- (e) It shall not be an offense under subsection (b) of this section if the consumption of marijuana is occurring on private residential property and the person consuming the marijuana is:
 - (1) An owner of the property; or
 - (2) A person who has a leasehold interest in the property; or
 - (3) Any other person who has been granted express or implied permission to consume marijuana on the property by the owner or the lessee of the property.
- (f) Any violation of this section is hereby declared to be a non-criminal violation and, upon an admission or finding or judgment of guilt or liability by default or otherwise, the violator shall be subject to the following maximum penalties:
 - (1) First violation: One hundred and fifty dollars (\$150.00).
 - (2) Second violation: Five hundred dollars (\$500.00).
 - (3) Third and each subsequent violation: Nine hundred and ninety-nine dollars (\$999.00).

If the violator is under the age of eighteen (18) years of age at the time of the offense, any fine imposed may be supplanted by treatment as required by the court.

(Ord. No. 645-97, § 1, 9-29-97; Ord. No. 618-05, § 2, 8-9-05, elec. 11-1-05; Ord. No. 660-13, § 1, 12-9-13; Ord. No. 711-14, § 1, 12-23-13; Ord. No. 712-14, § 1, 12-23-13)

Denver Marijuana Laws

Sec. 94-218. - Offenses related to marijuana.

- (a) For the purposes of this section, the term "marijuana" shall include all parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or its resins, but shall not include fiber produced from its stalks,

oil or cake made from the seeds of such plant or the sterilized seed of such plant which is incapable of germination, if these items exist apart from any other item defined as "marijuana" in this section.

- (b) It shall be unlawful for any person under 21 years of age to possess two ounces or less of marijuana.
- (c) Unless otherwise provided it shall be unlawful for any person 21 years of age or older to possess more than one ounce and less than two ounces of marijuana.
- (d) Unless otherwise provided it shall be unlawful for any person to possess more than two ounces but less than 12 ounces of marijuana.
- (e) It shall be unlawful for any person to openly and publicly, consume two ounces or less of marijuana.
- (f) Except for a person who lawfully cultivates medical marijuana pursuant to the authority granted in Section 14 of Article XVIII of the State Constitution, it shall be unlawful for a person under 21 years of age to knowingly cultivate, grow or produce six or fewer marijuana plants or knowingly allow six or fewer marijuana plants to be cultivated, grown, or produced on land that the person owns, occupies, or controls.
- (g) **Penalties.**
 - (1) Any person convicted of subsection (b) or (c) of this section shall be punished by a fine of not more than \$100.00.
 - (2) Any person who is convicted of subsection (e) of this section shall be punished, at a minimum, by a fine of not less than \$100.00 or, at a maximum, by a fine of not more than \$100.00 and 15 days in jail.
- (h) It shall not be an offense under subsections (c) and (d) of this section for a person 21 year of age or older to possess, grow, process or transport six or fewer marijuana plants, with three or fewer being mature, flowering plants, and possession of the marijuana produced by the plants on the premises where the plants were grown, provided that the growing takes place in an enclosed, locked space, is not conducted openly or publicly, and is not made available for sale.

Colorado Laws and Sanctions for Driving Under the Influence:

C.R.S. 42-4-1301

- A. (1) (a) A person who drives a motor vehicle or vehicle under the influence of alcohol or one or more drugs, or a combination of both alcohol and one or more drugs, commits driving under the influence. Driving under the influence is a misdemeanor, but it is a class 4 felony if the violation occurred after three or more prior convictions, arising out of separate and distinct criminal episodes, for DUI, DUI per se, or DWAI; vehicular homicide, as described in section 18-3-106 (1) (b), C.R.S.; vehicular assault, as described in section 18-3-205 (1) (b), C.R.S.; or any combination thereof.
 - a. First Conviction
 - i. Minimum of nine months' loss of full driving privileges
 - ii. Possible imprisonment for up to one year
 - iii. Maximum fine of \$1000.00
 - b. Second Conviction
 - i. Minimum five-year loss of full driving privileges for a second conviction in a 20-year period
 - ii. Mandatory TEN days' imprisonment, minimum 48 hours of community service
 - iii. Possible imprisonment for up to one year
 - iv. Maximum fine of \$1500.00
 - c. Third Conviction
 - i. Minimum ten-year loss of full driving privileges
 - ii. Mandatory 60-day periodic imprisonment minimum 48 hours community service
 - iii. Possible imprisonment for up to 1 year
 - iv. Maximum fine of \$1500.00
 - d. Aggravated DUI – Class 4 Felony (following a crash resulting in great bodily harm or permanent disfigurement)
 - i. Minimum of one-year loss of full driving privileges
 - ii. Mandatory ten days imprisonment or 480 hours of community service
 - iii. Possible imprisonment for up to twelve years
 - iv. Maximum fine of \$25,000
- B. Other alcohol offenses
 - a. Providing alcohol to a person under age 21
 - i. Possible imprisonment for up to one year
 - ii. Maximum fine of \$1000.00
 - b. Illegal transportation of an alcoholic beverage
 - i. Maximum fine of \$1,000
 - ii. Point-assigned violation will be entered on driver's record
 - iii. Driver's license suspension for a second conviction in a 12-month period
 - c. Knowingly permitting a driver under the influence to operate a vehicle

- i. Possible imprisonment for up to one year
 - ii. Maximum fine of \$2,500
- d. Summary Suspension
 - i. First offense
 - 1. A chemical test indicating a BAC of .08 or greater results in a mandatory six month driver's license suspension
 - 2. Refusal to submit to a chemical test(s) results in a twelve-month suspension
 - ii. Subsequent offenses
 - 1. A chemical test indicating a BAC of .08 or greater results in a mandatory one year driver's license suspension
 - 2. Refusal to submit to a chemical test(s) results in a three-year license suspension

Federal Drug Laws

The possession, use, or distribution of illicit drugs is prohibited by federal law. Strict penalties are enforced for drug convictions, including mandatory prison terms for many offenses. The following information, although not complete, is an overview of federal penalties for first convictions. All penalties are doubled for any subsequent drug conviction.

Denial of Federal Aid (20 USC 1091)

Under the Higher Education Act of 1998, students convicted under federal or state law for the sale or possession of drugs will have their federal financial aid eligibility suspended. This includes all federal grants, loans, federal work-study programs, and more. Students convicted of drug possession will be ineligible for one year from the date of the conviction of the first offense, two years for the second offense, and indefinitely for the third offense. Students convicted of selling drugs will be ineligible for two years from the date of the first conviction, and indefinitely for the second offense. Those who lose eligibility can regain eligibility by successfully completing an approved drug rehabilitation program.

Forfeiture of Personal Property and Real Estate (21 USC 853)

Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation, including houses, cars, and other personal belongings. A warrant of seizure is issued and property is seized at the time an individual is arrested on charges that may result in forfeiture.

Federal Drug Trafficking Penalties (21 USC 841)

Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The following list is a sample of the range and severity of federal penalties imposed for first convictions. Penalties for subsequent convictions are twice as severe. If death or serious bodily injury result from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces mandatory life sentence and fines ranging up to \$8 million.

Persons convicted on federal charges of drug trafficking within 1,000 feet of a University (21 USC 845a) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least 1 year.

Federal Trafficking Penalties for Schedules, I, II, III, IV and V (except Marijuana)				
Schedule	Substance/Qty.	Penalty	Substance/Qty.	Penalty
II	Cocaine 500-4999 grams mixture	First Offense: Not less than 5 yrs., and no more than 40 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.	Cocaine 5 kilograms or more mixture	First Offense: Not less than 10 yrs., and not more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.
II	Cocaine base 28-279 grams' mixture		Cocaine base 280 grams or more mixture	
II	Fentanyl 40-399 grams' mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl analogue 10-99 grams' mixture		Fentanyl analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture	Second Offense: Not less than 10 yrs., and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	Heroin 1 kilogram or more mixture	Second Offense: Not less than 20 yrs., and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
I	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	2 or more prior offenses: Life imprisonment. Fine of not more than \$20 million if individual, \$75 million if not an individual.

SUBSTANCE/QUANTITY	PENALTY
Any amount of other schedule I & II substances	

Any drug product containing gamma hydroxybutric acid	First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 years or more than life. Fine \$1 million if and individual, \$5 million if not an individual.
Flunitrazepam (Schedule IV) 1 gram	Second Offense: Not more than 30 years. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.
Any amount of other schedule III drugs	First Offense: Not more than 10 yrs. If death or serious bodily injury, not less than 15 years or more than life. Fine \$500,000 if an individual, \$2.5 million if not an individual. Second Offense: Not more than 20 years. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.
Any amount of all other schedule IV drugs (other than one gram or more of Flunitrazepam)	First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual. Second Offense: Not more than 10 years. Fine not more than \$500,000 if an individual, \$2 million if not an individual
Any amount of all schedule V drugs	First Offense: Not more than 1 yrs. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 4 years. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.

Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances	
Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants	First Offense: Not more than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 years or more than life. Fine \$10 million if an individual, \$50 million if not an individual. Second Offense: Not more than 30 years. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.
Marijuana 100 to 999 kilograms marijuana mixture or 100-999 marijuana plants	First Offense: Not more than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 years or more than life. Fine \$5 million if an individual, \$25 million if not an individual. Second Offense: Not more than 10 years or more than life. If death or serious bodily injury, life imprisonment. Fine \$8 million if an individual, \$50 million if not an individual.
Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants	First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 years or more than life. Fine \$1 million if an individual, \$5 million if not an individual.

Hashish More than 10 kilograms	Second Offense: Not more than 30 years. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.
Hashish oil More than 1 kilogram	
Marijuana Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight)	First Offense: Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than individual. Second Offense: Not more than 1 years. Fine \$500,000 if an individual, \$2 million if not an individual.
Hashish 10 kilograms or less	
Hashish oil 1 kilogram or less	

SUBSTANCE ABUSE PREVENTION, EDUCATION AND RESOURCES

The University of Denver promotes a healthy and safe educational, professional, and residential community where alcohol does not interfere with individual performance, personal success, public safety or the integrity of the learning environment. The university informs campus community members about resources for preventing or treating substance abuse and helps to influence healthy decisions about alcohol and other drugs. Prevention of substance abuse is sought in several ways by:

- Promoting accurate information on drug use
- Encouraging healthy use of leisure time through recreation and other activities
- Enhancing skills for dealing with stress
- Working through campus leaders and influencers to establish a healthy environment

How Drug Use Affects Health

Adverse health effects can range from nausea and anxiety to coma and death. There are risks associated with the chronic use of all psychoactive drugs, including alcohol. A pregnant individual who uses alcohol, cigarettes or other drugs exposes their fetus to serious risks, including miscarriage, low birth weight and brain damage. Substance abuse may involve controlled substances, illegal drugs and alcohol — all of which pose a health risk. When drugs are used in combination with each other, their negative effects on the mind and body are often multiplied beyond the effects of the same drugs taken on their own.

Alcohol is the drug most frequently abused on college campuses and in our society. Even small amounts of alcohol significantly impair the judgment and coordination required to drive a car, increasing the chances of having an accident. Consumption of alcohol may be a factor in the incidence of aggressive crimes, including acquaintance sexual assault and domestic abuse. Moderate to large amounts of alcohol severely impair the ability to learn and remember information. Because alcohol is a depressant, very large amounts can cause respiratory and cardiac failure, resulting in death.

Marijuana impairs short-term memory and comprehension. It can cause confusion, anxiety and, for some, lung damage and abnormalities of the hormonal and reproductive system. Hours after the feeling of getting high fades, the effects of the drug on coordination and judgment remain, heightening the risk of driving or performing other

complex tasks. Cannabis, a fat-soluble substance, may remain in the body for weeks, and overuse can cause paranoia, panic attacks or psychiatric problems.

Club drugs refer to a wide variety of drugs including MDMA (Ecstasy), GHB, rohypnol, ketamine, methamphetamine and LSD, and are often used at raves, dance clubs and bars. No club drug is safe due to variations in purity, potency and concentration, and they can cause serious health problems or death. They have even more serious consequences when mixed with alcohol.

Depressants such as barbiturates, Valium and other benzodiazepines, quaaludes and other depressants cause disorientation, slurred speech and other behaviors associated with drunkenness. The effects of an overdose of depressants range from shallow breathing, clammy skin, dilated pupils, and weak and rapid pulse to coma and death.

Hallucinogens such as LSD, MDA, PCP (angel dust), mescaline and peyote can cause powerful distortions in perception and thinking. Intense and unpredictable emotional reactions can trigger panic attacks or psychotic reaction. An overdose of hallucinogens can cause heart failure, lung failure, coma and death.

Narcotics like heroin, codeine, morphine, methadone and opium cause such negative effects as anxiety, mood swings, nausea, confusion, constipation and respiratory depression. Overdose may lead to convulsions, coma and death. The risk of being infected with HIV/AIDS or other diseases increases significantly if you inject drugs and share needles, and there is a high likelihood of developing a physical and psychological dependence on these drugs.

Stimulants – cocaine, amphetamines and others – can cause agitation, loss of appetite, irregular heartbeat, chronic sleeplessness and hallucinations. Cocaine and crack cocaine are extremely dangerous and psychologically and physically addictive. An overdose can result in seizures and death.

Tobacco, with its active ingredient nicotine, increases heart rate and raises blood pressure. The tar in cigarette smoke is a major cause of cancer and other respiratory problems. Carbon monoxide in cigarette smoke can promote arteriosclerosis, and long-term effects of smoking include emphysema, chronic bronchitis, heart disease and lung cancer.

Prevention and Education Programs

The University of Denver has a long-standing commitment to proactively addressing high-risk drinking and substance abuse within our campus community. DU takes pride in creating a campus that is a celebrative one—a campus not denigrated by the misuse of alcohol and other drugs. At DU, both harm reduction and primary preventative approaches are used when addressing alcohol issues. Harm reduction is a public health philosophy that seeks to lessen the dangers around alcohol use and risk of harm. Primary prevention works to prevent alcohol and other drug use and abuse. DU's substance abuse prevention programs promote responsible behavior around alcohol use including awareness, education, and compliance with campus policies and state and federal law. Through the use of best practices, DU strives to decrease high-risk drinking and its negative consequences among DU students. Our substance abuse prevention programs and services are evidenced-based, comprehensive, and coordinated with campus and community partners.

In addition, the University's Alcohol and Other Drug Abuse Prevention Program emphasizes the University's commitment to:

1. Empowering students and employees with the information and skills needed to adopt healthy and safe behaviors; providing early intervention, support, and referral services to students and employees suffering from substance abuse disorders.

2. Defining expectations for conduct with respect to the use of alcohol and other drugs and instituting response strategies that emphasize individual well-being, community safety, and the integrity of the learning environment.
3. Responding to repeated and serious policy violations in a manner that supports individual success while maintaining the safety and well-being of the campus community; creating a campus environment that supports the values of the University and reflects those values to the public.

To this end, the University maintains a comprehensive breadth of evidence-based and theory-driven programs and services that concurrently impact the individual, interpersonal, community and societal factors that influence these behaviors. These include the following:

Program Name: EVERFI AlcoholEdu

Explanation: Mandatory online training for all new first time and transfer undergraduate students. Before incoming first year students come to campus, they are required to complete an online module from the Health and Counseling Center as part of their orientation process. The course is provided by the EVERFI online learning platform.

Audience: Incoming First Year Students

Frequency: Upon enrollment

Method: Online pre-orientation module

Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction

Primary Sponsor: Health and Counseling Center

Program Name: National Collegiate Alcohol Awareness Week (October)

Explanation: Health Promotion observes this national event to raise awareness about alcohol safety and education. DU Health Promotion partners with other DU campus offices and student organizations to put on programs during this month to raise awareness through workshops, social media, and in-person outreach.

Audience: All DU Students

Frequency: As requested

Method: In-person events and social media engagement

Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction

Primary Sponsor: The Department of Health Promotion within the Health and Counseling Center

Program Name: DU Town Hall on Underage & High-Risk Drinking

Explanation: In collaboration with the Collegiate Recovery Community, Student Rights & Responsibilities, Campus Safety, and other campus partners, the Health & Counseling Center held a town hall to share trends in underage and high-risk drinking patterns of DU students, and provided discussion opportunity for attendees to brainstorm programs and initiatives to help address the issues.

Audience: All DU Community Members

Frequency: As requested

Method: In-person event

Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction

Primary Sponsor: The Department of Health Promotion within the Health and Counseling Center

Program Name: “Bartending School” Alcohol Education Workshop

Explanation: This workshop is designed to provide students with information about alcohol education topics, ways to practice harm reduction and reduce risk around substance use, how to respond in an alcohol or other drug emergency, active bystander invention, and sharing campus resources. This workshop is part of the RSO Ongoing Harm Prevention Training Requirement.

Audience: Registered Student Organizations, and as requested

Frequency: As requested

Method: In-person/virtual workshop

Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction

Primary Sponsor: The Department of Health Promotion within the Health and Counseling Center

Program Name: Alcohol MythBusters Workshop

Explanation: This Jeopardy style interactive workshop debunks common myths about alcohol and provides more education on harm reduction and moderation strategies.

Audience: All DU Students
Frequency: As requested
Method: In-person/virtual workshop
Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction
Primary Sponsor: The Department of Health Promotion within the Health and Counseling Center

Program Name: Thrive Peer Health Educators
Explanation: The Thrive Peer Health Educators are a select group of undergraduate students who educate the DU community on alcohol and other drug, sexual health, and mental health topics through outreach, programs, and training.

Audience: All DU Students
Frequency: Weekly tabling education activities, and as requested
Method: In-person events
Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction
Primary Sponsor: Health and Counseling Center

Program Name: DU After Dark
Explanation: Late-night, substance-free activities that builds community among DU students.
Audience: All DU Students
Frequency: As requested, or planned during high-risk times
Method: In-person gatherings
Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction
Primary Sponsor: The Department of Health Promotion within the Health and Counseling Center

Program Name: Marijuana – e-CHECKUP TO GO
Explanation: This online program is typically assigned to students who have an AOD violation. This session requires that a student go online prior to their scheduled appointment and complete the e-TOKE through the HCC website. The student must print out their "summary" report at the end and bring it in to their session. This session provides an opportunity for students to explore their motivation for using marijuana and may discuss possible ways of doing so in a less harmful way.
Audience: All DU Students
Frequency: As requested
Method: Online Self-paced modules
Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction
Primary Sponsor: Health and Counseling Center

Program Name: Alcohol - e-CHECKUP TO GO
Explanation: This online program is typically assigned to students who have an AOD violation. This session requires that a student go online prior to their scheduled appointment and complete the e-CHUG assessment online. The student must print out their summary report at the end and bring it in to their session. This session provides an opportunity for students to explore their motivation for using alcohol and may discuss possible ways of doing so in a less harmful way.
Audience: All DU Students
Frequency: As requested
Method: Online Self-paced modules
Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction
Primary Sponsor: Health and Counseling Center

Program Name: B.A.S.I.C.S. (Brief Alcohol Screening & Intervention with College Students)
Explanation: A BASICS assessment consists of two individual 50 minute appointments with a counselor or health educator. BASICS focuses on information gathering (an intake interview & drink tracking homework between sessions), motivational learning, assessments tools, and written feedback utilizing the aforementioned information obtained.
Audience: All DU Students
Frequency: As requested
Method: In-person counseling session
Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction
Primary Sponsor: Health and Counseling Center

Program Name: C.A.S.I.C.S (Cannabis Abuse Screening and Intervention for College Students)

Explanation: A CASICS assessment consists of two individual 50 minute appointments with a counselor or health educator. CASICS focuses on information gathering (an intake interview & marijuana tracking homework between sessions), motivational learning, assessments tools, and written feedback utilizing the aforementioned information obtained.

Audience: All DU Students

Frequency: As requested

Method: In-person counseling session

Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction

Primary Sponsor: Health and Counseling Center

Program Name: CHOICES

Explanation: The mission of the CHOICES program is to educate college student about the effects of alcohol on their behavior, to promote self-evaluation of drinking patterns and to facilitate the acquisition of effective coping strategies so that students can make informed decisions and reduce their alcohol-related risk and harm. Students discover for themselves that their expectancies don't match their actual experiences with drinking and that the consequence of excessive alcohol use may be incompatible with many of their academic and social goals as well as their future desires."

Audience: Students

Frequency: One time 90 minute group intervention session to student referred by the Office of Student Rights and Responsibilities.

Method: In-person counseling session

Awareness and Prevention Targets: Health and counseling, drug and alcohol awareness, risk reduction

Primary Sponsor: Health and Counseling Center

Additional Programs, Services and Partnerships

The Collegiate Recovery Center

(CRC) on the University of Denver campus offers a comprehensive continuing support structure to assist recovering college students with recovery support, academic support, financial resources, mentorship, social support, and life skills training. The Center provides a nurturing, affirming environment in which individuals recovering from substance abuse and other addictions can find support while attaining a college education. The CRC offers a community lounge, alcohol and drug-free social events, support meetings, peer mentoring, and educational seminars and events. The CRC is a supportive environment within the campus culture that reinforces the decision to pursue sobriety. It is designed to provide academic excellence alongside recovery support to ensure that students do not have to sacrifice one for the other.

For more information, please feel free to contact us at recovery@du.edu or (303) 871-3699.

Health and Counseling Center

The University of Denver Health and Counseling Center (HCC) is an integrated health and counseling center that is designed to meet the student's needs while providing quality health care services. HCC offers screening, assessment, referral and follow-up, and individual therapy as well as group counseling for students interested in exploring their relationship with alcohol and drugs. HCC offers a general assessment regarding potential substance abuse issues for any student who is interested simply by calling and scheduling a consultation. Counseling sessions are designed for students who are motivated to explore alcohol and other drug use behaviors, raise awareness and provide skills to change undesired behavior patterns. HCC provides outreach presentations and workshops on topics such as alcohol, cannabis, and prescription drug use awareness and ongoing substance abuse assessment training to the campus community. Peer educators learn the most current information on a variety of health-related topics including alcohol and substance abuse. Peer educators are trained to facilitate interactive presentations, discussions, panels, workshops and health awareness events for DU students within the residence halls, classrooms, student organizations and off-campus organizations.

Primary Care Screening

An online screening tool is administered to HCC patients as part of the check-in process for primary care appointments. This brief screening tool is intended to identify those individuals engaging in high-risk alcohol use or abuse. Primary care providers initiate a brief conversation with those students who are identified as high-risk, offering normative feedback, an explanation of the health impacts of their behaviors, and an opportunity to speak with a mental health professional about their use.

Evaluation and Treatment Services

The counseling unit of the Health and Counseling Center offers voluntary, short-term alcohol and other drug abuse evaluation and treatment services. For those students desiring treatment of an identified substance-use problem, short-term counseling sessions are offered. For students whose substance abuse problems require intensive services, referrals to community resources are provided.

Employee Assistance Program (EAP)

In recognition of the fact that alcohol, drug and other personal problems can affect the quality of an employee's life at home and performance on the job, DU provides an Employee Assistance Program to all appointed employees. Confidential and free EAP counseling services are offered through the University.

Referral Networks

The HCC maintains a referral network of local treatment facilities for individuals who require a higher level of care to address substance dependence. These include inpatient and intensive day-treatment facilities that allow for medical monitoring, a more controlled environment, and significantly greater frequency of therapeutic contact (individual and group).

Campus Community Partnerships

These include a variety of alcohol and drug education programs for incoming students; training programs for targeted student mentors/leaders to assist them in disseminating information regarding alcohol and other drug effects to their peers; numerous educational programs sponsored by the Health and Counseling Center (HCC), Office of Student Engagement, Campus Safety, Housing and Residential Education, Office of Student Rights and Responsibilities, Division of Campus Safety and other campus entities; frequent substance-free social events; educational materials for parents and families; and the regular distribution of policy and educational information via campus-wide events, information tables, and campus newsletters.

Substance Abuse Resources

On Campus:

Health and Counseling Center (Counseling Services) * Phone: 303-871-2205 After Hours Counselor on Call: 303-871-2205 (follow prompts) Email: info@hcc.du.edu Website: https://www.du.edu/health-and-counseling-center/counseling/index.html	Health and Counseling Center (Medical Services) * Phone: 303-871-2205 After Hours: 303-871-2205 (follow prompts) Email: info@hcc.du.edu Website: https://www.du.edu/health-and-counseling-center/medical/index.html
Student Outreach & Support Phone: 303-871-2400 Email: SOS@du.edu	Collegiate Recovery Community (CRC) Phone: 303-871-3699 Email: recovery@du.edu

Off Campus – Denver Community Resources:

Denver CARES (Detox) Phone: 303-463-3500	Porter Adventist Hospital Phone: 303-778-1955
Mile High Council on Substance Abuse Phone: 303-825-8113	Rocky Mountain Poison and Drug Center Phone: 303-389-1100

Off Campus – National and State Programs:

Alcoholic Anonymous http://www.aa.org/	Narcotics Anonymous https://na.org/	Al-Anon https://al-anon.org/
Alcohol Screening Personalized results http://www.alcoholscreening.org	Substance Abuse and Mental Health Services Administration <ul style="list-style-type: none"> ○ Behavioral Health Treatment Services <ul style="list-style-type: none"> ▪ Locator: https://findtreatment.samhsa.gov/ ○ National Helpline: free, confidential, 24/7 availability <ul style="list-style-type: none"> ▪ 1-800-662-4357 ▪ 1-800-487-4889 (TTY) 	

VI. Gender Based Violence

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VI. GENDER BASED VIOLENCE (SEXUAL ASSAULT, DOMESTIC OR DATING VIOLENCE, STALKING)

POLICIES - GENDER BASED VIOLENCE, SEXUAL HARASSMENT AND DISCRIMINATION

The University of Denver (DU) is committed to providing support and assistance to all members of our campus community who are impacted by gender-based discrimination, harassment, and violence, including sexual assault, relationship or dating violence, and stalking. The University prohibits all forms of discrimination, discriminatory harassment (including sexual harassment) and gender-based violence, which include, but is not limited to, the offenses of sexual assault, dating violence, and domestic violence and stalking. [Gender based violence is the umbrella term used by the University of Denver when referring to sexual assault, dating or domestic violence, and stalking.](#)

University officials respond swiftly to all reports of these incidents to provide support services for those who have experienced gender based violence; protect the rights of all DU students, faculty and staff members and campus visitors under our Title IX and Clery obligations; apply our Student Honor Code and employee conduct policies and other applicable policies and procedures; and cooperate fully with the law enforcement officials to the extent of the law. Below are excerpts from the University of Denver policy manual and Office of Equal Opportunity & Title IX which explicitly states the University's prohibited conduct policies. A complete copy of the University of Denver's policies governing gender-based violence (sexual misconduct) can be reviewed in the appendix section of this document or at the below University website

[University of Denver Policy Manual](#) [Policy Number 3.10.010 – University of Denver Discrimination and Harassment Policy](#)

The University is committed to creating and maintaining a community in which people are treated with dignity, decency and respect. The environment of the University should be characterized by mutual trust, freedom of inquiry and expression, and the absence of intimidation, oppression and exploitation. People in this community should be able to work and learn in a safe atmosphere. The accomplishment of this goal is essential to the academic mission of the University.

Consistent with this commitment, the University will not tolerate any unlawful discrimination, harassment, or gender-based violence of any kind. When the University becomes aware that a member of the University community may have been subjected to or affected by discrimination, harassment, or gender-based violence, the University will take prompt, appropriate action to enforce this Policy.

The University enforces this Policy pursuant to the University's Office of Equal Opportunity & Title IX Procedures. Matters of this kind may also be prohibited by a variety of federal, state, and local laws. This Policy and the Office of Equal Opportunity & Title IX Procedures are intended to comply with the prohibitions of all applicable anti-discrimination laws.

II. POLICY OVERVIEW

A. Title IX

The University prohibits discrimination on the basis of sex, including gender-based violence, in its educational programs and activities. This also includes pay discrimination based on sex, discriminatory pay practices based on sex, and sex discrimination affecting compensation. The University is committed to complying with Title IX of the Education Amendment Act of 1972 and ensuring that the University's education programs and activities are operated in a manner consistent with applicable federal law, regulations, and provisions

B. Equal Opportunity

It is the policy and practice of the University to provide equal opportunity in employment, educational activities, and other programs to all employees, students, and applicants. No person shall be discriminated against in any condition of employment or opportunity because 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, and genetic information.

E. Retaliation

No hardship, no loss of benefit, and no penalty may be imposed on any student, faculty, or staff as punishment for: filing or responding to a bona fide complaint of discrimination or harassment, appearing as a witness in the investigation of a complaint,

or serving as an investigator or as a member of a disciplinary board. Retaliation or attempted retaliation of this kind is a violation of the Policy and will be subject to severe sanctions up to and including termination or dismissal from the University.

University of Denver
Office of Equal Opportunity & Title IX Procedures –
Comprehensive Discrimination and Harassment Procedures and Title IX Sexual Harassment Procedures

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

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.

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.

University of Denver
Office of Equal Opportunity & Title IX Procedures – Comprehensive Discrimination and Harassment Procedures
Section 2 - Purpose

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.

University of Denver
Office of Equal Opportunity & Title IX - Comprehensive Discrimination and Harassment Procedures
Section 4 – Definitions

- 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

University of Denver
Office of Equal Opportunity & Title IX Procedures - Comprehensive Discrimination and Harassment Procedures
Section 4 – Definitions

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

Section 5 – 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.

University of Denver

Office of Equal Opportunity & Title IX Procedures – Title IX Sexual Harassment Procedures

Section 2 - Purpose

Consistent with federal, state and local law, and University policies related to non-discrimination, the University, through the Office of Equal Opportunity & Title IX, takes action to provide a prompt and equitable resolution of student and employee complaints alleging:

1. Sexual Harassment, as defined by the U.S. Department of Education's Title IX regulations and Section IV.A.1 of these Procedures;

2. Retaliation against any individual or group of individuals involved in an investigation and/or resolution of a report under these Procedures, provided that the University will address allegations of Retaliation pursuant to the Office of Equal Opportunity & Title IX General Discrimination and Harassment Procedures.

University of Denver
Office of Equal Opportunity & Title IX Procedures – Title IX Sexual Harassment Procedures
Section 4 - Definitions

A. Definitions of Conduct Prohibited by these Procedures:

1. Sexual Harassment - conduct on the basis of sex that satisfies one or more of the following:
 - a. 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. Also known as quid pro quo sexual harassment;
 - b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to a University Education Program or Activity; or
 - c. Sexual assault, which means 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:
 - i. 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;
 - ii. 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;
 - iii. 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;
 - iv. 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;
 - v. Incest means sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; or
 - vi. Statutory Rape means sexual intercourse with a person who is under the statutory age of consent.
 - d. Domestic violence, which means 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.
 - e. Dating violence, which means 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.
 - f. Stalking, which means a course of conduct directed at a specific person that would cause a reasonable person to (1) fear for their safety or the safety of others, or (2) suffer substantial emotional distress.
 - i. Course of conduct means two 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, follow, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
 - ii. Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
 - iii. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
2. 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 Sexual Harassment; an individual's or group's participation, including testifying or assisting in the University's Title IX process, serving as an Investigator, Hearing Officer, Decision-Maker for Disciplinary Action, Outcome Council Member, Appellate Officer, Title IX Coordinator, a facilitator of the Informal Resolution Process, or otherwise exercising authority under these Procedures; an individual's or group's refusal to participate in the University's Title IX process; or other form of good faith opposition to what an individual reasonably believes to be Sexual Harassment under these Procedures.

- a. Individuals are also protected from Retaliation for making good faith requests for accommodations on the basis of religion or disability.
- b. 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.
- c. Charging an individual with a violation of these Procedures for making a materially false statement in bad faith in the course the University's Title IX process does not constitute Retaliation. The exercise of rights protected under the First Amendment also does not constitute Retaliation prohibited under these Procedures.

VAWA (Violence Against Women Act) DEFINITIONS

Federal, State and University of Denver definitions and terminology for the offenses of sexual assault, dating violence, domestic violence and stalking are included in this section of the Annual Security and Fire Safety Report.

Gender based violence definitions and terms are also available on the University's website:
https://www.du.edu/equalopportunity/policies_procedures/index.html.

A complete list of Clery crimes and their definitions are included in this document. Additionally, this list is available on the Division of Campus Safety's website:
<https://www.du.edu/campussafety/reports/index.html>

Domestic Violence (Federal and State of Colorado Definitions):

State Definition (C.R.S. 180-6-800.3): An act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. "Domestic Violence" also includes any other crime against a person, or against property, including an animal, or any municipal ordinance violation against a person or against property, including an animal, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship.

- **Intimate relationship:** A relationship between spouses, former spouses, past or present unmarried couples, or persons who are both the parents of the same child regardless of whether the persons have been married or have lived together at any time.

Federal Definition: 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 violence laws of the jurisdiction in which the crime of violence occurred.
- 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 jurisdiction in which the crime of violence occurred.

Dating Violence (Federal and State of Colorado Definitions)

State Definition: *The State of Colorado does not have a separate statute/definition for "dating violence".*

Federal Definition: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For purposes of this definition-

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

For the purposes of complying with the requirements of this section, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Stalking (Federal and State of Colorado Definitions)

State Definition (C.R.S. 18-3-602): A person commits stalking if directly, or indirectly, through another person, the person knowingly:

- Makes a credible threat to another person and, in connection with the threat, repeatedly follows, approaches, contact, or places under surveillance that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship; or
- Make a credible threat to another person and, in connection with the threat, repeatedly makes any form of communication with that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship, regardless of whether a conversation ensues; or
- Repeatedly follows, approaches, contacts, places under surveillance, or makes any form of communication with another person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship in a manner that would cause a reasonable person to suffer serious emotional distress and does cause that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship to suffer serious emotional distress.

For purpose of this paragraph (c), a victim need not show that he or she received professional treatment or counseling to show that he or she suffered serious emotional duress.

Federal Definition: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress for the purposes of this definition-

Course of conduct means two 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

- (i) **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- (ii) **Reasonable person** means a reasonable person under similar circumstances and with similar identities to the victim.

Domestic Violence, Dating Violence and Stalking pursuant to the University of Denver's Title IX Sexual Harassment Procedures

University of Denver
Office of Equal Opportunity & Title IX – Title IX Sexual Harassment Procedures
Section 4 – Definitions

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.

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.

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.

Sexual Assault and Sex Offenses (State of Colorado Definitions):

Sexual contact - The knowing touching of the victim's intimate parts by the actor, or of the actor's intimate parts by the victim, or the knowing touching of the clothing covering the immediate area of the victim's or actor's intimate parts if that sexual contact is for the purposes of sexual arousal, gratification, or abuse.

Sexual intrusion - Any intrusion, however slight, by any object or any part of a person's body, except the mouth, tongue, or penis, into the genital or anal opening of another person's body if that sexual intrusion can reasonably be construed as being for the purposes of sexual arousal, gratification, or abuse.

Sexual penetration - Sexual intercourse, cunnilingus, fellatio, analingus, or anal intercourse. Emission need not be proved as an element of any sexual penetration. Any penetration, however slight, is sufficient to complete the crime.

Title 18 Criminal Code § 18-3-402 Sexual assault

- (1) Any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if:
 - (a) The actor causes submission of the victim by means of sufficient consequence reasonably calculated to cause submission against the victim's will; or
 - (b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or
 - (c) The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or
 - (d) At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim and is not the spouse of the victim; or
 - (e) At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age and the actor is at least ten years older than the victim and is not the spouse of the victim; or
 - (f) The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority to coerce the victim to submit, unless the act is incident to a lawful search; or
 - (g) The actor, while purporting to offer a medical service, engages in treatment or examination of a victim for other than a bona fide medical purpose or in a manner substantially inconsistent with reasonable medical practices; or
 - (h) The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented.
- (2) Sexual assault is a class 4 felony, except as provided in subsections (3), (3.5), (4), and (5) of this section.

(3) If committed under the circumstances of paragraph (e) of subsection (1) of this section, sexual assault is a class 1 misdemeanor and is an extraordinary risk crime that is subject to the modified sentencing range specified in section 18-1.3-501(3) .

(3.5) Sexual assault is a class 3 felony if committed under the circumstances described in paragraph (h) of subsection (1) of this section.

(4) Sexual assault is a class 3 felony if it is attended by any one or more of the following circumstances:

- (a) The actor causes submission of the victim through the actual application of physical force or physical violence; or
- (b) The actor causes submission of the victim by threat of imminent death, serious bodily injury, extreme pain, or kidnapping, to be inflicted on anyone, and the victim believes that the actor has the present ability to execute these threats; or
- (c) The actor causes submission of the victim by threatening to retaliate in the future against the victim, or any other person, and the victim reasonably believes that the actor will execute this threat. As used in this paragraph (c), "to retaliate" includes threats of kidnapping, death, serious bodily injury, or extreme pain; or
- (d) The actor has substantially impaired the victim's power to appraise or control the victim's conduct by employing, without the victim's consent, any drug, intoxicant, or other means for the purpose of causing submission.
- (e) Deleted by Laws 2002, Ch. 322, § 2, eff. July 1, 2002.

(5)(a) Sexual assault is a class 2 felony if any one or more of the following circumstances exist:

- (I) In the commission of the sexual assault, the actor is physically aided or abetted by one or more other persons; or
- (II) The victim suffers serious bodily injury; or
- (III) The actor is armed with a deadly weapon or an article used or fashioned in a manner to cause a person to reasonably believe that the article is a deadly weapon or represents verbally or otherwise that the actor is armed with a deadly weapon and uses the deadly weapon, article, or representation to cause submission of the victim.

(b)(I) If a defendant is convicted of sexual assault pursuant to this subsection (5), the court shall sentence the defendant in accordance with section 18-1.3-401(8)(e) . A person convicted solely of sexual assault pursuant to this subsection (5) shall not be sentenced under the crime of violence provisions of section 18-1.3-406(2) . Any sentence for a conviction under this subsection (5) shall be consecutive to any sentence for a conviction for a crime of violence under section 18-1.3-406 .

- (IV) The victim suffers serious bodily injury; or

The provisions of this paragraph (b) shall apply to offenses committed prior to November 1, 1998.

(6) Any person convicted of felony sexual assault committed on or after November 1, 1998, under any of the circumstances described in this section shall be sentenced in accordance with the provisions of part 10 of article 1.3 of this title.

(7) A person who is convicted on or after July 1, 2013, of a sexual assault under this section, upon conviction, shall be advised by the court that the person has no right:

- (a) To notification of the termination of parental rights and no standing to object to the termination of parental rights for a child conceived as a result of the commission of that offense;

- (b) To allocation of parental responsibilities, including parenting time and decision-making responsibilities for a child conceived as a result of the commission of that offense;
- (c) Of inheritance from a child conceived as a result of the commission of that offense; and
- (d) To notification of or the right to object to the adoption of a child conceived as a result of the commission of that offense.

Title 18 Criminal Code § 18-3-404 Unlawful sexual contact

- (1) Any actor who knowingly subjects a victim to any sexual contact commits unlawful sexual contact if:
 - (a) The actor knows that the victim does not consent; or
 - (b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or
 - (c) The victim is physically helpless and the actor knows that the victim is physically helpless and the victim has not consented; or
 - (d) The actor has substantially impaired the victim's power to appraise or control the victim's conduct by employing, without the victim's consent, any drug, intoxicant, or other means for the purpose of causing submission; or
 - (e) Repealed by Laws 1990, H.B.90-1133, § 25, eff. July 1, 1990.
 - (f) The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority, unless incident to a lawful search, to coerce the victim to submit; or
 - (g) The actor engages in treatment or examination of a victim for other than bona fide medical purposes or in a manner substantially inconsistent with reasonable medical practices.
- (1.5) Any person who knowingly, with or without sexual contact, induces or coerces a child by any of the means set forth in section 18-3-402 to expose intimate parts or to engage in any sexual contact, intrusion, or penetration with another person, for the purpose of the actor's own sexual gratification, commits unlawful sexual contact. For the purposes of this subsection (1.5), the term "child" means any person under the age of eighteen years.
- (1.7) Repealed by Laws 2010, Ch. 415, § 1, eff. July 1, 2012.
- (2)(a) Unlawful sexual contact is a class 1 misdemeanor and is an extraordinary risk crime that is subject to the modified sentencing range specified in section 18-1.3-501(3) .
- (b) Notwithstanding the provisions of paragraph (a) of this subsection (2), unlawful sexual contact is a class 4 felony if the actor compels the victim to submit by use of such force, intimidation, or threat as specified in section 18-3-402(4)(a) , (4)(b) , or (4)(c) or if the actor engages in the conduct described in paragraph (g) of subsection (1) of this section or subsection (1.5) of this section.
- (3) If a defendant is convicted of the class 4 felony of unlawful sexual contact pursuant to paragraph (b) of subsection (2) of this section, the court shall sentence the defendant in accordance with the provisions of section 18-1.3-406 ; except that this subsection (3) shall not apply if the actor engages in the conduct described in paragraph (g) of subsection (1) of this section.
- (4) A person who is convicted on or after July 1, 2013, of unlawful sexual contact under this section, upon conviction, shall be advised by the court that the person has no right:
 - (a) To notification of the termination of parental rights and no standing to object to the termination of parental rights for a child conceived as a result of the commission of that offense;

- (b) To allocation of parental responsibilities, including parenting time and decision-making responsibilities for a child conceived as a result of the commission of that offense;
- (c) Of inheritance from a child conceived as a result of the commission of that offense; and
- (d) To notification of or the right to object to the adoption of a child conceived as a result of the commission of that offense.

Title 18 Criminal Code § 18-6-301 Incest

(1) Any person who knowingly marries, inflicts sexual penetration or sexual intrusion on, or subjects to sexual contact, as defined in section 18-3-401 , an ancestor or descendant, including a natural child, child by adoption, or stepchild twenty-one years of age or older, a brother or sister of the whole or half blood, or an uncle, aunt, nephew, or niece of the whole blood commits incest, which is a class 4 felony. For the purpose of this section only, “descendant” includes a child by adoption and a stepchild, but only if the person is not legally married to the child by adoption or the stepchild.

(2) When a person is convicted of, pleads nolo contendere to, or receives a deferred sentence for a violation of the provisions of this section and the victim is a child who is under eighteen years of age and the court knows the person is a current or former employee of a school district or a charter school in this state or holds a license or authorization pursuant to the provisions of article 60.5 of title 22, C.R.S., the court shall report such fact to the department of education.

Title 18 Criminal Code § 18-6-302 Aggravated incest

(1) A person commits aggravated incest when he or she knowingly:

- (a) Marries his or her natural child or inflicts sexual penetration or sexual intrusion on or subjects to sexual contact, as defined in section 18-3-401 , his or her natural child, stepchild, or child by adoption, but this paragraph (a) shall not apply when the person is legally married to the stepchild or child by adoption. For the purpose of this paragraph (a) only, “child” means a person under twenty-one years of age.
- (b) Marries, inflicts sexual penetration or sexual intrusion on, or subjects to sexual contact, as defined in section 18-3-401 , a descendant, a brother or sister of the whole or half blood, or an uncle, aunt, nephew, or niece of the whole blood who is under ten years of age.

(2) Aggravated incest is a class 3 felony.

(3) When a person is convicted, pleads nolo contendere, or receives a deferred sentence for a violation of the provisions of this section and the court knows the person is a current or former employee of a school district in this state or holds a license or authorization pursuant to the provisions of article 60.5 of title 22, C.R.S., the court shall report such fact to the department of education.

Statutory Rape: Statutory rape is prosecuted under Colorado’s sexual assault laws, and penalties depend on the ages of the defendant and victim, as described below.

Sexual assault occurs when there is penetration (vaginal intercourse, oral or anal sex, or penetration with an object or body part, however slight) between:

- a minor who is 14 or younger and a defendant who is at least four years older than the minor, or
- a 15 or 16-year-old minor and a defendant who is at least ten years older than the minor.

If the victim is 14 or younger, the offense is a class 4 felony, punishable by at least two years (and up to six years) in prison, a fine of \$2,000 (and up to \$500,000), or both. If the victim is 15 or 16, the offense is a class one misdemeanor, which is punishable by a fine of at least \$500 (and up to \$5,000), at least six months in jail (and up to 18 months in prison), or both. (Co. Rev. Stat. Ann. §§ 18-1.3-401, 18-1.3-501, 18-3-401, 18-3-402 (2018).)

Sexual assault on a child occurs when there is sexual touching (not including penetration), even if the touching is over clothing, when the minor is 14 or younger, and the defendant is at least four years older than the minor. This offense is a class four felony, punishable by a fine of at least \$2,000 (and up to \$500,000), at least two years (and up to six years) in prison, or both. (Co. Rev. Stat. Ann. §§ 18-1.3-401, 18-1.3-501, 18-3-401, 18-3-405 (2018).)

Sexual Assault-Colorado Revised Statutes

The Department of Education requires institutions to provide state definition for sex offenses. However, for purpose of crime classifications for Clery reporting, federal definitions (above) are used.

Sexual Assault and Sex Offenses (Federal Definitions):

Sexual Assault - An offense that meets the definition of rape as used in the FBI's UCR program or an offense that meets the definition of fondling, incest or statutory rape as used in the FBI's NIBRS program.

Sex Offenses - Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- A. Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- B. Fondling: 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 his/her age or because of his/her temporary or permanent mental or physical incapacity.
- C. Administration of a Date Rape Drug: Under Clery, the administration of a date rape drug in an unsuccessful attempt to incapacitate and sexually assault the victim, and investigation determines that the perpetrator's attempt was to commit a sex offense, is a sexual assault. Administration of a date rape drug in which intent cannot be proven is an Aggravated Assault.

Sex Offenses, Non-Forcible: Unlawful Sexual Intercourse -

- A. Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- B. Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

Sexual Assault pursuant to the University of Denver's Title IX Sexual Harassment Procedures

University of Denver Office of Equal Opportunity & Title IX – Title IX Sexual Harassment Procedures Section 4 – Definitions/Conduct prohibited

- A.(1)(c) Sexual assault, which means 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.

Consent (State of Colorado Definition):

Title 18 Criminal Code § 18-3-401 Definitions

Cooperation in act or attitude pursuant to an exercise of free will and with knowledge of the nature of the act. A current or previous relationship shall not be sufficient to constitute consent. Submission under the influence of fear shall not constitute consent.

Title 18 Criminal Code § 18-1-505 Consent

(1) The consent of the victim to conduct charged to constitute an offense or to the result thereof is not a defense unless the consent negatives an element of the offense or precludes the infliction of the harm or evil sought to be prevented by the law defining the offense.

(2) When conduct is charged to constitute an offense because it causes or threatens bodily injury, consent to that conduct or to the infliction of that injury is a defense only if the bodily injury consented to or threatened by the conduct consented to is not serious, or the conduct and the injury are reasonably foreseeable hazards of joint participation in a lawful athletic contest or competitive sport, or the consent establishes a justification under sections 18-1-701 to 18-1-707 .

(3) Unless otherwise provided by this code or by the law defining the offense, assent does not constitute consent if:

- (a) It is given by a person who is legally incompetent to authorize the conduct charged to constitute the offense; or
- (b) It is given by a person who, by reason of immaturity, behavioral or mental health disorder, or intoxication, is manifestly unable and is known or reasonably should be known by the defendant to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or
- (c) It is given by a person whose consent is sought to be prevented by the law defining the offense; or
- (d) It is induced by force, duress, or deception.

(4) Any defense authorized by this section is an affirmative defense.

Consent pursuant to the University of Denver's Title IX Sexual Harassment Procedures

University of Denver Office of Equal Opportunity & Title IX – Title IX Sexual Harassment Procedures Section 4 – Definitions/Conduct prohibited

B. (2) 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).

THE FEDERAL CAMPUS SEX CRIMES PREVENTION ACT

The Federal Campus Sex Crimes Prevention Act mandates that convicted sex offenders who are required to register under state law must also disclose their association with institutions of higher education when applicable. Specifically affected are those registered sex offenders who attend, are employed by/at, or volunteer at institutions of post-secondary education.

How to inquire: Inquiries regarding registered sex offenders who reside in the neighborhood or who have disclosed an association with the University of Denver, as noted above, should be directed to:

Denver Police Department – Administration Bldg

1331 Cherokee Street Denver, CO

In-Person: Monday – Friday 8:00am to 3:00pm, excluding holidays

Information Desk: 720.913.6010

Non-Emergency Line: 720.913.2000

Sex Offender Hotline: 720.913.6511

Additionally, requests for information about sex offenders in Colorado may be obtained at the following websites:

- **Denver Police Department Sex Offenders Tracking and Registration:** <https://www.denvergov.org/content/denvergov/en/police-department/crime-information/sex-offenders.html>
- **Public Sexual Offender Tracking and Registration:** <https://www.sotar.us/sotarpublic/initPublicIndexRedirect.do>
- **Colorado Bureau of Investigation:** <https://apps.colorado.gov/apps/dps/sor/>
- **National Sex Offender Public Website:** <https://www.nsopw.gov/>
- For more information on CSCPA, individuals may view the Disclosure of Education Records Concerning Registered Sex Offenders on the U.S. Department of Education's website: <https://www2.ed.gov/policy/gen/guid/fpco/hottopics/ht10-24-02.html>

ADDITIONAL TERMS AND DEFINITIONS:

**University of Denver
Office of Equal Opportunity & Title IX - Comprehensive Discrimination and Harassment Procedures
Section 4 – Definitions**

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

**University of Denver
Office of Equal Opportunity & Title IX –
Comprehensive Discrimination and Harassment Procedures and Title IX Sexual Harassment Procedures**

Responsible Employee - Responsible Employee means all individuals who have the obligation to report alleged Prohibited Conduct, to include Sexual Harassment and Retaliation, 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 employees of the University; e.g. fraternity or sorority advisors), and
16. Any other administrator, faculty, or staff member.

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.

Department of Education – Clery Definitions

Proceedings: (Clery Definition) all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.

(University of Denver) Refers to those courses of action taken in response to reports of alleged policy violation(s) as described in the Student Rights and Responsibilities Policies & Procedures, the Title IX Sexual Harassment Procedures 2020-2021; the Comprehensive Discrimination and Harassment Procedures 2020-2021, or the Employee Handbook.

Result: (Clery Definition) any initial, interim and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly referred to as the Family Educational Rights and Privacy Act (FERPA), the result must also include the rationale for the result and the sanctions.

(University of Denver) Refers to “Outcomes” for students and “Corrective Actions” for faculty and staff as outlined in either the Student Rights and Responsibilities Policies & Procedures, the Title IX Sexual Harassment Procedures 2020-2021; the Comprehensive Discrimination and Harassment Procedures 2020-2021, or the Employee Handbook.

VICTIM/SURVIVOR RIGHTS AND PROTECTIONS

The University of Denver prohibits all forms of sexual harassment and sexual violence, which include, but are not limited to, the offenses of sexual assault, dating violence, domestic violence and stalking. Gender-based violence is the umbrella term the University of Denver uses to talk about sexual assault, dating and domestic violence, and stalking. University officials respond swiftly to all reports of these incidents to provide support services for those who have experienced gender-based violence; protect the rights of all students, employees and campus visitors under our Title IX and Clery obligations; apply our Employee Code of Conduct and Student Honor Code policies, and other applicable policies and procedures; and cooperate fully with law enforcement officials.

Sexual Assault, dating violence, domestic violence and stalking are reportable crimes under the federal Clery Act and may also constitute violations of Colorado state law, Title IX, Title VII, and applicable DU policy, including but not limited to the DU Student Honor Code and the DU Discrimination Policy, which applies to students, employees and campus visitors.

Students and employees who report that they are victims/survivors of sexual assault, dating violence, domestic violence and stalking and the respondents to such proceedings have the right to:

- Receive written notification of your rights and options g, including but not limited to:
 - Existing campus and community medical, mental health, counseling and legal services, victim advocacy, visa and immigration and financial aid assistance.
 - Information about how the school will provide options and available assistance for academic, living, transportation and working situations and supportive measures.
 - The right to have an advocate.
- Be informed of applicable reporting options and choices including the option to notify on or off-campus law enforcement or otherwise notify on or off-campus confidential resources.

- Be free from pressure to make a criminal report and notified of your right to decline to notify law enforcement.
- Be assisted by university support staff in notifying law enforcement, if you choose to file a criminal report.
- Have allegations of sexual assault, dating violence, domestic violence, stalking and other gendered harassment investigated and adjudicated by the appropriate campus, civil and criminal authorities, as applicable.
- 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.

Retaliation

There shall be no retaliation by an institution or an officer, employee, or agent of an institution against any individual for exercising their rights or responsibilities under any provision of the Clery Act.

What to Do If You Experience Gender Based Violence

- ✓ **If you are in immediate danger, call 9-1-1.**
- ✓ **Get to a place of safety as soon as you can.**
- ✓ **Contact someone you trust to be with you and support you.** DU's Center for Advocacy, Prevention and Empowerment (CAPE), 303.871.3853 or CAPE@du.edu, can provide confidential support, assistance, resources and options.
- ✓ **Preserve any physical evidence.** Preserving evidence is important because evidence can be key in identifying the perpetrator in a gender-based violence case, especially those in which the offender is a stranger, may assist in proving the alleged criminal offense occurred, and may be helpful in obtaining a protection order. Document physical signs of injury with photographs as bruising can fade between the time the incident took place to when it is investigated. Document any destruction to property with photographs. Any unwanted or repeated electronic communications should be saved or captured with as screenshot.
 - **Preserving sexual assault evidence.** In an instance of sexual assault, physical evidence should be collected immediately, ideally within the first 24 hours. A medical sexual assault forensic exam (SANE – Sexual Assault Nurse Examiner) forensic exam) may be completed up to five days after a sexual assault to collect evidence in case the victim decides to report the assault at a later date. Sexual assault forensic evidence is an integral part of a law enforcement investigation that can build a strong case and so it is important to preserve evidence in case the decision is made to take legal action or press charges. Sexual assault physical evidence must be collected in a timely manner by a certified medical facility. Do not shower/bathe, comb your hair, change clothes, smoke, brush your teeth, eat/drink, wash or use the toilet (if possible – the hospital will take a urine sample when you arrive). Do not wash clothes or clean the bed/linens area or other items. Place clothing, bedding or anything of evidentiary value during the assault, in a paper bag.
 - **Preserving dating and domestic violence evidence.** Preserving evidence may be necessary to prove criminal domestic or dating violence, or in obtaining a protection order. Take photographs of injuries and damage. If victims do not opt for forensic evidence collection, health care providers can still treat injuries. Examples of other types of evidence to preserve can be threatening emails or phone messages, text messages, social media, messages or postings, computer screenshots, medical records, records of police responses to the home, witnesses, or any other form of evidence that would be helpful. Make sure information documented is kept in a safe location where the partner cannot find it; as it may cause further risk if they do.
 - **Preserving stalking evidence.** Documentation is necessary. Keep a record of the details or call the police to have the incident documented by police. Victims of stalking should save evidence such as any letters,

notes, emails, phone calls, videos, photos, texts, social media postings, computer screenshots, voicemails, gifts, or any other form of evidence that would be helpful.

- ✓ **Get medical attention as soon as possible.** A medical provider can document injuries and offer needed treatment. Medication to prevent pregnancy and sexually transmitted infections/diseases is available. Trained medical staff may also assist you in contacting experienced sexual assault response team members who can help you file a police report, collect and preserve evidence, and provide victim assistance and rape crisis and other gender-based violence advocacy services.
 - The University of Denver is committed to providing students physical and emotional support following a sexual assault. After experiencing a sexual assault, you have the choice to have a Sexual Assault Nurse Examiner (SANE) forensic exam. A SANE can be performed up to five days after an assault. Choosing to have a SANE does not require an individual to formally report or participate in a law enforcement investigation.
 - A SANE forensic exam is performed by a specially trained registered nurse. The exam is tailored to provide survivors of sexual assault with trauma-informed medical treatment, and to collect forensic evidence in the event a survivor chooses to report to Law Enforcement. Typical exams last anywhere from 2-6 hours. If you choose to have an exam, you have the right to decline any part of the exam and to go at a pace that feels comfortable to you. Standard exams include:
 - A complete discussion about medical history
 - Thorough head to toe physical examination
 - Evidence collection
 - Photographs of any injuries sustained during an assault
 - Details about the assault to better inform evidence collection and medical treatment
 - Treatment for possible sexually transmitted infections
 - Pregnancy prevention, if applicable
 - The Health and Counseling's Center for Advocacy, Prevention and Empowerment (CAPE) can accompany you and provide confidential support and guidance. CAPE can help explain the process and support any DU community member with participating in the SANE process and help arrange for transportation to the hospital. During normal business hours, contact CAPE at 303-871-3853. After-Hours contact the Counselor on Call at 303-871-2205. Additional contact methods include: cape@du.edu or at their website: <https://www.du.edu/health-and-counseling-center/cape/index.html>
- ✓ **You can report an instance of gender-based violence to:**
 - DU's Division of Campus Safety (303.871.3000 or 1-3000)
 - DU's Office of Equal Opportunity & Title IX (303.871.7016 or 1.7016)
 - DU's Center for Advocacy, Prevention and Empowerment (CAPE) (303.871.3853 or 1-3853)
 - The Counselor on Call (After normal business hours at 303.871.2205 or 1-2205)
 - Any Campus Security Authority at DU
 - Denver Police Department or other appropriate law enforcement agency. (As a University student, faculty or staff member, it is your right and decision to choose, or decline, to report the incident to law enforcement authorities)
- ✓ **Alcohol and Drug Amnesty:** 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.

- ✓ **You have the right to explore a Civil Order of Protection through the courts.** Students, faculty and staff may request a temporary or permanent restraining order if there has been harm, the threat of harm or an act of violence.
 - The Protection Order Courtroom in the City and County of Denver is located at:

Denver's City and County Building
1437 Bannock Street, Courtroom 170.
Phone: 720.865.7275

<https://www.denverda.org/protection-restraining-orders/>
 - The Health and Counseling's Center for Advocacy, Prevention and Empowerment (CAPE) can provide support to any DU community member and help navigate the process of obtaining a civil protection order. During normal business hours, contact CAPE at 303-871-3853. After-Hours contact the Counselor on Call at 303-871-2205. Additional contact methods include: cape@du.edu or at their website: <https://www.du.edu/health-and-counseling-center/cape/index.html>
 - If a court issued protective order is issued, you may elect to provide the DU Division of Campus Safety with a copy of the order, so the information is on file in case the order is violated on any DU owned and controlled property.
 - If the violation is in progress, call 9-1-1 and the appropriate law enforcement authority will respond. The Division of Campus Safety can contact the Denver Police Department to respond to violations of court issued protective orders that occur on the main campus and in DU owned or controlled buildings within the Denver Police Department's jurisdiction. If the student, faculty or staff member holds a current court issued protective order, and that order is violated in another jurisdiction, the student, faculty or staff member will need to call the law enforcement agency that serves the location in which the violation occurred.
- ✓ **You have the right to explore a no contact order through the University.** Students, faculty and staff who've made an allegation of sexual assault, dating violence, domestic violence, stalking or other gendered harassment, may request a No Contact Order and/or Location Restriction Order, if the other party is affiliated with the University.
 - **A No Contact Order** is a written directive for the identified parties to avoid all contact and/or communication with one another. Unless expressly stated otherwise in the Mutual No Contact Order, contact is defined as communicating in person, communicating through a third party, and communicating through all forms of written and/or electronic contact (including phone, email, texting, and social media). The No Contact Order may apply to other forms of contact, as the University deems appropriate under the circumstances.
 - **A Location Restriction Order** is a written directive for one or more identified parties not to enter a particular physical space that is owned or operated by the University. The written Location Restriction Order will define the space to be avoided, which may include particular rooms, buildings, outdoor areas, events, or other spaces as described in the Location Restriction Order. The Location Restriction Order may also require a housing reassignment or reassignment to a different section of a course for one or multiple individuals identified in the Location Restriction Order.
 - **All No Contact and Location Restriction Orders are considered mutual for all parties.** No-Contact Orders and Location Restriction Orders may be issued as an Emergency Order, Temporary Order, or Standing Order.

- Although these Mutual No Contact Orders and Location Restriction Orders are not considered disciplinary in nature, failing to abide by the terms of the Mutual No Contact Order and Location Restriction Orders will constitute a violation of the Student Rights & Responsibilities Policies.
- Mutual No Contact Orders and Location Restriction Orders can be requested through the following University departments:
 - **Division of Campus Safety (303-871-2334)**
 - **Student Rights and Responsibilities (303.871.2455)**
 - **Title IX (303.871.7016)**
 - **CAPE (303.871.2205)**
 - **Or by Completing the Request for No Contact Order Form:**
https://cm.maxient.com/reportingform.php?UnivofDenver&layout_id=9
- A complete copy of the University of Denver’s policies governing No Contact Orders which includes but is not limited to the legal options available to students, how to request information, how to file a report, the institutions responsibilities for honoring and complying with student’s requests, and what victims should do to enforce an order of protection can be reviewed in the appendix section of this document or at the below University website:

<https://www.du.edu/studentlife/studentconduct/policies/nocontactorders.html>

- ✓ **DU Division of Campus Safety - Trespass Notification:** If an allegation of sexual assault, dating violence, domestic violence or stalking is against a person not affiliated with the University of Denver, and the crime was committed against a DU community member or on campus or other DU controlled building or property, the Division of Campus Safety may be able to issue a Trespass Notification, banning the accused from all campus owned or controlled properties. If the Trespass Notification is violated, victim/survivors should report the violation to the Division of Campus Safety. The Division of Campus Safety will notify local law enforcement authorities to have the violator arrested.
- ✓ **Consider options for assistance, support, resources and on- and off-campus services.** As a student, faculty or staff victim/survivor of gender-based violence requests may be made to the University for supportive measures such as accommodations, and/or other reasonable assistance. After an incident of gender-based violence the University will work with students, or faculty and staff to address any issues that may impact the student’s educational experience or the faculty and staff member’s work experience; including protective measures, such as financial aid assistance; immigration or visa, travel assistance; available on-campus housing changes and academic accommodations for students; or work accommodations for DU employees. The university shall endeavor to comply with a student’s reasonable request for a living and/or academic situation change following an alleged sex offense. Supportive measures are available regardless of whether the victim/survivor chooses to share specific information about the incident, report the matter to Campus Safety or local law enforcement, or participate in the university’s administrative process, and regardless of whether the offense occurred on or off campus. For more information, contact the following:
 - Coordinator of CAPE (confidential resource) at 303.871.3853.
After-Hours contact the Counselor on Call at 303.871.2205.
Additional contact methods include: cape@du.edu
or at their website: <https://www.du.edu/health-and-counseling-center/cape/index.html>
 - Title IX Coordinator at 303.871.3142.
Additional contact methods include: TitleIX@du.edu;
or at their website: <https://www.du.edu/equalopportunity/titleix/>
 - Division of Campus Safety at 303.871.3000.
 - Additional information on resources can be obtained on their website at:
<https://www.du.edu/campussafety/resources/index.html>

It is important that survivors of gender violence know they are not alone, and the University of Denver hopes survivors feel comfortable reaching out for the support they need. There are many options for seeking support, including: Campus Safety, the Center for Advocacy, Prevention and Empowerment (CAPE), a resident assistant, a resident director, the police, a friend, a rape crisis center, a hospital, a counselor or the Title IX Office or someone else you trust. **You have a right to discuss these options without being required to select or participate in any of the available options.**

CONFIDENTIAL REPORTING

Voluntary Confidential Reporting:

Although the below departments are not considered a confidential resource, the confidentiality of students is protected by FERPA (Family Educational Rights and Privacy Act), which means that the institution cannot disclose confidential information outside of an educational need to know basis without the written consent of the victim/survivor or a legally valid court order. There are, however, situations that may require the involvement of different departments within the University in order to carry out a thorough and responsible process; to report statistical information under the Clery Act; or to provide a victim/survivor with interim or protective measures and accommodations in a timely manner. Under these circumstances the Office of Equal Opportunity and Title IX will determine what information about a victim/survivor should be disclosed and to whom this information will be disclosed.

Protecting Victim Confidentiality:

The University of Denver (DU) recognizes the sensitive nature of gender-based violence (sexual assault, domestic violence, dating violence and stalking) or discrimination or discriminatory harassment, including sexual harassment. DU is committed to protecting the privacy of any individual who makes a report. Different officials and personnel are able to offer varying levels of privacy protection to victims. The university will protect the confidentiality of victims/survivors of sexual assault, dating violence, domestic violence, stalking and other gendered harassment in accordance with federal and state laws.

- a. Reports made to designated confidential on-campus resources may talk to victims without revealing any identifying information about them to anyone else at the University, including the Title IX Officer or law enforcement entities without the victim's consent. Except under certain limited circumstances (such as risk of imminent harm to the victim or others), victims can seek assistance and support from these counselors and advocates without triggering a University or police investigation.
- b. Reports made to law enforcement. A victim who reports to the Denver Police Department may request to be treated as confidential, which means that the victim's name and other identifying information will not appear in its public records.
- c. Reports made to the Office of Equal Opportunity & Title IX (Title IX Coordinator) seeks to protect the privacy of all individuals throughout all phases of the complaint resolution process. While Title IX cannot guarantee confidentiality, disclosure of facts to parties and witnesses is limited to what is reasonably necessary to conduct a fair and thorough investigation, determine outcomes or to deliver resources or supportive measures to the parties.
- d. Supportive Measures. The University of Denver will maintain as confidential any accommodation or supportive measures provided to parties, to the extent such confidentiality does not impair DU's ability to provide the accommodation or supportive measures.
- e. Clery Act and Other Public Records. Publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without including personally identifying information about the victim. Also, DU's

Division of Campus Safety does not publish the name of crime victims as part of its Clery mandated reporting, nor does it house identifiable information regarding victims in the police department's daily crime and fire log or online.

University of Denver
Office of Equal Opportunity & Title IX – Comprehensive Discrimination and Harassment Procedures
Section 8 – Privacy and 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.

University of Denver
Office of Equal Opportunity & Title IX – Comprehensive Discrimination and Harassment Procedures
Section 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.

University of Denver
Office of Equal Opportunity & Title IX – Comprehensive Discrimination and Harassment Procedures
Section 6 – Reporting

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.

University of Denver
Office of Equal Opportunity & Title IX – Title IX Sexual Harassment Procedures
Section 5 – Reporting

- G. The Office of Equal Opportunity & Title IX is not a confidential resource. For any report of Sexual Harassment, the University will endeavor to 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. Confidentiality means that a client or patient (including students, staff, and faculty) sharing information with a designated 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. Information related to a specific report under these Procedures will only be shared with those University employees who have a "need to know" in order to provide Supportive Measures, assist in the active response, review, investigation, or resolution of the report. Information regarding a report will not be shared with the Complainant's or Respondent's parents, guardians, or any third party unless permissible under the Family Educational Rights and Privacy Act (FERPA).

University of Denver Division of Campus Safety

The University of Denver's Division of Campus Safety maintains the privacy of individuals who report crimes to the Division in accordance with state and federal law. However, if a report of a sexual assault, dating violence, domestic violence or stalking is reported to the Division of Campus Safety, even if the victim/survivor does not want action taken by the Division of Campus Safety, substantive information provided in the report will be shared with the Title IX Coordinator to allow the Title IX Coordinator to perform follow-up in accordance with Title IX mandates. Information concerning these types of incidents is also shared with the Office of Students Rights & Responsibilities who is required to provide institutional assistance and resources.

A Division of Campus Safety report is considered a law enforcement record exempt from restrictions under the Family Educational Rights and Privacy Act of 1974 ("FERPA"). As such, the Division of Campus Safety report may be shared with law enforcement agencies upon request as part of an investigation. The University of Denver and Division of Campus Safety is a private University; therefore, requests under the Freedom of Information Act do not apply to the University of Denver. The University treats all records as proprietary.

The [Clery public crime log](#), maintained by the Division of Campus Safety, does not disclose any personally identifying information that may identify a victim or disclose the location of a victim of domestic violence, dating violence, sexual assault or stalking, in accordance with [VAWA 40002\(a\)\(20\)](#), which states:

"The term 'personally identifying information' or 'personal information' means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including:

- *A first and last name;*
- *A home or other physical address;*
- *Contact information (including a postal, email, or internet protocol address, or telephone or facsimile number);*
- *A social security number, driver's license number, passport number or student identification number; and*
- *Any other information, including dates of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual"*

Disclosure to Alleged Victims of Violence or Non-Forcible Sex Offenses

The institution will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense (Incest or Statutory Rape), the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

REPORTING OPTIONS

The University of Denver (DU) encourages all individuals to seek assistance from a medical provider, as needed, and/or law enforcement immediately after an incident of Gender Based Violence, whether or not the individual plans to pursue criminal action. Preserving any physical evidence is very helpful for successful investigation, arrest, and prosecution of the perpetrator(s) and may be helpful in obtaining a protective order. A victim/survivor of Gender based violence has many reporting options. University students, faculty and staff members may, as a victim/survivor of gender-based violence, elect, or decline, to notify campus safety or local law enforcement. If the victim/survivor chooses to file a police report, the institution can assist with the process. A victim/survivor may also choose to report the incident to the appropriate institutional department, a DU faculty or staff member, or the individual may choose confidential and/or anonymous reporting options. Reporting options are provided in detail below. If you are unsure what to do or how to report, please consider the following reporting options:

Reporting to Law Enforcement (All Students, Faculty or Staff)

Any member of the DU community who has experienced unwanted sexual misconduct, to include sexual assault, dating violence, domestic violence or stalking, is encouraged to report the incident as soon as possible to the Denver Police Department. If the incident occurred at properties owned or controlled by DU outside of the Denver Police Department's jurisdiction, the University can assist in determining the appropriate jurisdictional boundary as well as with contacting information for the appropriate law enforcement agency if requested. As a University student or employee, it is the individual's right and decision to choose or decline to report the incident to law enforcement authorities.

To make a report with the Denver Police Department, you may visit the police department at their District 3 Facility (1625 S. University Blvd, Denver, CO, 80210), which serves the University of Denver's campus, or an officer will come to your location. You may choose to have someone with you for support, as well as a DU employee to assist you with the process if desired. Depending on how you want to proceed, the report may be investigated. For example, you can choose no investigation, partial investigation, or full investigation, and you have the option to change your mind at any point in the process. For questions about reporting, or for more information about the process, contact the Denver Police Department at:

Phone: 710.913.1300

For emergencies: 9-1-1

Email: 3.Dist@Denvergov.org

Website: <https://www.denvergov.org/content/denvergov/en/police-department/police-stations/district-3-station-se.html>

If you choose to report to the police, University personnel below can assist with the process if you choose to request assistance.

- The Office Equal Opportunity & Title IX at 303.871-7016.
 - You may contact the Title IX Coordinator directly at 303.871.3142
- The Center for Advocacy, Prevention and Empowerment (CAPE) at 303.871.3853
- Division of Campus Safety at 303.871.3000 (emergency) 303-871-2334 (non-emergency)

When a sexual assault, dating violence, domestic violence, stalking or other gendered harassment is committed, the first concern is your safety and well-being. The university recognizes the sensitive nature of these crimes and respects your right to privacy and choice.

University of Denver Office of Equal Opportunity & Title IX Procedures – Comprehensive Discrimination and Harassment Procedures Section 6 – Reporting

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.

Reporting to the University (All Students, Faculty or Staff)

The university has procedures in place that strive to be sensitive to those who report gender-based violence and gender-based harassment or discrimination. The University will provide victims of gender-based violence and gender-based harassment or discrimination written notification of their rights and options. This includes informing

victims/survivors, in writing, about their right to file criminal charges, as well as the availability of counseling, health, mental health, victim advocacy, legal, student financial aid and visa/immigration assistance and other services that can be found on and/or off campus. Information will also be given to the victim/survivor that pertains to supportive measures the University will provide to prevent contact between them and an accused party. The University will provide written notification to the victim/survivor about their rights and options for available assistance in, and how to request changes to academic, living, transportation and working situations or other supportive measures, if the victim requests them and if they are reasonably available. The University is obligated to comply with a student’s reasonable request for a living and/or academic situation change following an alleged sex offense. Supportive measures will be provided regardless of whether the victim/survivor chooses to share specific information about the incident, report the matter to campus police or local law enforcement, or participate in the university’s administrative process, and regardless of whether the offense occurred on or off campus.

Whether or not you choose to report to the police, you may report the incident to the institution. Gender based violence (sexual assault, dating violence, domestic violence, stalking) and gender-based harassment or discrimination are prohibited conduct. As a victim/survivor, you have the right to file a Title IX claim. For more information, or to report an incident to Title IX, contact:

<p>Interim Executive Director of Equal Opportunity & Title IX Coordinator, Erika Hollis</p> <p>Phone: 303-871-3142 Erika.Hollis@du.edu https://www.du.edu/equalopportunity/titleix/index.html</p>	<p>Office of Equal Opportunity & Title IX</p> <p>Phone: 303-871-7016 equalopportunity@du.edu https://www.du.edu/equalopportunity/</p>
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Students who are a victim/survivor of such behavior may also report the incident to the following departments:

<p>Division of Campus Safety</p> <p>General Reports: 303-871-2334 Emergencies: 911 and 303-871-3000</p> <p>Website: https://www.du.edu/campusafety/contact-us/index.html</p>	<p>Office of Student Rights & Responsibilities</p> <p>Phone: 303-871-2455 Email: studentconduct@du.edu</p> <p>Website: https://www.du.edu/studentlife/studentconduct/rightsresponsibilities.html</p>	<p>Student Outreach & Support</p> <p>Phone: 303-871-4724 Email: SOS@du.edu</p>
<p>Housing and Residential Education</p> <p>Phone: 303-871-2246 Email: housing@du.edu Website: https://www.du.edu/housing/</p>	<p>Fraternity and Sorority Life</p> <p>Phone: 303-871-3111 Email: CL.fsinfo@du.edu Website: https://www.du.edu/studentlife/engagement/get-involved/fraternity-sorority-life.html</p>	<p>Athletics and Recreation</p> <p>Phone: 303-871-3845 Email: Lynn.Coutts@du.edu</p>
<p>Disability Service Program</p> <p>Phone: 303-871-3241 Email: dsp@du.edu Website: https://www.du.edu/studentlife/disability-services/testing-center/index.html</p>	<p>Office of International Education</p> <p>Phone: 303-871-4912 Email: duabroad@du.edu Website: https://www.du.edu/abroad/index.html</p>	

<p>Health and Counseling Center (Medical Services) *</p> <p>Phone:303-871-2205 After Hours: 303-871-2205 (follow prompts) Email: info@hcc.du.edu Website: https://www.du.edu/health-and-counseling-center/medical/index.html</p> <p><i>*Confidential Reporting</i></p>	<p>Health and Counseling Center (Counseling Services) *</p> <p>Phone:303-871-2205 After Hours Counselor on Call: 303-871-2205 (follow prompts) Email: info@hcc.du.edu Website: https://www.du.edu/health-and-counseling-center/counseling/index.html</p> <p><i>* Confidential Reporting</i></p>	<p>Center for Advocacy, Prevention and Empowerment (CAPE) *</p> <p>Business Hours: 303-871-3853 After-Hours, contact the Counselor on Call at 303-871-2205 Email: cape@du.edu Website: https://www.du.edu/health-and-counseling-center/cape/index.html</p> <p><i>*Confidential Reporting</i></p>
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Faculty and Staff members who are a victim/survivor of such behavior may also report the incident to the following departments:

<p>Division of Campus Safety</p> <p>General Reports: 303-871-2334 Emergencies: 911 and 303-871-3000 Website: https://www.du.edu/campusafety/contact-us/index.html</p>	<p>Human Resource & Inclusive Community</p> <p>Phone: 303-871-3931 Email: employeeservices@du.edu Website: https://www.du.edu/human-resources/</p>	<p>Center for Advocacy, Prevention and Empowerment – CAPE</p> <p>Business Hours: 303-871-3853 After-Hours, contact the Counselor on Call at 303-871-2205 Email: cape@du.edu Website: https://www.du.edu/health-and-counseling-center/cape/index.html</p>
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For comprehensive information on the University’s policies and procedures regarding gender based violence (sexual assault, dating violence, domestic violence, stalking) and gender based harassment or discrimination, including guidance on how to report please see the Appendix in this report or visit: [du.edu/equalopportunity/titleix/index.html](https://www.du.edu/equalopportunity/titleix/index.html)

**University of Denver
Office of Equal Opportunity & Title IX Procedures – Comprehensive Discrimination and Harassment Procedures
Section 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 decision 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.

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 Executive Director receiving the person's verbal or written report.

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.

University of Denver

**Office of Equal Opportunity & Title IX Procedures – Title IX Sexual Harassment Procedures
Section 5 – Reports of Sexual Harassment**

- A. At any time, any person may report Sexual Harassment (whether or not the person reporting is the person alleged to have experienced Sexual Harassment), in person, by mail, by telephone, by electronic mail or other electronic submission to the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.
- B. After receiving a report, the University may conduct an initial assessment of the reported information to determine whether the nature or circumstances of the report are within the scope of these Procedures. If the University determines that the reported information does not fall within the scope of these Procedures, the Title IX Coordinator will, as appropriate, refer to the matter to an appropriate administrator, provide the Complainant with resources, and/or close the matter.
- C. The University encourages Complainants to report incidents of Sexual Harassment directly to the Office of Equal Opportunity & Title IX by contacting the Title IX Coordinator:

Erika Hollis, Title IX Coordinator
University of Denver, Mary Reed Building, 4th Floor
2199 South University Blvd.
Denver, CO 80208
Phone: 303-871-7016
TitleIX@du.edu
<https://www.du.edu/equalopportunity/titleix/index.html>
[Title IX Online Report Form](#)

Molly Hooker
Deputy Title IX Coordinator
University of Denver, Mary Reed Building, 4th Floor
2199 South University Blvd.
Denver, CO 80208
Phone: 303-871-7016
TitleIX@du.edu

D. Upon receiving a report of alleged Sexual Harassment, the Title IX Coordinator must promptly:

- 1. Inform the Complainant in writing of their right to simultaneously or subsequently file a Formal Complaint pursuant to these Procedures and the process for doing so.
- 2. Contact the Complainant to discuss the availability of Supportive Measures with or without the filing of a Formal Complaint.
- 3. Consider the Complainant's wishes with respect to Supportive Measures
- 4. Offer Supportive Measures as provided in Section VI below.

E. Individuals may also report alleged Sexual Harassment to other units identified below, which must promptly inform Office of Equal

Opportunity & Title IX of the report:

Division of Campus Safety
University of Denver
2130 S. High St., MSC 6200
Denver, CO 80208
General Reports: 303-871-2334
Anonymous Reports: 303-871-3130
Emergencies: 911 and 303-871-3000
<https://www.du.edu/campusafety/contact-us/index.html>

Office of Student Rights & Responsibilities
Driscoll Student Center
2050 E. Evans Ave.
Denver, CO 80208
303-871-2150
srr@du.edu
<https://www.du.edu/studentlife/studentconduct/rightsresponsibilities.html>

Student Outreach & Support (SOS) Referral
University of Denver
Driscoll Student Center South, Suite 30
2050 E. Evans Ave.
Phone: 303-871-2400
SOS@du.edu
SOS Referral [Online Report Form](#)

Housing and Residential Education Staff, including Resident Assistants (RAs, GRDs)
Housing and Residential Education
University of Denver
Nagel Hall, First Floor
2055 E. Evans Ave. Suite 200
Denver, CO 80208
Phone: 303-871-2246
housing@du.edu
<https://www.du.edu/housing/>

- F. To promote timely support for all Parties and an effective and consistent University response, any Responsible Employee who receives a report of alleged Sexual Harassment must promptly report the alleged Sexual Harassment, including all known details of the incident (including the date, time, location, names of individuals, and details), to the Title IX Coordinator, along with whether the incident has been previously reported to the Office of Equal Opportunity & Title IX. Responsible Employees, but are not limited to:
- Members of the Board of Trustees
 - Chancellor
 - Provost and Executive Vice Chancellor
 - Senior Vice Chancellors
 - Vice Chancellors
 - Vice and Associate Provosts
 - Deans
 - Directors
 - Department Chairs
 - Campus Safety personnel
 - Athletics personnel (including paid and unpaid coaches)
 - Student Affairs & Inclusive Excellence personnel (including Resident Assistants)
 - Faculty and Staff (including Graduate Teaching Assistants), and
 - Advisors to student groups (including those who are not otherwise employees of the University; e.g. fraternity or sorority advisors)
- I. Individuals have several reporting options within and outside the University. Individuals may pursue these options simultaneously or any one of them separately. The University has resources to support a Complainant regardless of the course of action chosen. The University encourages Complainants to contact local law enforcement to report incidents of Sexual Harassment 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.
- J. If a report of Sexual Harassment 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.

K. Timeliness and Location of Incident

1. Although there is no time limit on reporting Sexual Harassment, the University encourages Complainants and other individuals to promptly report allegations of Sexual Harassment. Delays in reporting can prevent the University from gathering evidence sufficient to reach a determination as to the allegations and may result in a dismissal of a Formal Complaint.
2. 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 Sexual Harassment, prevent its recurrence, and address its effects.
3. The University also encourages the reporting of off-campus conduct, 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 campus or on an off-campus employment or Education Program or Activity, so that the University may address such conduct under these Procedures or other University policies and procedures, as applicable.

University of Denver

Office of Equal Opportunity & Title IX Procedures – Title IX Sexual Harassment Procedures

Section 5 – Reports of Sexual Harassment

Office of Equal Opportunity & Title IX Procedures – Comprehensive Discrimination and Harassment Procedures

Section 6 – Reporting

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

1. 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.
2. All University employees must report suspected child abuse and neglect to the Title IX Coordinator or Division of Campus Safety.
3. 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.
4. 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.
5. Individuals should make these report as follows.
 - a. If a child is in immediate danger, call 911
 - b. If there is no immediate danger, call
 - University Division of Campus Safety: 303-871-3000
 - University Title IX Coordinator: 303-871-7016
6. The Division of Campus Safety and Title IX Coordinator 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.

REQUIRED REPORTERS

The University of Denver takes seriously all reports of sexual harassment, sexual assault, dating violence, domestic violence and stalking. When the university knows, or should have known, about an incident of sexual or gender-based harassment, sexual assault, dating violence, domestic violence or stalking, it is required to investigate the concern to the extent possible based on available information, take steps to stop the inappropriate behavior, remedy the effects of inappropriate behavior and take steps reasonably calculated to stop future inappropriate behavior.

When a sexual assault, dating violence, domestic violence or stalking is committed, the first concern is the safety and well-being of the victim/survivor. The university proceeds in a manner that is sensitive to the needs and impact on a victim/survivor while also ensuring the ongoing safety of the community. All DU faculty, staff and other employees are considered "Responsible Employees". Responsible Employees are required to report to the University of Denver's Office of Equal Opportunity and Title IX, if they have information that discrimination or discriminatory harassment, sexual or gender-based harassment, or Gender-based Violence, is occurring or has recently occurred. Credible information provided to the "Responsible Employee" puts the university on notice of an incident of possible discrimination or discriminatory harassment, sexual or gender-based harassment, sexual assault, dating violence, domestic violence or stalking (Gender-based Violence) and triggers a duty to investigate and stop inappropriate/prohibited conduct. Responsible Employees who receive a report of discrimination or discriminatory harassment, sexual or gender-based harassment or gender-based violence must promptly report the alleged gender-based violence, discrimination or harassment, 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.

To learn about and understand the Title IX reporting responsibilities of university employees, please see the Title IX website at https://www.du.edu/equalopportunity/media/documents/faq_responsibleemployee.pdf

Alcohol and Drug Amnesty – University of Denver Reporting Policy:

University of Denver
Office of Equal Opportunity & Title IX Procedures – Comprehensive Discrimination and Harassment Procedures
Section 6 – Reporting

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.

University of Denver
Office of Equal Opportunity & Title IX Procedures – Title IX Sexual Harassment Procedures
Section 5 – Reports of Sexual Harassment

L. Amnesty for Personal Use of Drugs or Alcohol:

1. The University recognizes that students may be reluctant to seek assistance from a University official or emergency services after experiencing Sexual Harassment, or may be reluctant to seek assistance for others who may have experienced Sexual Harassment, because they fear being held responsible by the University for an alcohol or drug violation under the Honor Code related to the incident.
2. 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 Sexual Harassment, 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.
3. The University may, however, engage in an assessment or educational discussion or pursue other non-disciplinary options regarding alcohol or other drug use.
4. The University provides Medical Amnesty as set forth in the Honor Code.

University of Denver
Office of Student Rights and Responsibilities Procedures -
Student Honor Code – Medical Amnesty Statement

The health and safety of Students are of primary importance to the University. Students are expected to take immediate action when a person's health or safety is threatened. Medical Amnesty is designed to reduce barriers to Students taking immediate action for fear of being held responsible for alcohol or drug related Honor Code violations.

Situations in which Medical Amnesty may apply include, but are not limited to, instances of physical injury, discrimination, harassment, sexual misconduct, mental health concerns, or other medical situations that occur in relation to alcohol consumption or drug use.

When a student undertakes an intentional action to seek assistance from a University Official or emergency services for themselves or others in order to protect their health and safety, the reporting Student(s) or at risk Student(s) involved will not be found responsible for alcohol- or drug-related violations of the Honor Code, nor will alcohol- or drug-related violations appear on their Student Rights & Responsibilities Record. During emergency conditions, the University may extend this Medical Amnesty to include violations of the University's emergency conditions specific plans, protocols, procedures, and instructions as applicable.

It is the University's intent that Medical Amnesty extend to situations in which any Student makes a complaint or provides a statement to the Office of Equal Opportunity & Title IX in the course of an investigation or resolution pursuant to the University of Denver Title IX Sexual Harassment Procedures or the University of Denver General Discrimination & Harassment Procedures. However, Medical Amnesty does not extend to the distribution, sale, or otherwise providing another individual with alcohol or drugs for the purposes of inducing incapacitation, as defined in those procedures.

The Students involved in instances of Medical Amnesty may be referred for an Educational Outcome or evaluation related to their health status or substance use. This referral will not constitute a reportable violation of the Honor Code. The University expects that Students will always prioritize their own and others' health and safety. Moreover, this commitment does not preclude legal consequences or Alleged Policy Violations for non-alcohol or drug-related Honor Code violations

Voluntary Confidential Reporting Policies:

As a result of the negotiated rulemaking process, which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus "Professional Counselors," when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. The aforementioned committee defines counselors as:

- **Pastoral Counselor**
An employee of an institution who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor
- **Professional Counselor**
An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

Other persons who have significant responsibility for campus and student activities and counsel or advise students and employees are not exempt from reporting, even if the counseling is confidential.

University personnel identified as professional or pastoral counselors are encouraged to inform students and employees they are counseling, if and when they deem appropriate, of the option to report disclosed crimes to the DU Campus safety for inclusion into the annual disclosure of crime statistics. However, there are no procedures or policies, which require pastoral or licensed professional counselors (as defined by the Clery Act) to report crimes reported to them on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

Confidential Reporting Options:

If a student reports an incident of gender-based violence (sexual assault, dating violence, domestic violence and stalking) to a designated confidential office, the person to whom the reporter speaks will not share that information with anyone else unless legally required or as requested by the person making the report. If the person making the report chooses to identify themselves or is known to the person to whom the report is made, then the report will be confidential but not anonymous.

Students who are victims/survivors of gender-based violence and wish to seek counsel and/or resources without informing law enforcement or triggering a duty to investigate by the university have options that are more confidential, while still complying with federal and state law. Confidential reporting options include the following:

On-Campus Reporting Options

DU Health and Counseling Center (HCC)
(Medical and Counseling Services)

Phone: 303.871.2205

After hours: 303.871.2205 (Follow prompts for On Call Counselor Services or Medical Services)

Email: info@hcc.du.edu

Website: <https://www.du.edu/health-and-counseling-center/index.html>

Counseling Services - The Health Center is committed to providing students psychological and emotional support following an incident of gender-based violence. The Health and Counseling Center (HCC) offers counseling services by licensed psychologists and services by licensed social workers to student victims/survivors of gender-based violence. The staff serves as a resource for providing a safe and confidential place to discuss an incident of gender-based violence and receive professional counseling, guidance and additional resources. HCC provides an after-hours Counselor on Call line for access to its counseling services outside normal business hours.

Medical Services - The Health and Counseling Center (HCC) provides support, medical evaluations and certain treatment services available on site for student victims/survivors of gender-based violence during clinic hours. This may include full STI testing (gonorrhea, chlamydia, syphilis, hepatitis and rapid HIV testing), emergency contraception, and antibiotics to treat a potential infection. The HCC also offers hepatitis and HPV vaccination when appropriate. For non-emergency situations, medical staff can prescribe any medications required. Victims/survivors of gender-based violence are encouraged to get medical attention as soon as possible. HCC provides an after-hours on call line for access to its services outside normal business hours.

Center for Advocacy, Prevention and Empowerment (CAPE) - The Center of Advocacy, Prevention & Empowerment (CAPE), located under the University's Health and Counseling Center, supports any student, faculty or staff member who has experienced any form of gender-based violence (sexual assault, dating violence, domestic violence or stalking), gender-based harassment or bullying. All services are confidential and free of charge. Speaking with an advocate does not obligate reporting anything to the police or to the university. The Center of Advocacy and Prevention Empowerment (CAPE) staff are committed to providing a comprehensive and integrated response to victims/survivors who have experienced any form of gender-based violence.

CAPE provides aggregated data in a de-identified manner for Clery statistical reporting. Personally identifying information or details of the incident are not shared. Victims/survivors who receive services from CAPE are informed of this practice. Victims/survivors are also provided with procedures for reporting the incident to law enforcement and/or the university, should they choose to do so.

Center for Advocacy, Prevention & Empowerment (CAPE)

Daytime Advocacy: 303-871-3853

After Business Hours (Counselor on Call): 303.871.2205

Email: info@hcc.du.edu

Website: <https://www.du.edu/health-and-counseling-center/cape/index.html>

Off-Campus Reporting Options

The Blue Bench

Denver's comprehensive sexual assault support and prevention center.

Sexual Assault Hotline: 303.322.7273

thebluebench.org

Safehouse Denver

Denver, CO 303.318.9989 (available 24/7)

safehouse-denver.org

Safehouse Denver offers a range of services in English and Spanish to victims of domestic violence and their children. Services offered include emergency shelter, counseling and advocacy, 24/7 crisis line.

SANE Reporting Options:

The University of Denver is committed to providing students physical and emotional support following a sexual assault. After experiencing a sexual assault, you have the choice to have a Sexual Assault Nurse Examiner (SANE) forensic exam. A SANE can be performed up to five days after an assault. Choosing to have a SANE does not require an individual to formally report or participate in a law enforcement investigation. In the state of Colorado, if you are an adult and choose to have a SANE, you have three reporting options:

1. **Anonymous Report** - You can choose to obtain a SANE forensic exam, but at that time choose not to participate in the criminal justice process. An anonymous report allows for evidence storage only, and no identifying information will be provided to Law Enforcement.
2. **Medical Report** - You can choose to obtain a SANE forensic exam but choose not to participate in the criminal justice process at that time. You do have the option to have the evidence tested. Your name and other identifying information will be shared with Law Enforcement, but no investigation will be initiated.

3. Law Enforcement Report - You can choose to obtain a SANE forensic exam and choose to also participate in the criminal justice process at that time. You will be given the opportunity to meet with a Law Enforcement officer at the hospital.

Survivors are not charged for the cost of the SANE forensic exam but could incur expenses related to treatment of injuries. CAPE is available to talk through any financial questions or concerns.

- The University of Denver has a Memorandum of Understanding (MOU) with two programs in the Denver Metro area who provide SANE forensic exams following a sexual assault.
 - **Denver Health SANE program:** To receive a SANE through Denver Health, present to the Emergency Room and inform the front desk that you are seeking a SANE.

Address: 777 Bannock Street, Denver, Colorado 80204

Phone: 303.602.8100

Hours of Operation: 24/7

- **Porter Adventist Hospital SANE program:** To receive a SANE through Porter Adventist Hospital, present to the Emergency Room and inform the front desk that you are seeking a SANE.

Address: 2525 S. Downing St., Denver, Colorado 80210

Phone: 303.778-2407

Hours of Operation: 24/7

The Health and Counseling's Center for Advocacy, Prevention and Empowerment (CAPE) can accompany you and provide confidential support and guidance. CAPE can help explain the process and support any DU community member with participating in the SANE process and help arrange for transportation to the hospital. During normal business hours, contact CAPE at 303-871-3853. After-Hours contact the Counselor on Call at 303-871-2205. Additional contact methods include: cape@du.edu or at their website: <https://www.du.edu/health-and-counseling-center/cape/index.html>

Anonymous Reporting Options:

A student may make an anonymous report, which allows the report to be made without the identity of the reporter being known. The report will be distributed to the Office of Equal Opportunity & Title IX, the Division of Campus Safety, and the Title IX Coordinator for review and appropriate action; however, it will remain an anonymous report since the identity of the reporter will not be known.

A victim/survivor of a crime who does not wish to pursue action within the criminal justice system or through the University of Denver, or who has chosen to pursue confidential reporting options, should consider making an anonymous report. The purpose of an anonymous report is to comply with a victim/survivor's wish to keep the matter confidential, while taking steps to ensure the future safety of those involved and others. With such information, the university can keep accurate records of the number of incidents and determine where there is a pattern of crime with regard to a particular location, method, or assailant, alert the campus community to potential danger and use the information to inform, guide and improve education, prevention and awareness efforts. Anonymous reports may be counted and disclosed to the Department of Education in the annual crimes statistics for the institution and are listed in the crime statistics tables in this report if sufficient information is obtained from the anonymous report to determine a proper classification.

University of Denver (DU) faculty or staff who are victims/survivors may use the anonymous reporting options to report the incident. However, if a DU faculty or staff member considered a "Responsible Employee" under the definition of the Office of Equal Opportunity & Title IX receives a notice of an incident of sexual harassment, gender based harassment or discrimination, sexual assault, dating violence, domestic violence, or stalking, the Responsible Employee must report the incident to the Office of Equal Opportunity & Title IX or directly to the Title IX Coordinator per established procedures.

**University of Denver
Office of Equal Opportunity & Title IX Procedures – Comprehensive Discrimination and Harassment Procedures
Section 6 – Reporting**

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 Executive Director 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.

**University of Denver
Office of Equal Opportunity & Title IX Procedures – Title IX Sexual Harassment Procedures
Section 5 – Reports of Sexual Harassment**

H. Anonymous Reporting

1. Any other individual can make a report without disclosing one's own name, identifying the Respondent, or requesting any action.
2. Anonymous reports are referred to Division of Campus Safety and the Title IX Coordinator for review for appropriate action.
3. The University will review all anonymous reports, and where there is sufficient information, include applicable information in Clery Act reporting.
4. 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.

The University of Denver offers four methods to report anonymously:

- **Office of Equal Opportunity & Title IX – Online Reporting Form**

This form may be used to anonymously report sexual harassment, discrimination and gender-based violence, which includes sexual assault, dating or domestic violence and stalking. To the extent a submitted form provides specific and individually identifiable information, the university will conduct a follow up investigation consistent with its legal obligations.

All university employees, with the exception of those employees with a narrowly defined and legally recognized privilege, have a duty to report any incidents involving sexual harassment, sexual assault, dating or domestic violence and stalking. The university is obligated to investigate those reports it receives. The identity of sexual assault, dating or domestic violence and stalking victims/survivors may be protected if such incidents are reported anonymously.

Fill out an online report at: https://cm.maxient.com/reportingform.php?UnivofDenver&layout_id=110

- **Division of Campus Safety - Anonymous Tip Line**

The Division of Campus Safety operates an anonymous tip line to allow persons to anonymously report safety and security related information and concerns to DCS and the University about suspicious behavior and criminal incidents on campus and other properties owned and controlled by the University. This includes reports of gender-based violence (sexual assault, dating violence, domestic violence and stalking). The Division of Campus Safety will distribute anonymous reports of harassment, discrimination, bias based, and gender violence incidents received from the tip line to the Office of Equal Opportunity & Title IX per established procedures.

Anonymous Tip Line:

303.871.3130
1-3130 on campus phone line

- **SOS Referral System**

The SOS Referral system is a process to submit information about a student who may be experiencing a challenging situation and needs help to connect to the appropriate resources. Each referral is reviewed by staff members and then assigned to a Case Manager to outreach to the student and develop a support plan. This referral activates the appropriate University protocol to support both the individual and the campus community

in maintaining their safety, health and well-being. The online referral form may be submitted anonymously meaning the identity of the reporting individual is not required to complete and submit the form.

To learn more about the SOS Referral System, visit:

https://www.du.edu/studentlife/studentsupport/support_outreach/index.html.

Fill out a SOS Referral Form at:

https://cm.maxient.com/reportingform.php?UnivofDenver&layout_id=99.

COORDINATED UNIVERSITY RESPONSE OF GENDER BASED VIOLENCE

The University strives to create and maintain a community in which people are treated with dignity, decency and respect. The environment of the University should be characterized by mutual trust, freedom of inquiry and expression, and the absence of intimidation, oppression and exploitation. People in this community should be able to work and learn in a safe atmosphere. The accomplishment of this goal is essential to the academic mission of the University. Therefore, the University will not tolerate any unlawful discrimination, harassment, or sexual misconduct (which includes gender-based violence) of any kind.

Campus Response Network

(CAPE, Title IX, Office of Student Rights and Responsibilities, and Division of Campus Safety)

The University will take whatever measures it deems necessary to protect the safety, security and/or integrity of any member(s) of its community or the University community as a whole. As such, the University has developed a unified support system that connects victims/survivors of gender-based violence (sexual assault, domestic violence, dating violence and stalking) or discrimination or discriminatory harassment, including sexual harassment a complement of services. This support system is a critical component of ensuring a safe environment, as is holding accountable those individuals who engage in inappropriate and/or prohibited conduct. This coordinated response includes:

- Utilization of an integrated response network and established protocols in response to reports of gender-based violence (sexual assault, domestic violence, dating violence and stalking) or discrimination or discriminatory harassment, including sexual harassment.
- Close Coordinator between designated University departments to ensure that victims/survivors receive support and inappropriate and/or behavior is addressed through proper channels.

This coordinated response includes, but is not limited to, the following University departments, offices and divisions:

Division of Campus Safety: The Division of Campus Safety provides the following 24-hour services to protect the safety of the campus community and as part of the integrated campus response to reports of gender-based violence:

- Assists victims/survivors with immediate and interim safety measures; to include information on housing changes, SANE Exam, and no-contact orders, etc.
- Provides victims/survivors with support and resource information, which includes information on counseling and medical services
- Informs victims/survivors of their reporting resources, to include confidential reporting options, and reporting to law enforcement if they chose to do so.
- As appropriate, and in conjunction with local law enforcement, may assist in securing a crime scene, determining identity and location of suspect, collects and secures evidence, and conducts and/or participates with investigation and law enforcement functions;

- Assesses campus risk and provides timely campus crime alerts when an incident is determined to pose an ongoing or serious threat to the campus community;
- Reports incidents of gender-based violence, discrimination or harassment to the Title IX Coordinator;
- Notifies the applicable University departments within the campus response network, which includes the Office of Equal Opportunity & Title IX; the Center for Advocacy, Prevention & Empowerment (CAPE); Housing and Residential Education; and the Office of Student Rights and Responsibilities of issues involving gender-based violence or discrimination or discriminatory harassment, including sexual harassment

Center for Advocacy, Prevention and Empowerment (CAPE): CAPE supports survivor healing by providing advocacy and support for victims of gender-based violence and sexual harassment. All services are confidential and free of charge. CAPE staff are one of the primary confidential DU resources for providing coordinated support services to victims/survivors of gender-based violence and sexual harassment. CAPE can provide the following support for DU students, faculty and staff members:

- Provide immediate student-centered crisis intervention, advocacy and support, including, but not limited to, the following:
 - Assess immediate safety concerns;
 - Provide information of available options regarding counseling and support services, medical services, forensic evidence collection, evidence preservation and reporting to law enforcement officials.
 - Explain what is involved with law enforcement reporting and forensic evidence collection examination processes; Assist in making arrangements for medical services, forensic evidence collection and/or reporting to law enforcement as requested by the victim/survivor
 - Accompanying a victim/survivor through medical and/or forensic evidence collection process as well as reporting to law enforcement and any investigative processes (criminal or university administrative) as requested by the victim/survivor.
 - Assist in accessing immediately available on- and off-campus services, as requested.
- Inform students that issues involving sexual harassment, sexual assault, dating violence, domestic violence and stalking are treated with care and respect for privacy, explaining university obligations and limits on confidentiality;
- Provide ongoing service and support, including but not limited to the following:
 - Help coordinate counseling services with a counselor, psychologist or therapist who has experience in trauma response and healing, as requested by the victim/survivor.
 - Provide assistance and work with campus partners to support a victim/survivor with class schedule changes, academic accommodations, leave of absence requests, room/housing assignments, other type living arrangements, work arrangements, transportation arrangements, financial aid assistance, immigration and visa assistance, protective measures and other adjustments that may be appropriate;
 - Explain administrative reporting processes, including reporting to the Title IX Coordinator,
 - Assist victim/survivor with obtaining a civil order of protection (legal) or a no-contact or location restriction order (University)
 - Collaborate with the Division of Campus Safety to provide for escorts or self-defense courses.
- Coordinate consultation with friends, family, and others on how to support a victim, as requested by the student;
- As requested by student, may assist student in filing a formal criminal report or formal conduct charge or university grievance; may accompany student during medical, law enforcement, and/or student conduct proceedings; or may assist in connecting a student to community resources for those kinds of support.

Office of Student Rights and Responsibilities: The Office of Student Rights and Responsibilities provides the following support to any students who have experienced gender-based violence and sexual harassment:

- Serves as a point of contact for DU students reporting incidents of gender-based violence and sexual harassment.
- Assist students with immediate safety or protective measures;

- Informs students of their right to file a formal report with the Title IX Coordinator.
- Informs students of campus and community resources and services available to provide support, and facilitates contact, as requested; and
- Reports incidents of gender-based violence, discrimination or harassment to the Title IX Coordinator;
- Notifies the applicable University departments within the campus response network, which includes the Office of Equal Opportunity & Title IX, and the Title IX Coordinator; the Center for Advocacy, Prevention & Empowerment (CAPE); Housing and Residential Education; and the Office of Student Rights and Responsibilities of issues involved gender-based violence.
- May facilitate interim remedies in a student's living, academic, work, and/or transportation situations or provide other protective measures, if those changes are requested by the victim/survivor and reasonably available.

Office of Equal Opportunity & Title IX: The Office of Equal Opportunity & Title IX provides the following response and support to DU students, faculty, staff who have experienced any form of harassment and discrimination and provides the following support to campus partners:

- Serves as the initial point of contact for university offices and personnel reporting incidents of any form of discrimination or harassment by or involving university employee or student;
- Explains the difference between a university process and a criminal proceeding;
- Administers the formal process for complaints alleging any form of discrimination or harassment, involving DU students, and faculty or staff members.
- Conducts inquiries or investigations of violations of University policy related to discrimination or harassment.
- Coordinates investigations that contain both harassment, discrimination and or gender-based violence claims.
- Works with campus partners to ensure that students are advised of and the university is meeting its Title IX and other obligations;
- Trains first responders, advocates, investigators, appellate officers and all parties involved in the investigation process.
- Performs outreach to all identified impacted DU students, faculty and staff to provide:
 - Resources for emotional support and system advocacy;
 - An overview of options for addressing the discrimination, harassment or violence both on campus and off;
 - Assistance with supportive measures to assist impacted parties when needed;
 - Informal Resolution options;
 - Investigations of violations of University Policy related to gender-based discrimination, harassment and violence;
 - Consultation, training and education for the campus community;
 - Coordination of campus partner efforts to address gender-based discrimination, harassment and violence and to engage in prevention and education efforts.
 - Conducts the campus climate survey.

Title IX Coordinator: The Title IX Coordinator usually serves as the first point of contact regarding intake assessment and investigation of all allegations, by DU students, faculty or staff, of gender-based violence or discrimination or discriminatory harassment (including sexual harassment) and other sexual misconduct. The Title IX coordinator provide the following support to DU campus partners, students, faculty and staff:

- Plays a critical role in coordinating the university response to reported issues of working with campus partners to ensure an integrated response to reported Title IX concerns;

- Provides oversight on investigations of reported incidents of sexual harassment, sexual assault, dating violence, domestic violence and stalking involving university faculty, staff and students including assuring a fair and impartial process, the use of trauma informed practices and adherence to relevant procedural rules;
- Refer investigation reports, with findings, to either a hearing officer (for Title IX Sexual Harassment) or designated University officials, or administrative body (Outcomes Council) to determine, in consultation with the Office of Equal Opportunity and & Title IX and in accordance with established university procedures, how to address policy violations.
- Works with campus partners to ensure that the university is meeting Title IX obligations;
- Ensures that victims/survivors are advised of and educated regarding their right to file a formal complaint with the University for any form of discrimination on the basis of sex, including sexual harassment, and gender-based violence.; and
- Ensures that respondents are advised of and educated on their rights under the applicable procedures.
- Serves as a resource to members of the university community who have questions or concerns regarding prohibited conduct that includes gender-based violence, discrimination, discriminatory harassment, including sexual harassment.
- Trains first responders, advocates, investigators, appellate officers and all parties involved in the investigation process.
- Provides Supportive Measures to parties.

RESPONSE TO REPORTS OF GENDER BASED VIOLENCE, DISCRIMINATION AND HARASSMENT

Reporting to the Office of Equal Opportunity & Title IX

The Office of Equal Opportunity and Title IX has established procedures for addressing instances of reports of gender-based violence or discrimination or discrimination by DU students, faculty and staff. All reports of gender-based violence, harassment or discrimination (for the remainder of this section) are forwarded to the Office of Equal Opportunity & Title IX. The Title IX Coordinator will reach out to all victims regardless of where the victimization took place and who the accused is and request an intake meeting. While there is no time limit for reporting, reports of prohibited conduct should be brought forward as soon as possible; all incidents should be reported even if significant time has elapsed, but prompt reporting will better enable the University to respond, investigate, provide an appropriate remedy, and impose sanctions if appropriate.

Any individual, other than a Responsible Employee, can make a report without disclosing one's own name, identifying the Respondent, or requesting any action. Anonymous reports are referred to Division of Campus Safety and the Title IX Coordinator 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. 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.

The Title IX Coordinator will offer assistance to the Complainant, provide information about supportive measures and offer to meet to review the applicable university procedures and investigation process with the victim and options for participation in a formal university investigation or reporting to law enforcement. Although the University encourages formal reporting to both the Office of Equal Opportunity & Title IX and law enforcement (when criminal behavior is involved), victims are not required to participate in University investigations or report to local law enforcement. A victim's decision not to move forward with a University investigation or not to report to law enforcement does not impact their ability to utilize all the support and resources available through DU.

Requests regarding the confidentiality of such reports will be considered by University in determining an appropriate response; however, the, 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 confidentiality 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 inclusive environment.

The University of Denver has confidential resources, including but not limited to the Center for Advocacy, Prevention, and Empowerment (CAPE), with whom members of the University community can consult for advice and information regarding making a report, gender-based violence or discrimination or discriminatory harassment, including sexual harassment.

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 gender-based violence, discrimination or 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 gender-based violence, discrimination or sexual harassment, the Executive Director 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 Executive Director 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 Executive Director will serve as the point of contact for any individual requesting Supportive Measures.
- E. The Executive Director 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 Executive Director 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 Executive Director will notify the leadership of the relevant unit to implement the Supportive Measures. The Executive Director 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 gender-based violence, discrimination or harassment is made at the conclusion of the investigation.

University of Denver's Supportive Measures process regarding gender-based violence can be reviewed in the appendix section of this document or at the below University website:

[Title IX Sexual Harassment Procedures](#)

[Title IX Comprehensive Discrimination and Harassment Procedures](#)

[Student Honor Code](#)

Initial Assessment and Intake

- A. The Office of Equal Opportunity & Title IX ("Office") shall provide a prompt and effective response to reports of gender-based violence, discrimination or harassment which may include an Inquiry, Informal Resolution Process or Formal Investigation. After receiving a report, the Office may conduct an initial assessment of the reported information to determine whether the nature or circumstances of the report are within the scope of the Title IX Sexual Harassment Procedures or the Comprehensive Discrimination and Harassment Procedures. If the Office determines that the reported information does not fall within the scope of one of these Procedures, the Title IX Coordinator will, as appropriate, refer to the matter to an appropriate administrator, provide the Complainant with resources, and/or close the matter.
- B. Upon receiving a report of alleged Title IX Sexual Harassment, the Title IX Coordinator must promptly:
 1. Inform the Complainant in writing of their right to simultaneously or subsequently file a Formal Complaint pursuant to the Title IX Sexual Harassment Procedures and the process for doing so.
 2. Contact the Complainant to discuss the availability of Supportive Measures with or without the filing of a Formal Complaint.
 3. Consider the Complainant's wishes with respect to Supportive Measures
 4. Offer Supportive Measures as identified above.
- C. Upon receiving a report of Discrimination or Harassment, including gender-based violence that is not covered by the Title IX Sexual Harassment Procedures, the Office shall 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 Office will:
 1. Review the University's Discrimination and Harassment Policy, Section 3.10.010 and the Comprehensive Discrimination and Harassment 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.
- D. 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.

- E. 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 Executive Director may, in their discretion, proceed with an inquiry or investigation in which the University is the Complainant. When making this decision, the Executive Director 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.

The Process

- A. University administrative proceedings are conducted in a manner that is consistent with state and federal law, and that supports the university's commitment to enhancing safety. Proceeding in a manner that is respectful of victims/survivors, university administrative proceedings ensure due process and support appropriate action to prevent future incidents of gender-based violence, discrimination or harassment. The University investigates these incidents and takes steps reasonably calculated to prevent their recurrence.
- B. The Office of Equal Opportunity and Title IX's investigation and resolution processes and DU grievance and appeals processes ensure allegations gender-based violence, discrimination and harassment are addressed in a fair and impartial manner and are conducted in a manner that protects the safety of victims and promotes accountability.
- C. Investigations are conducted by professional staff in the Office of Equal Opportunity and Title IX, who do not have a real or perceived conflict of interest or bias for or against the complainant or the respondent and receive annual specialized training on issues related to gender-based violence.
- D. The standard of proof that the Office of Equal Opportunity & Title IX applies to its investigations and all proceedings is Preponderance of the Evidence. Preponderance of the Evidence an allegation is proven if, based on the credible, relevant information acquired during the investigation and provided at the hearing on 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.
- E. University investigation and resolution processes:
 - Are completed within a reasonably prompt time frame designated by university policy, and/or including a process that allows for the extension of time frames for good cause with written notice to the complainant (the person bringing forward the complaint) and respondent (the person responding to the complaint) of the delay and reason for delay.
 - Include timely written notice of meetings at which the complainant or respondent, or both, may be present.
 - Provide both the complainant and the respondent the same opportunities to have others present during the resolution process, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice.
 - Permit both the complainant and respondent to request that advisors be provided with proper notice and information related to investigation and resolution processes and meetings. Delaying or canceling meetings due to advisor unavailability is not required, however reasonable requests to reschedule meetings may be considered. Additionally, the institution may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply to both parties.
 - Provide timely access to the complainant, the respondent, and appropriate officials to any information that will be used after the fact-finding investigation during any disciplinary meetings, hearings and proceedings.

Resolutions

- A. The Executive Director, 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
 4. Hearing

- B. In making the determination of what type of resolution will be used, the Executive Director may consider factors such as:
1. The nature, scope, and severity of the alleged prohibited conduct, including whether the reported gender-based violence, discrimination or harassment involved harassment, discrimination, or physical violence (with additional consideration for the use of a weapon);
 2. Whether the incident involved a minor;
 3. If the Complaint concerns sexual harassment as defined by Title IX:
 - Whether the Complainant has filed a formal complaint;
 - The Sexual Harassment conduct is alleged to have been perpetrated against a person in the United States;
 - The Sexual Harassment conduct is alleged to have taken place within the University's programs and activities; and
 - At the time of filing or signing the formal complaint, the Complainant is participating in or attempting to participate in the University's Education Programs or Activities.
 4. The respective roles of the Complainant and Respondent;
 5. The risk posed to any individual or to the University community by not proceeding, including the risk of additional violence;
 6. The degree of harm or the ramifications of the alleged prohibited conduct on the Complainant or University community;
 7. Whether there have been other reports regarding alleged prohibited conduct by the Respondent;
 8. Whether the report reveals a pattern of alleged prohibited conduct at a given location or by a particular group;
 9. The Complainant's preferred means of resolution;
 10. The Complainant's willingness to participate in an investigation or other means of resolution;
 11. If the Complainant is unwilling to participate, whether the University possesses other means to obtain relevant evidence;
 12. The University's ability to identify a Respondent;
 13. The facts that are reasonably in dispute;
 14. The affiliation that the Complainant, Respondent, and other involved person(s) have with the University;
 15. The University's obligation to promote a safe and non-discriminatory environment; and
 16. The University's obligation to satisfy any other legal or regulatory requirements.

University of Denver's intake, resolutions and investigations procedures, policies and process regarding gender based violence, discrimination and harassment, to include sexual harassment and other prohibited conduct) can be reviewed in the appendix section of this document or at the below University websites:

[Title IX Sexual Harassment Procedures](#)

[Title IX Comprehensive Discrimination and Harassment Procedures](#)

[Student Honor Code](#)

Adjudication and Disciplinary Proceedings

Whether or not criminal charges are filed, a person or the university may pursue disciplinary action for violations of the University's Honor Code or university policies through the student disciplinary process outlined in the Office of Student Rights and Responsibilities policies and procedures for DU students and through the university's Title IX Sexual Harassment Procedures or the Comprehensive Discrimination and Harassment Procedures. All adjudication and disciplinary proceeding processes include the following:

- Are completed within a reasonably time frame designated by the University's policy, including a process that allows for the extension of time frames for good cause with written notice to the complainant and respondent of the delay and reason for delay.
- Include timely notice of meetings at which the complainant or respondent, or both, may be present.
- Proper written notice of meetings must be provided to advisors. Delaying or canceling meetings due to advisor availability is not required, however reasonable requests to reschedule may be considered.
- The complainant and the respondent each have the opportunity to participate in a disciplinary process that will be decided by a properly trained individual and/or panel (Outcomes Council) that protects the safety of victims and promotes accountability;

- The complainant and the respondent will have timely notice for meetings at which the complainant or respondent may be present;
- The institution will allow for timely access for the complainant, the respondent and appropriate officials to review any information that will be used during the investigation and / or hearings;;
- The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the complainant or the respondent;
- The institution provides the complainant and respondent the same opportunities to have others present during an institutional disciplinary proceeding. The complainant and the respondent each have the opportunity to be advised by an advisor of their choice, at any stage of the process and to be accompanied by that advisor at any meeting or hearing. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting, with the exception of a Title IX hearing where the advisor may cross-examine witnesses and the other party;
- A decision is based on the preponderance of the evidence standard.
- The complainant and the respondent will be notified concurrently in writing of the result of any disciplinary proceeding, to include determination of Outcomes as well as any changes to those results or disciplinary actions prior to the time that such results become final

Outcomes and Disciplinary Action

A. Faculty and Staff as Respondents:

If the Respondent who is not a student is found responsible for gender-based violence, discrimination or harassment, the following University officials will determine Disciplinary Actions:

1. 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 Executive Director of the Disciplinary Action imposed.
2. 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 Executive Director of the Disciplinary Action imposed. Disciplinary Action involving faculty is further subject to the [Policies and Procedures Relating to Faculty Appointment, Promotion and Tenure](#)

B. For Students as Respondents:

Where a student has been found responsible for engaging in gender-based violence, discrimination or harassment, the Office will refer the matter to Office of Student Rights and Responsibilities to convene an Outcome Council. The Outcome Council is the body responsible for making a neutral and impartial review of investigations and findings, and imposing Outcomes following a finding of responsibility for violations of University Policies related to gender-based violence, discrimination and harassment. The Outcome Council is not a hearing body. It meets independently to complete its review and make its determinations.

LIST OF OUTCOMES FOR EMPLOYEES:

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:

- Prohibition from various academic or managerial responsibilities involving the Complainant or others;
- A letter of reprimand placed in a Respondent's personnel file;
- Restrictions on a Respondent's access to University programs or facilities;
- Limitations on merit pay or other salary increases for a specific period; or

- 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.
- Disciplinary Action involving faculty is further subject to the Policies and Procedures Relating to Faculty Appointment, Promotion and Tenure

LIST OF OUTCOMES FOR STUDENTS:

Status Outcomes

These Outcomes define the Student's standing at the University. These include the following:

- Warning
- Probation
- Deferred Suspension
- Suspension
- Dismissal

Educational Outcomes

These Outcomes are intended to facilitate the learning process and encourage a Student to reflect on the impact of the decisions they have made and help Students develop the skills necessary to be successful at the University. If a Student fails to complete any educational Outcome by the specified deadline, the University will place a hold on a Student's registration account with the University, and the Student may be subject to further disciplinary action.

- Written Assignments:
- Worksheets:
- Programs & Activities
- Interventions
- Restrictions
- Referrals

University of Denver Office of Equal Opportunity & Title IX Procedures – Title IX Sexual Harassment Procedures Section 9 – Formal Resolution Process

J. Remedies/Outcomes/Disciplinary Actions

1. Remedies are designed to restore or preserve equal access to the University's Education Program or Activity. Remedies may be disciplinary or punitive.
2. In the event the Hearing Officer finds the Respondent responsible for Sexual Harassment
 - a. The Outcome Council or the Decision-Maker for Disciplinary Action may consult with the Title IX Coordinator or other appropriate University official in determining Remedies. The Remedies should eliminate a hostile environment for the Complainant and/or provide safety protections for the Complainant or the University Community.
 - b. If the Respondent is a student, the Outcome Council will determine the appropriate Outcomes for the Respondent and Remedies for the Complainant.
 1. The University will notify both Parties of identity of the members of the Outcome Council at least seven (7) days prior to the Outcome Council meeting/hearing. The Parties have two (2) days from receipt of the names to raise any objection to the participation of the member based on a perceived conflict of interest, bias, or prejudice.
 2. The criteria for selection of the Outcome Council are set forth in the Honor Code.
 3. 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 discriminatory conduct;
 - d. Taking steps reasonably calculated to prevent the future reoccurrence of the discriminatory conduct;
 - e. Restoring the Complainant to their pre-deprivation status, to the extent practical and possible.
 4. The Outcome Council considers the following criteria in determining Outcomes to meet those objectives:
 - a. Nature and severity of the action;
 - b. Number of Complainants;
 - c. Number of impacted individuals;
 - d. Prior Student Rights & Responsibilities history of the Respondent;
 - e. The impact the act or policy violation has had on the Complainant(s), University Community, community members, University and community safety, and University environment.

5. The range of Outcomes include:
 - 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.
- c. If the Respondent is not a student, then the Decision-Maker for Disciplinary Action is as follows:
 1. 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 Title IX Coordinator of the Disciplinary Action imposed.
 2. 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 Title IX Coordinator of the Disciplinary Action imposed. Disciplinary Action involving faculty is further subject to the Policies and Procedures Relating to Faculty Appointment, Promotion and Tenure.
 3. The University will notify both Parties of identity of the Decision-Maker for Disciplinary Action at least seven (7) days prior to the meeting prior to the hearing. The Parties 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.
 4. In determining Disciplinary Action, the Decision-Maker for Disciplinary Action has the following objectives:
 - a. Promoting safety or deterring individuals from similar future behavior;
 - b. Protecting the University community;
 - c. Ending discriminatory conduct;
 - d. Taking steps reasonably calculated to prevent the future reoccurrence of the discriminatory conduct;
 - e. Restoring the Complainant to their pre-deprivation status, to the extent practical and possible.
 5. In determining Disciplinary Action, the Decision-Maker for Disciplinary Action will consider whether the nature of the conduct at issue warrants removal from the University, either permanent (termination) or temporary (suspension). The Decision-Maker for Disciplinary Action 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).
 6. 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.

University of Denver
Office of Equal Opportunity & Title IX Procedures – Comprehensive Discrimination and Harassment Procedures
Section 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 Executive Director 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 Executive Director 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 Executive Director 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.

**University of Denver
Student Rights and Responsibilities – Honor Code
Outcome Council**

A. Outcome Council

The Outcome Council is the body responsible for making a neutral and impartial review of investigations and findings and imposing Outcomes following a finding of responsibility for violations of University Discrimination and Harassment Policy pursuant to the University of Denver Title IX Sexual Harassment Procedures or the University of Denver General Discrimination & Harassment Procedures. The Outcome Council meets independently to make its determinations.

B. Outcome Council Composition

Typically, the Outcome Council will be comprised of three (3) University Community members, including the Director of Student Rights & Responsibilities, or their designee; and an appointed faculty member or similar University employee, appointed by the Vice Chancellor for Student Affairs or Provost & Executive Vice Chancellor. All Outcome Council members will receive and/or have specific training pursuant to the University of Denver Title IX Sexual Harassment Procedures or the University of Denver General Discrimination & Harassment Procedures. To be eligible to serve on the Outcome Council, individuals must meet the following requirements:

- Faculty must have been employed by and taught courses at the University for at least one (1) academic year. Faculty must be currently employed at the University and have taught at least one (1) course within the two (2) most recent academic terms.
- Staff must be currently employed part- or full-time, and must have been employed full- or part- time by the University for at least one (1) academic term.

**University of Denver
Student Rights and Responsibilities – Honor Code
Outcomes**

A. Outcomes

The Student Rights & Responsibilities process is designed to create opportunities for holistic student living, learning, and growth which results in a safe campus community. Outcomes are intended to be educational and endeavor to encourage student development of self-awareness, social engagement, and a sense of purpose. Individuals found responsible for violating policies will be held accountable and assigned Outcomes which balance the developmental needs of the Respondent and the needs of the University to provide equitable process and promote a safe campus community.

- B. The Office of Student Rights & Responsibilities will determine Outcomes for violations of Student Rights & Responsibilities policies utilizing criteria, including, but not limited to, the following:
- A Student's previous Student Rights & Responsibilities Record

- The intent of the Respondent
- The impact of the incident
- The Respondent's level of demonstrated understanding regarding the impact their choices and actions had
- The influence of alcohol or other drugs
- The circumstances and severity of the violation including behavior and conduct

The Office of Student Rights & Responsibilities assigns Outcomes for the entirety of an incident, not for each violation. All Outcomes typically include a "Status" Outcome and at least one appropriate "Educational" Outcome.

The University of Denver's adjudication, outcomes and discipline proceedings, procedures, policies and processes regarding gender-based violence, discrimination and harassment, to include sexual harassment and other prohibited conduct) can be reviewed in the appendix section of this document or at the below University websites:

[Title IX Sexual Harassment Procedures](#)

[Title IX Comprehensive Discrimination and Harassment Procedures](#)

[Student Honor Code](#)

[Policies and Procedures Relating to Faculty Appointment, Promotion and Tenure](#)

APPEALS

- A. Either Party may appeal a determination regarding responsibility. No other issue may be appealed. 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 Executive Director 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.

- B. 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. If a Party wishes to file an appeal, the Party must submit the appeal to the Executive Director of the Equal Opportunity and Title IX Office in writing no later than five (5) days after the written determination letter is sent to the Party.
 1. 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.

The University of Denver's appeal procedures, policies and processes regarding gender-based violence, discrimination and harassment, to include sexual harassment and other prohibited conduct) can be reviewed in the appendix section of this document or at the below University websites:

[Title IX Sexual Harassment Procedures](#)

[Title IX Comprehensive Discrimination and Harassment Procedures](#)

[Student Honor Code](#)

RESOURCES AND INSTITUTIONAL ASSISTANCE

As a student, faculty or staff victim/survivor of sexual assault, dating violence, domestic violence, stalking or gendered harassment, you may request that the university provide assistance and/or accommodations.

After an incident of gender- based violence (sexual assault, domestic violence, dating violence or stalking) or discrimination or harassment, the University will work with students, or faculty and staff to address any issues that may impact the student’s educational experience or the faculty and staff member’s employment experience; including supportive measures, such as financial aid assistance; immigration or visa, travel assistance; available on-campus housing changes and academic accommodations for students; or work accommodations for DU employees and other assistance requested or needed. The university shall endeavor to accommodate a student’s reasonable request for a living and/or academic situation change following gender-based violence. Supportive measures are provided regardless of whether the victim/survivor chooses to share specific information about the incident, report the matter to Campus Safety or local law enforcement, or participate in the university’s administrative process, and regardless of whether the offense occurred on or off campus.

The following department will work to connect a student, faculty or staff member with campus and community partners that can provide on- and off- campus services and resources.

For Students

<p>Office of Equal Opportunity & Title IX</p> <p>Phone: 303-871-7016 equalopportunity@du.edu https://www.du.edu/equalopportunity/</p>	<p>Title IX Coordinator</p> <p>Phone: 303.871.3142 Additional contact methods include: TitleIX@du.edu; or at their website: https://www.du.edu/equalopportunity/titleix/</p>	<p>Office of Student Rights & Responsibilities</p> <p>Phone: 303-871-2455 Email: studentconduct@du.edu Website: https://www.du.edu/studentlife/studentconduct/rightsresponsibilities.html</p>
<p>Division of Campus Safety</p> <p>General Reports: 303-871-2334 Emergencies: 911 and 303-871-3000</p> <p>Website: https://www.du.edu/campussafety/contact-us/index.html</p>	<p>Student Outreach & Support</p> <p>Phone: 303-871-4724 Email: SOS@du.edu</p>	<p>Housing and Residential Education</p> <p>Phone: 303-871-2246 Email: housing@du.edu Website: https://www.du.edu/housing/</p>
<p>Disability Service Program</p> <p>Phone: 303-871-3241 Email: dsp@du.edu Website: https://www.du.edu/studentlife/disability-services/testing-center/index.html</p>		
<p>Health and Counseling Center (Counseling Services) *</p> <p>Phone:303-871-2205 After Hours Counselor on Call: 303-871-2205 (follow prompts) Email: info@hcc.du.edu Website: https://www.du.edu/health-and-counseling-center/counseling/index.html</p> <p>*Confidential Resource</p>	<p>Health and Counseling Center (Counseling Services) *</p> <p>Phone:303-871-2205 After Hours Counselor on Call: 303-871-2205 (follow prompts) Email: info@hcc.du.edu Website: https://www.du.edu/health-and-counseling-center/counseling/index.html</p> <p>* Confidential Resource</p>	<p>Center for Advocacy, Prevention and Empowerment (CAPE) *</p> <p>Business Hours: 303-871-3853 After-Hours, contact the Counselor on Call at 303-871-2205 Email: cape@du.edu Website: https://www.du.edu/health-and-counseling-center/cape/index.html</p> <p>*Confidential Resource</p>

For Employees

<p>Office of Equal Opportunity & Title IX</p> <p>Phone: 303-871-7016</p> <p>Email: equalopportunity@du.edu</p> <p>Website: https://www.du.edu/equalopportunity/</p>	<p>Interim Executive Director of Equal Opportunity & Title IX Coordinator, Erika Hollis</p> <p>Phone: 303-871-3142</p> <p>Email: Erika.Hollis@du.edu</p> <p>Website: https://www.du.edu/equalopportunity/titleix/index.html</p>	<p>Human Resource & Inclusive Community</p> <p>Phone: 303-871-3931</p> <p>Email: employeeservices@du.edu</p> <p>Website: https://www.du.edu/human-resources/</p> <p>Employee Assistance Program: https://www.supportline.com/</p>
<p>Division of Campus Safety</p> <p>General Reports: 303-871-2334 Emergencies: 911 and 303-871-3000</p> <p>https://www.du.edu/campusafety/contact-us/index.html</p>	<p>Center for Advocacy, Prevention and Empowerment – CAPE</p> <p>Business Hours: 303-871-3853 After-Hours contact the Counselor on Call at 303-871-2205</p> <p>cape@du.edu https://www.du.edu/health-and-counseling-center/cape/index.html</p> <p>* Confidential Resource</p>	

The Office of Equal Opportunity & Title IX makes recommendations regarding what interim protective measures and/or reasonable accommodations are provided the parties to a gender-violence matter as appropriate to ensure the health or safety of the student, faculty or staff member who has experienced gender-based violence, discrimination or is a party to an investigation or inquiry into the same. The Executive Director 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 Executive Director 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 Executive Director will notify the leadership of the relevant unit to implement the Supportive Measures. The Executive Director is responsible for coordinating the effective implementation of Supportive Measures.

The university limits access to information and records about any supportive measures provided to the parties and will disclose only information that is necessary to provide the accommodations, assistance or protective measures in timely manner. Only those university staff directly involved with providing assistance and/or implementing the accommodations, and specific official administrators with a need to know are provided with or have access to information regarding accommodations and/or protective measures provided to students, faculty or staff members. Under these circumstances the Office of Equal Opportunity and Title IX will determine what information about the parties should be disclosed and to whom this information will be disclosed.

A copy of the University of Denver’s processes regarding Supportive Measures are included in the following documents: Title IX Sexual Harassment procedures and Title IX Comprehensive Discrimination and Harassment Procedures, and the University’s Student Honor Code. These documents can be reviewed in the appendix section of this report or at the below University websites:

[Title IX Sexual Harassment Procedures](#)

[Title IX Comprehensive Discrimination and Harassment Procedures](#)

[Student Honor Code](#)

CAMPUS RESOURCE ORGANIZATIONS

On Campus

Student Outreach and Support:

Pioneers CARE - The Pioneers CARE (Communicate, Assess, Refer, and Educate) referral system is a process to submit information about a student who may be experiencing a challenging situation and needs help to connect the appropriate resources. Each referral is reviewed by staff members and then assigned to a Case Manager within the Office of Student Outreach & Support to make outreach to the student and develop a support plan. This referral activates the appropriate University protocol to support both the individual and the campus community in maintaining their safety, health and well-being. Examples of indicators of concerning behavior can be access via the Office of Student Outreach & Support's website:

<https://www.du.edu/studentlife/studentsupport/studentsupport/index>

Emergency Guide: Faculty & Staff Red Folder (Pioneers Care) - The Faculty and Staff Red Folder (Red Folder) was created in an effort to consolidate emergency/support information for use when working with distressed students. The purpose of the Red Folder is to help you to recognize some of the signs of students in distress, be supportive of their needs and facilitate referrals to the appropriate resources on campus, as well as increasing your awareness of Pioneers CARE.

How to use the Red Folder

When a student in distress has been identified, the Quick Referral Guide provides a simplified overview of the University of Denver student support offices. The Stoplight System gives detailed support information and indicates whether an issue is beyond a faculty or staff member's ability to provide support. This Red Folder also provides important information about The Family Education Rights and Privacy Act (FERPA), the reporting requirements for Title IX and information on sexual assault resources. You can access the Red Folder at: <https://www.du.edu/studentlife/studentsupport/media/documents/red-folder-online.pdf>

Submitting a Student Outreach and Support (SOS) referral can be accomplished through the online system at: https://cm.maxient.com/reportingform.php?UnivofDenver&layout_id=99

The online referral system is not for emergencies. If there is an immediate threat to a student/employee (either through self-harm or interpersonal violence) or the community, please call the Division of Campus Safety at 303.871.3000, or if dialing from a campus phone, 1-3000. If there is a concern regarding the referral process, contact can be made with the Pioneers Care administrator at care@du.edu.

Health and Counseling Center (HCC):

Counseling Services - The Health and Counseling Center (HCC) offers confidential counseling and/or medical services to University of Denver students. The HCC is committed to providing students psychological and emotional support following an incident of gender-based violence by providing licensed psychologists and services by licensed social workers to student victims/survivors of gender-based violence. The staff serves as a resource for providing a safe and confidential place to discuss an incident of gender-based violence and receive professional counseling, guidance and additional resources.

For additional information regarding counseling services, please contact 303.871.2205 or visit:

<https://www.du.edu/health-and-counseling-center/counseling/index.html>

After Hours Counselor on Call - For after-hours Counselor on Call, please call 303-871-2205 and follow the prompts. .

Medical Services - The Health and Counseling Center (HCC) provides support, medical evaluations and certain treatment services available on site for student victims/survivors of gender-based violence during clinic hours. This may include full STI testing (gonorrhea, chlamydia, syphilis, hepatitis and rapid HIV testing), emergency contraception, and antibiotics to treat a potential infection. The HCC also offers hepatitis and HPV vaccination when appropriate. For non-emergency situations, medical staff can prescribe any medications required. Victims/survivors of gender based violence are encouraged to get medical attention as soon as possible.

For additional information regarding medical services, please contact 303.871.2205 or visit:

<https://www.du.edu/health-and-counseling-center/medical/index.html> **After Hours Medical Services** – For after-hours medical needs, please call 303-870-2205 and follow the prompts

Department of Health Promotion - The Department of Health Promotion acts as the prevention and education arm of the Health and Counseling Center. Their work aims to help students gain skills and knowledge that promote healthy behaviors around a variety of health topics (sexual health, stress, alcohol and other drugs, healthy relationships, gender violence prevention and education, mental health, sleep, etc.) and skills and knowledge about bystander intervention in high risk situations (sexual assault, situations involving high risk drinking and drug use, suicide, and mental health). Health Promotion support DU student success through efforts to reduce personal, campus and community health risk factors. Health Promotion offers interactive presentations for classrooms, residence halls and student groups. These sessions' offerings address health-related issues that have the potential to disrupt a student's DU experience, so as to provide students with the information and skills they need to make healthy and success-oriented decisions. As part of Health Promotion, the Coordinator of Gender Violence Prevention and Education provides programs and resources that promote healthy relationships, teach non-violence and equality, and foster a respectful and safe environment for all members of the University of Denver environment. For more information, call 303.871.2205 or email info@hcc.du.edu. For information on training and programs, visit: <https://www.du.edu/health-and-counseling-center/healthpromotion/index.html>

Center for Advocacy Prevention and Empowerment - The Center for Advocacy, Prevention, and Empowerment (CAPE) is a department of the Health and Counseling Center (HCC) that supports healing by providing advocacy and support for student, faculty and staff survivors of gender-based. A CAPE Advocate can provide support and assist survivors, and any family or friends, with physical, psychological, judicial and/or legal aftermath resulting from gender-based violence. All CAPE services are confidential and free of charge. At CAPE, an Advocate can:

- Education about options for moving forward and resources available to help survivors
- Provide a free, safe, & confidential space for any DU community member impacted by gender-based violence to talk about what happened, including survivors and their friends & loved ones.
- Help survivors navigate the university, medical, criminal, and/or legal systems.
- Assist survivors with obtaining a civil order of protection (legal) or a no-contact order (University).
- Accompany survivors to the hospital following an assault in order to receive a medical evaluation &/or for a SANE forensic exam, which is used to collect evidence should the survivor decide to pursue a criminal investigation.
- Discuss options for financial assistance.
- Help report an incident to the Title IX Office (including having an advocate accompany you for the investigative process).
- Assist with reporting an incident to the Denver Police Department or other Law Enforcement agencies (including having an advocate accompany you to the police station).
- Provide referrals for visa and immigration assistance for victims of crime.
- Connect a survivor to a therapist on campus or in the community and/or with group counseling options.
- Arrange for temporary academic accommodations.
- Skill-build for developing healthy relationships.
- Collaborate with Campus Safety to arrange for private escorts &/or self-defense courses

For additional information regarding CAPE services, please call the Daytime Advocacy Service at 303-871-3853 or visit: <https://www.du.edu/health-and-counseling-center/cape/advocacy.html>

After Hours Counselor on Call - please call 303-871-2205 and follow the prompts.

SANE EXAM (Forensic Sexual Assault Exam)

The University of Denver is committed to providing students physical and emotional support following a sexual assault. After experiencing a sexual assault, you have the choice to have a Sexual Assault Nurse Examiner (SANE) forensic exam. A SANE can be performed up to five days after an assault. SANE exams can be done anonymously. An anonymous report allows for evidence storage only, and no identifying information will be provided to Law Enforcement. Or, the survivor can choose to obtain a SANE forensic exam but choose not to participate in the criminal justice process at that time. The survivor does have the option to have the evidence tested, by which identifying information will be shared with Law Enforcement, but no investigation will be initiated. Finally, the survivor can elect to obtain a SANE forensic exam and also participate in the criminal justice process at that time. The survivor will be given the opportunity to meet with a Law Enforcement officer at the hospital. Survivors

are not charged for the cost of the SANE forensic exam but could incur expenses related to treatment of injuries. CAPE is available to talk through any financial questions or concerns. The University of Denver has a Memorandum of Understanding (MOU) with two programs in the Denver Metro area who provide SANE forensic exams following a sexual assault.

Denver Health Medical Center 777 Bannock Street, Denver, CO 80204 Main:303-436-6000 SANE Program: 303-602-3007	Porter Adventist Hospital 2525 South Downing Street, Denver, CO 80210 Main: 303-778-1955 SANE Program: 303-778-2407
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ADDITIONAL REPORTING AND VALUABLE RESOURCES CONTACT INFORMATION

Division of Campus Safety:

CONTACT	PHONE NUMBER	LOCATION	HOURS
Emergency	911		24 hours a day, 7 days a week
Emergency/Crisis Access emergency resources through Campus Safety 24 hours a day, including getting connected to a counselor on call	303.871.3000 (1-3000)	Campus Safety Center	24 hours a day, 7 days a week
Non- Emergency/Resources For information on prevention programs and training	303.871.2334 (1-2334)	Campus Safety Center	Mon-Fri 8 a.m.-4:30 p.m.
Walking Escorts Campus Safety provides walking escorts to and from any location on campus	303-871-2334	Campus Safety Center	24 hours a day, 7 days a week

ADDITIONAL OFF CAMPUS RESOURCES (Students, Faculty, and Staff)

Denver Police Department: Emergency- 911 Non-emergency-720.913.2000 https://www.denvergov.org/content/denvergov/en/police-department.html Available 24 hours a day, 7 days a week	Denver Police Department Victim Assistance Unit Phone: 720.913.6035 Victims Services and Assistance Victims of Sex Assault Resources Mon-Fri- 8 a.m-5p.m Weekends and Holidays- 7 a.m-3 p.m	Denver Police Department Sex Crimes Unit Phone: 720-913-6040 https://www.denvergov.org/content/denvergov/en/police-department/crime-information/major-crimes-investigations.html
Denver District Attorney’s Office Phone: 720-913-9000 https://www.denverda.org/contact-us/	Denver County Jail Phone: 720-913-3642 https://www.denvergov.org/content/denvergov/en/sheriff.html	The Blue Bench Sexual assault support and prevention center. Phone: 303.322.7273 https://thebluebench.org/ 24 hours a day, 7 days a week

Safehouse Denver Domestic Violence, shelter, counseling, and advocacy Phone: 303.871.9989 https://safehouse-denver.org/about/contact.html 24 hours a day, 7 days a week	The Center for Trauma & Resilience Phone: 303-894-8000 http://traumahealth.org/contact-us/ 24 hours a day, 7 days a week	Denver Children’s Advocacy Center Phone: 303-825-3850 https://www.denvercac.org/contact-us
Colorado Anti-Violence Program Main: 303-839-5204 Hotline: 1-888-557-4441	Colorado Coalition Against Sexual Assault Phone: 303-839-9999 https://www.ccasa.org/	Servicios De La Raza Phone: 303-458-5851 http://serviciosdelaraza.org/
Asian Pacific Development Center 303-923-2920 https://www.apdc.org/	Rape, Abuse & Incest National Network National Sex Assault Hotline 1-800-656-HOPE(4673) https://www.rainn.org/	National Domestic Violence Hotline 1-800-799-SAFE(7233) https://www.thehotline.org/ https://www.loveisrespect.org/
Safehorizon Phone: 1-800-621-HOPE(4673) https://www.safehorizon.org/get-help/stalking/#overview/	National Coalition Against Domestic Violence Phone: 303-839-1852 http://www.ncadv.org/	National Sexual Violence Resources Center Phone: 717-909-0710 https://www.nsvrc.org/

EDUCATION, PREVENTION, AND AWARENESS

Bystander Intervention and Awareness

Bystander Intervention:

When someone interrupts a problematic or potentially harmful situation, stopping action or comments that promote sexual or discriminatory violence, bullying, harassment, intimidation, or threatening behavior - they are being an active bystander. An active bystander also takes action when they see someone who is intoxicated and in need of help or may even be in emotional distress. Being an active bystander is about challenging and changing the cultural norms that make problematic or harmful behavior acceptable.

At DU, we intervene when we see a community member in need of support or when a situation does not fit our values. Intervention is not one size fits all. You can select an intervention style that works for you:

- Direct: you feel comfortable acting as the primary helper
- Distract: you create a distraction or other interruption to halt the potentially harmful situation
- Delegate to a trusted resource: you request assistance from a qualified resource such as Campus Safety, Denver Police, Title IX, or Student Outreach & Support
- Delay your intervention for when addressing the behavior is more appropriate: you may not feel comfortable saying something in the moment, so you follow up with the person within 24 hours to address things like harmful jokes, comments, or catcalling. Note that you should not delay when responding to a high risk situation like intoxication or sexual assault.

Sometimes we need help - we can intervene on our own behalf. In a situation that is uncomfortable, or is close to crossing a limit or boundary, you can select an intervention style that works for you and fits the situation. Remember, your own safety is primary. And whether or not you intervene for yourself, you deserve help and support. Someone crossing a boundary is never your fault.

- Direct: say you are feeling uncomfortable, or that a line has been crossed.
- Distract: come up with a quick distraction, like a phone call or having to use the restroom, to get out of the

situation.

- Delegate: text, reach out to, or otherwise signal to friends that you'd like some assistance.
- Delay: if appropriate, follow up with the person within 48 hours to talk about what happened. Let them know how their actions impacted you, and re-state your boundary.

Remember, sexual assault is never the fault of the victim/survivor. Even if you do/did none of these things, you do not deserve to experience gender-based violence. These are tips meant to empower a person.

Simply stated, sexual assault includes, but is not limited to, any physical act that is sexual in nature and performed without the effective consent of all parties. If one person does not want the sexual act to be happening, the other person is committing sexual assault.

Remembering the following tips can help you prevent sexual assault:

- Always talk to your partner(s) before engaging in sexual or intimate activities.
- Make sure you all are consenting and that you clearly understand their likes, dislikes, and limits.
- Remember that alcohol and other substances can blur your thinking, making it more difficult for you to read someone's signals or body language - more likely to cross someone's boundaries.
- If the sexual act is no longer pleasurable or your partner(s) has stopped engaging, stop the activity and check in with them.
- Sex and intimacy should be pleasurable for everyone involved. Consent is just the minimum.
- Stop any activity if your partner is:
 - ✓ Silent or not responding
 - ✓ Avoiding answering a question
 - ✓ Using uncertain statements such as, "I'm not sure if I'm ready." "I don't know if I want to." "I think I've had too much to drink." "I'm scared."
 - ✓ Changing one's mind after saying yes
 - ✓ Being pressured or coerced to saying yes
 - ✓ "Giving in"
- Understand that the following are not consent:
 - ✓ Expanding what something may mean (i.e.: A "Yes" to "Do you want to go back to my place?" is only giving consent to physically go back to your place)
 - ✓ Entitlement through a committed relationship
 - ✓ Absence of a clear yes
 - ✓ When your partner says no, she/he really does not mean yes

If someone you know is sexually assaulted:

VALIDATE. Tell them know that you appreciate the courage it took to come forward and share their experience with you.

EMPOWER. Support your friend, do not tell them what to do. Believe them and let them make their own decisions. Do not call authorities without their permission.

CONNECT. Talk about the DU and community resources that can help.

Primary Prevention Programs and Ongoing Awareness Campaigns

The University of Denver engages in comprehensive, intentional and integrated programming, initiatives, strategies and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs and informed by research, or assessed for value, effectiveness or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of prevention programs for all incoming students and new employees and ongoing awareness and intervention campaigns for students and employees that:

- a) Include a statement that the institution prohibits the crimes of sexual assault, dating violence, domestic violence and stalking as those terms are defined for purposes of the Clery Act;
- b) Define sexual assault, dating violence, domestic violence and stalking as those terms are defined under state law;
- c) Define what behavior and actions constitute consent to sexual activity under state law and the University of Denver Student Honor Code;
- d) Describe safe and positive options for bystander intervention; and
- e) Provide information on risk reduction.
- f) Include information regarding:
 - i. Procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs.
 - ii. How the university will protect the confidentiality of victims and other necessary parties.
 - iii. Existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available within the university and in the community
 - iv. Options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures; and
 - i. Procedures for university disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking.

University of Denver Health and Counseling Center's Department of Health Promotion

The Health and Counseling Center's Department of Health Promotion conducts training about gender- based violence, consent, healthy relationships, and bystander intervention strategies. Title IX and Campus Safety often collaborate to provide awareness materials and to conduct group education presentations for any University programs, residence halls, Greek houses, classes and any other student and employee groups.

University of Denver's Office of Equal Opportunity & Title IX

All University faculty and staff are required to complete Title IX training that addresses DU's prohibition against discrimination, harassment, and gender-based violence, and their requirements as Responsible Employees (required reporters). This training for faculty and staff is introduced in new employee orientation meetings and is facilitated during either live or online training sessions. It encourages employees to connect those reporting gender-based violence and other forms of misconduct with the appropriate campus resources. This training is also available to be facilitated on request by the Coordinator of Gender Violence Prevention and Education, or the Office of Equal Opportunity and Title IX.

Faculty and Staff also receive training consistent with the Clery Act as amended by VAWA (Violence Against Women Act), and all University employees responsible for the intake, investigation and facilitation of hearing processes associated with an incident of gender-based violence receive baseline training and, at a minimum, annual retraining on their legal obligations and other related issues. This includes but is not limited to designated personnel in the Office of Equal Opportunity & Title IX, The Office of Student Rights and Responsibilities, outcome council members, and appellate officers.

Definitions

Primary Preventions Programs

Primary prevention programs means programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

Ongoing Awareness Programs

Awareness programs means community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

Ongoing Awareness and Prevention Campaigns

Ongoing prevention and awareness campaigns means programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault and stalking, using a range of strategies with audiences throughout the institution.

Bystander Intervention

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to intervene when there is a risk of harm or a risk of dating violence, domestic violence, sexual assault, or stalking.

Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Risk Reduction

Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

Primary Prevention and Intervention Programs and Ongoing Awareness Campaigns

The University of Denver (DU) offers the following primary prevention programs and ongoing prevention campaigns to promote awareness and increase understanding of all forms of sexual assault, dating violence, domestic violence, and stalking.

Students:

Program Name: Red Zone Campaign (Gender Violence)

Explanation: The Red Zone campaign utilized various modes of exposure (printed material, interactive theater performances, and a late-night event) to expose new students to harm reduction and awareness behaviors that can be used during the Red Zone. The Red Zone is typically identified as the first 6 weeks of the Fall Quarter, when new students are at a heightened risk for being targeted by perpetrators of sexual assault. The Red Zone campaigns focus on providing resource information to incoming students on topics related to gender violence (domestic/dating violence, stalking and sexual assault.)

Audience: Students

Frequency: First six weeks of the Fall Quarter

Method: In-person presentation, digital media via social media accounts, printed materials.

Awareness and Prevention Targets: Sexual assault, gender violence, bystander intervention, risk reduction.

Primary Sponsor: Health and Counseling Center

Program Name: Sexual Assault Prevention for Undergraduates

Explanation: Mandatory online training for all new undergraduate students. Before incoming first year students come to campus, they are required to complete an online module from the Health and Counseling Center as part of their orientation process. Topics include alcohol and other substances, mental health, as well as sexual violence prevention and consent.

Audience: Incoming First Year Students

Frequency: Upon enrollment

Method: Online pre-orientation module

Awareness and Prevention Targets: Sexual assault, gender violence, bystander intervention, risk reduction.

Primary Sponsor: Health and Counseling Center

Program Name: Intervene: DU Workshop

Explanation: This course is designed to teach students how to take action in harmful or risky situations. Intervene: DU includes scenarios and discussion about topics relevant to DU students, and how they can be active bystanders in situations including high risk alcohol and other drug use, mental and emotional health, hazing, racial bias,

and gender violence. This workshop is recommended as an introduction to active bystander intervention.

Audience: Students

Frequency: Ongoing; periodic throughout the year

Method: In-person training

Awareness and Prevention Targets: Sexual assault, interpersonal violence, bystander intervention, risk reduction.

Primary Sponsor: Health and Counseling Center

Program Name: Unpacking Gender Violence

Explanation: This course will define 'what is gender violence?', discuss the impact perpetration has on a community, and review strategies for preventing gender-based violence. Attendees will be able to practice their skills and reflect on their own values.

Audience: Students

Frequency: Ongoing; periodic throughout the year

Method: In-person training

Awareness and Prevention Targets: Sexual assault, gender violence, bystander intervention, risk reduction.

Primary Sponsor: Health and Counseling Center

Program Name: Resident Assistant Development Institute – Responding to Crime and Gender-Based Violence

Explanation: In-person training for Resident Assistants (RA) employees designed to identify discrimination, harassment, and gender-based violence (domestic/dating violence and Stalking). This course defines prohibited conduct, teaches RA's about their obligation to report incidents, and information about how to respond and support students who have experienced these behaviors.

Audience: Resident Assistants

Frequency: Annual

Method: In-Person interactive training

Awareness and Prevention Targets: discrimination, harassment, gender-based violence, mandatory reporting

Primary Sponsor: Office of Equal Opportunity & Title IX and Division of Campus Safety and the Health and Counseling Center.

Program Name: Residence Hall Mandatory Meetings

Explanation: Meetings with residence hall staff on critical safety and security practices and expectations, for incoming university residence hall staff prior to students' first term living on campus.

Audience: University Housing Staff

Frequency: Fall term, one meeting each quarter

Method: In-person meetings

Awareness and Prevention Targets: Crime reporting and responsibility awareness, sexual assault, robbery, assault, drug/alcohol crimes, burglary, theft

Primary Sponsor: Housing and Residential Education

Program Name: Support a Survivor Workshop

Explanation: This course is designed to give you information on how to best support a survivors' healing and connect them with resources.

Audience: Students

Frequency: Ongoing; periodic throughout the year

Method: In-person training

Awareness and Prevention Targets: Sexual assault, gender violence, bystander intervention, risk reduction.

Primary Sponsor: Health and Counseling Center

Program Name: Gender Violence Outreach Programs

Explanation: Custom workshops, presentation and outreach efforts to students and the DU Community regarding topics that relate to gender violence (domestic/dating violence and Stalking).

Audience: Students

Frequency: Ongoing; periodic throughout the year

Method: Table Top activities conducted by peer educators

Awareness and Prevention Targets: Sexual assault, gender violence, bystander intervention, risk reduction.

Primary Sponsor: Health and Counseling Center

Program Name: Intersections: Preventing Harassment and Sexual Violence

Explanation: Mandatory online training for all new students. This required course identifies discrimination, harassment, and gender-based violence (domestic/dating violence and stalking) as prohibited conduct, defines what behavior constitutes gender-based violence under federal law, defines what behavior and actions constitute consent to sexual activity under the Office of Equal Opportunity & Title IX's Procedures and provides information on safe and positive options and strategies for bystander intervention and risk reduction.

Audience: Students

Frequency: Upon enrollment

Method: Online interactive training and test.

Awareness and Prevention Targets: Sexual harassment, discrimination, gender-based violence, bystander intervention, University and community resources

Primary Sponsor: Office of Equal Opportunity & Title IX

Program Name: International Student Orientation

Explanation: During orientation, representatives from several DU offices including Campus Safety and ISSS provide information about safety and security on campus and around Denver, as well as information about avoiding scams that target international students. Additionally, information is provided about health services and resources for both physical and mental health.

Audience: Incoming international students

Frequency: One large orientation at the start of the Fall term and three smaller orientations at the start of each quarter.

Method: A mix of in person presentation, handouts, online videos and pre-arrival information.

Awareness and Prevention Targets: Health and Counseling resources, Personal safety/security and Property protection in Denver and on campus. Awareness of common safety concerns and fraud. Sexual assault and Relationship Violence awareness. Crime prevention and reporting, risk reduction

Primary Sponsor: ISSS

Program Name: NCAA Sexual Violence Prevention Education

Explanation: Online training for all student-athletes, coaches, and athletic department staff members. This course is required by the NCAA, the principles of which are (1) Intercollegiate athletics departments (coaches, staff, and student-athletes) should be informed on and integrated in overall campus policies and processes addressing sexual violence prevention and acts of sexual violence, particularly those related to adjudication and resolution of matters related to sexual violence.

Audience: Student-athletes, coaches, athletic department staff

Frequency: Annual

Method: Online interactive training

Awareness and Prevention Targets: Sexual violence prevention and adjudication

Primary Sponsor: Office of Equal Opportunity & Title IX and the Department of Athletics & Recreation

Program Name: Title IX and Equal Opportunity 2020-2021 Procedures

Explanation: This required course identifies discrimination, harassment, and gender-based violence (sexual assault, domestic/dating violence and stalking) as prohibited conduct, defines what behavior constitutes gender-based violence under federal law, describes students' options for supportive measures and reporting prohibited conduct under the university's procedures,

Audience: Students

Frequency: Annual

Method: In person meeting

Awareness and Prevention Targets: Sexual violence prevention and adjudication

Primary Sponsor: Office of Equal Opportunity & Title IX

DU Faculty, Staff and Employees:

Program Name: New Employee Orientation

Explanation: HR delivers New Employee Orientation and provides an overview of the services the Division of Campus Safety provides.

Audience: New Faculty & Staff

Frequency: The first and third Monday of each month.

Method: In-person meeting or virtual online.

Awareness and Prevention Targets: Overview of the Division of Campus Safety functions.

Primary Sponsor: Human Resources & Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: EO and Title IX Training and Responsible Employees

Explanation: Online and in person training for all faculty, staff, and student employees that are designated as responsible employees under the University of Denver procedures. This required course identifies discrimination, harassment, and gender-based violence (sexual assault, domestic/dating violence and stalking) as prohibited conduct, and their obligation on how to report incidents pursuant to University Policy.

Audience: Employees

Frequency: Upon hire, as changes to the law require and upon request by departments or colleges

Method: Online and in person interactive training.

Awareness and Prevention Targets: Harassment, discrimination, gender-based violence, mandatory reporting

Primary Sponsor: Office of Equal Opportunity & Title IX

Program Name: Harassment & Discrimination Prevention for Non-Supervisors

Explanation: Online training for all faculty, staff, and student employees that are designated as responsible employees under VAWA and Title IX. This required EVERFI course identifies discrimination, harassment, and gender-based violence (domestic/dating violence and Stalking) as prohibited conduct, and their obligation on how to report incidents pursuant to University Policy.

Audience: Employees

Frequency: Upon hire and as law updates require.

Method: Online interactive training.

Awareness and Prevention Targets: Harassment, discrimination, gender-based violence, mandatory reporting

Primary Sponsor: Office of Equal Opportunity & Title IX

Program Name: Harassment & Discrimination Prevention for Supervisors

Explanation: Online training for all faculty, staff, and student employees that are designated as responsible employees under VAWA and Title IX. This required EVERFI course identifies discrimination, harassment, and gender-based violence (domestic/dating violence and Stalking) as prohibited conduct, and their obligation on how to report incidents pursuant to University Policy. Additionally, this course defines a supervisor's responsibilities when harassment and/or discrimination is reported to them.

Audience: Supervisors.

Frequency: Upon hire and as law updates require.

Method: Online interactive training.

Awareness and Prevention Targets: Harassment, discrimination, gender-based violence, mandatory reporting

Primary Sponsor: Office of Equal Opportunity & Title IX, Human Resources and Inclusive Community and Office of Diversity Equity and Inclusion

Program Name: Bullying in the Workplace

Explanation: Online training for faculty, staff, and student workers related to identifying bullying and similar misconduct in the workplace. This EVERFI course identifies and defines prohibited conduct, reporting options, resources, and intervention techniques.

Audience: Employees.

Frequency: Offered year-round.

Method: Online interactive training

Awareness and Prevention Targets: Bullying; workplace violence; bystander and direct intervention; respectful behavior in the workplace

Primary Sponsor: Human Resources & Inclusive Community

Program Name: Workplace Violence Prevention Training

Explanation: Online training for faculty, staff, and student workers designed to identify different forms of

workplace violence. This EVERFI course is designed to raise awareness, identify risks, prevent incidents of workplace violence, and promotes a safe workplace.

Audience: Employees

Frequency: Offered year-round.

Method: Online interactive training

Awareness and Prevention Targets: Workplace violence, risk reduction, awareness, intervention

Primary Sponsor: Human Resources and Inclusive Community

Program Name: International Program Leaders

Explanation: Experts from DU present to staff and faculty overseeing students on short term strip abroad on health, safety and security issues and crime prevention and Clery Reporting.

Audience: DU Staff and Faculty working as advisors with students during short term academic trips abroad

Frequency: Periodically throughout year

Method: In person instruction with occasional follow up

Awareness and Prevention Targets: Health, Safety and security, sexual assault, drug and alcohol crimes, robbery, assault, burglary, theft, crime reporting (Clery), risk reduction

Primary Sponsor: Enterprise Risk Management

Program Name: Trauma-Informed Leadership Training

Explanation: This program trains individuals in higher education on how to support students with trauma survivor identities and how to make their programs, offices, and organizations more inclusive for survivors of gender based-violence.

Audience: Staff, CLIE Graduate Assistant and Fellows, University Student-Staff

Frequency: Ongoing; periodic throughout the year

Method: In-person training

Awareness and Prevention Targets: Sexual assault, gender violence, bystander intervention, risk reduction.

Primary Sponsor: Health and Counseling Center

Program Name: Crisis Assessment Risk Evaluation Behavioral Intervention Team (C.A.R.E.)

Explanation: The C.A.R.E. team serves as the centralized body for discussion and action regarding students exhibiting aberrant, dangerous, or threatening behavior that might impact the safety or well-being of the campus community. The C.A.R.E. team takes a proactive, objective, supportive, and collaborative approach to the prevention, identification, assessment, intervention, management of, and coordinated response to situations and behaviors that may be disruptive or pose a risk of harm. The C.A.R.E. team is founded on the principles of early intervention and proactive engagement to prevent violence and provide supportive interventions and services.

Audience: Staff, Faculty

Frequency: Weekly team meetings; assessments as needed/requested

Method: In-person meeting and electronic communication recommending programming and responses as necessary.

Awareness and Prevention Targets: Safety and security, health and counseling, violence prevention

Primary Sponsor: Student Outreach and Support/Pioneers CARE, 303-871-4724

Employee and Staff Specific Training

- Sexual violence training for all university housing staff and their supervisors is conducted each year. In addition, the sexual violence prevention staff members participate in “Behind Closed Doors” type training for RAs in the early fall, assisting staff members in learning how to support a survivor as well as the protocols and procedures for what to do in cases of sexual misconduct.
- Regular training is provided for employees most directly involved in receiving student complaints regarding sexual misconduct.
- The Clery Coordinator provides ongoing and annual training to DU employees and University Housing Staff. Training Covers Clery crimes, Clery Geography, reporting guidance and criteria, employee reporting obligations, how to report, how to obtain assistance and available resources.
- The Title IX Coordinator provides outreach and training and participates in active engagement with many segments of the workforce to clarify the DU protocol for responding to reports of Title IX issues, with

particular attention to what steps are taken when an employee reports an issue of sexual violence.

The Office of Equal Opportunity & Title IX regularly provide trainings to various campus groups, including University residential housing staff, various academic offices and departments, and financial aid and advising offices. Training topics include: awareness of behaviors that fall under Title IX, how to handle disclosure by a student, reporting obligations, and resources available for students and employees to receive help and support on and off campus.

DU Community Programs and Campaigns (Students, Faculty, Staff and Employees):

Program Name: Thrive Peer Educators

Explanation: The Intervene Peer Educators are a select group of students who educate the DU community on gender violence prevention and active bystander skills through outreach, programs, and training. Educators facilitate “Intervene: DU” for all new, incoming first year students, “Unpacking Gender Violence” training for returning students, and other trainings requested by the DU community at large.

Audience: Faculty, Staff, Students, DU Community

Frequency: At least 3 Intervene programs per month, and as requested

Method: In-person trainings

Awareness and Prevention Targets: Sexual assault, gender violence, bystander intervention, risk reduction.

Primary Sponsor: Health and Counseling Center

Program Name: RAD (Rape Aggression Defense Training)

Explanation: Personal self-defense classes for female students (separate classes are also provided to male participants) presented by trained officers with Campus Safety; available to students and staff through course registration.

Audience: Students, Faculty, Staff

Frequency: Offered upon request

Awareness and Prevention Targets: Sexual Assaults, robbery, assault, risk reduction

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: 90 Minute Self-Defense Class

Explanation: In response to requests from the community, the Department of Campus Safety now offers free, 90-minute basic self-defense classes for students, staff and faculty of all genders. These courses go over basic self-defense and risk-avoidance techniques. This class is perfect for community members who want to feel prepared to defend themselves if necessary.

Audience: Students, Faculty, Staff

Frequency: Offered upon request

Method: In-person class

Awareness and Prevention Targets: Sexual assault, robbery, assault, risk reduction.

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: Mace-in-Your-Face Class

Explanation: 45 min – Participants will learn about the legal aspects and medical considerations for carrying and using pepper spray or mace for their own personal safety. The course includes practice with inert spray canisters.

Audience: Students, Faculty, Staff

Frequency: Offered upon request

Method: In-person class

Awareness and Prevention Targets: Sexual assault, robbery, assault, risk reduction.

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: Crime Prevention 101

Explanation: 1 hour – Participants will learn about common crimes and actions they can take to mitigate those issues.

Audience: Students, Faculty, Staff

Frequency: Offered upon request.

Method: In-person class

Awareness and Prevention Targets: Sexual assault, assault, robbery, drug/alcohol crimes, trespassing, burglary, theft, risk reduction

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: DCS Officer Liaison Program

Explanation: This program pairs Campus Safety Officers and personnel with various groups across campus. These groups can range from internal University Departments or Units, student clubs, staff/faculty groups, or community organizations. The purpose of the Liaison program is to provide a forum for a deeper level of engagement between Campus Safety personnel and campus groups; allowing for both parties to be involved in each other's events & campaigns. Campus Safety officers conduct in-person presentations on preventing and reporting crime. Promoted by email, regular meetings with student and staff groups.

Audience: Students, Faculty, Staff

Frequency: Ongoing

Method: In-person, email, and phone

Awareness and Prevention Targets: All crimes including active-shooter response; crime prevention, bystander intervention, risk reduction.

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: Safe-Walk Program

Explanation: Walk through campus with staff from the Division of Campus Safety, DU Facilities and interested campus community members, to identify areas in need of improved lighting, landscaping, and other modifications that could make campus travel safer. Promoted through social media and email advertising

Audience: Students, Staff, Campus community members

Frequency: Annually

Method: In-person discussion and tour

Awareness and Prevention Targets: Sexual assault, robbery, assault, safe routes, crime prevention, crime reporting, risk reduction

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: DCS Security Escorts

Explanation: On request Campus Safety Officer escort for anyone on campus, from and to any campus location, provided by the Division of Campus Safety (DCS) with a call to the DCS Communications Center. Promoted through student and parent orientations, online and printed materials.

Audience: Students, Staff

Frequency: As requested, year round, 24-hours per day

Method: In-person safety escort

Awareness and Prevention Targets: Sexual assault, robbery, assault, risk reduction

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: DU Campus Shuttle

Explanation: Fixed-route van service operating 7am-7pm during the academic year on routes around campus. Free to students and employees, operated by a contracted vendor. Shuttle locations are viewable in real time online at <https://www.du.edu/parking/mobility/shuttle.html>

Audience: Students, Faculty, Staff

Frequency: Year-round.

Method: Direct intervention ride service.

Awareness and Prevention Targets: Drug/alcohol crimes, sexual assault, robbery, assault, crime prevention, risk reduction.

Primary Sponsor: Parking and Mobility Services, 303-871-3210

Program Name: Campus Safety Anonymous Crime Tip Line

Explanation: A 24-hour hotline, 303-871-3130 (1-3130) from the Division of Campus Safety, providing an avenue for the campus community to report information about a crime or suspected crime in a confidential manner. Promoted through orientations and website.

Audience: Students, Faculty, Staff, Community.

Frequency: Ongoing.

Method: Phone resource

Awareness and Prevention Targets: All interpersonal violence and sex-related crimes; all other persons and property crimes; bystander intervention, risk reduction, crime reporting.

Primary Sponsor: Division of Campus Safety, 303-871-3130 (1-3130)

Program Name: The Division of Campus Safety Website

Explanation: The campus safety website with Clery Act information and resources, crime prevention resources, crime prevention education and opportunities, crime reporting information and resources. Promoted through social media, orientations, and print marketing.

Audience: Students, Faculty, Staff, Community.

Frequency: Ongoing.

Method: Web-based resource.

Awareness and Prevention Targets: All crimes; crime reporting, risk reduction.

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: DU Alert

Explanation: Email and text emergency notification system. Promoted through orientations, media, print and online marketing.

Audience: Students, Faculty, Staff

Frequency: Periodic, as incidents indicate.

Method: Emails and texts to all subscribed university accounts.

Awareness and Prevention Targets: Emergency notification, including fires, bomb threats, active shooter or dangerous person, gas leaks, hazardous weather.

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: Campus Crime Alerts

Explanation: Email, social media and web bulletins with information about Clery crimes that pose a serious or ongoing threat, on Clery-reportable property, packaged with crime prevention and personal protection tips, and campus and community resources for victims of crime.

Audience: Students, Faculty, Staff

Frequency: Periodic, as indicated by incidents.

Method: Email direct to all university addresses, web, Twitter and Facebook.

Awareness and Prevention Targets: Clery crimes, risk reduction, bystander intervention, crime reporting.

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: DU Campus Safety/Community Security Advisories

Explanation: Email, social media and web bulletins with information about crime, security or safety trends, advice, prevention strategies, or incidents that may not pose a serious or ongoing threat.

Audience: Students, Employees.

Frequency: Periodic, as needed.

Method: Email to all university accounts, web, Twitter, Facebook.

Awareness and Prevention Targets: Sexual assault, robbery, assault, burglary, theft, drug/alcohol crimes, bystander intervention, risk reduction, crime reporting.

Primary Sponsor: Division of Campus Safety, 303-871-2334 (1-2334)

Program Name: The Blue Bench

Explanation: A 24-hour sexual assault hotline (303-322-7273) and website (thebluebench.org) providing information, resources and support for survivors of sexual assault, SANE Forensic Exam accompaniment, individual/group therapy, case management, and prevention/education programming.

Audience: Faculty, Staff, Students, DU Community

Frequency: 24 hours a day, 7 days a week

Method: Hotline and website

Awareness and Prevention Targets: Gender violence, sex-related crimes, bystander intervention, risk reduction, crime reporting

Primary Sponsor: Health and Counseling Center

Program Name: Safehouse Denver

Explanation: A 24-hour gender violence hotline (303-318-9989) and website (safehouse-denver.org) providing information, resources and support for survivors of gender violence (domestic/dating violence), shelter services, case management, community referrals, same-sex relationship support services for women, and individual/group counseling options.

Frequency: 24 hours a day, 7 days a week

Method: Hotline and website

Awareness and Prevention Targets: Gender violence, sex-related crimes, bystander intervention, risk reduction, crime reporting

Primary Sponsor: Health and Counseling Center

Program Name: Domestic Violence Awareness Month (DVAM Events)

Explanation: Series of awareness events for the entire DU Community taking place in October each year during DVAM. DU Health Promotion partners with other DU campus offices and student organizations to put on programs during this month to raise awareness of domestic violence among college students and to provide prevention programs.

Audience: DU Community

Frequency: Annually in October

Method: Multiple programs, workshops, and events

Awareness and Prevention Targets: Sexual assault, gender violence, bystander intervention, risk reduction.

Primary Sponsor: Health and Counseling Center

Program Name: Sexual Assault Awareness Month (SAAM Events)

Explanation: Series of awareness events for the entire DU Community taking place in April each year during Sexual Awareness month. DU Health Promotion partners with other DU campus offices and student organizations to put on programs during this month to raise awareness of sexual assault among college students and to provide prevention programs.

Audience: DU Community

Frequency: Annually in April

Method: Multiple programs, workshops, and events

Awareness and Prevention Targets: Sexual assault, gender violence, bystander intervention, risk reduction.

Primary Sponsor: Health and Counseling Center

Sexual Violence Prevention and Education Poster Campaigns—Highly visible and very popular poster campaigns are designed by Health Promotion in an effort to raise awareness about progressive ways to end sexual violence.

Take Back the Night—Take Back the Night is an international event during which survivors of sexual violence and their allies have an opportunity to rally together to protest continued sexual violence in their communities and around the world. Take Back the Night is a survivor-centered event that begins with a rally and march and ends with a speak out, during which survivors of sexual assault and their allies can share personal stories of how sexual violence has impacted their lives.

Website and Contact - The Health and Counseling Center's Center for Advocacy, Prevention, and Empowerment (C.A.P.E.) website provides students and employee with important information and options regarding what to do, how to get help, and how to report an incident of sexual violence, dating violence, domestic violence and/or stalking. Students and employees can access the website at:

<https://www.du.edu/health-and-counseling-center/cape/index.html>.

Students and employees can also call the confidential 24/7 hotline where they can speak with a counselor who can connect students with resources and provide support and options available to students on and off campus. The number for the hotline is 303-871-2205.

VII. Fire Safety Reporting and Statistics

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VIII. FIRE SAFETY REPORTING AND STATISTICS (ANNUAL FIRE SAFETY REPORT)

In compliance with the Higher Education Opportunity Act (HEOA), the University Of Denver Department Of Campus Safety has developed an annual fire safety report. This document summarizes the reporting components required by the HEOA.

The University of Denver maintains compliance of fire and life-safety standards in all buildings owned or under the control of the University of Denver, in accordance with the International Fire Code as adopted by the City and County of Denver, the Denver Amendments to the International Fire Code, and the National Fire Protection Association's (NFPA) regulations. This includes buildings associated with student residential housing.

The University of Denver's Division of Campus Safety in partnership with University Housing and Residential Education are committed to providing students with fire safety training and a safe community for living and learning.

FIRE SAFETY DEFINITIONS

Definition of a Fire

For the purposes of fire safety reporting, a fire is defined as

- any instance of open flame or other burning **in a place not intended to contain the burning**
- any instance of open flame or other burning **in an uncontrolled manner**

Definition of a Fire Safety System

The Higher Education Act of 2008 defines a fire safety system as *any* mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire. For the purpose of this report, a Partial Sprinkler System is defined as having sprinklers in the common areas only. A Full Sprinkler System is defined as having sprinklers in both the common areas and individual rooms.

FIRE SAFETY REPORTING

For safety and statistical purposes, all fires, whether active or extinguished, should be reported to the University's Division of Campus Safety as soon as it is safe to do so.

To report an active fire on campus:

Dial 9-1-1 for response by local fire department.

When feasible, contact the University of Denver's Campus Safety Division at 303-871-2334.

To report evidence of a fire or past fire situation in University Student Housing, contact the following:

Division of Campus Safety at 303-871-2334

Administrator on Call at 720-626-8480

Reported fire incidents, which are found to be actual fires, will be included in the annual fire statistics.

FIRE PREVENTION POLICIES AND PROCEDURES

The University of Denver Housing Residential Education (HRE) has developed policies and procedures for a safer community. These procedures are communicated to the resident hall students through the publication, *The Guide to Residence Living*. Students are also responsible to adhere to the University's Student Honor Code, which are the rules and regulations of all students at the University of Denver. HRE enters into contractual agreements with each student resident. Those agreements include restrictions related to portable electrical appliances, smoking and open flame. The applicable fire prevention policies are as follows:

University of Denver's Office of Student Rights and Responsibilities Policies and Procedures University of Denver's Student Honor Code –

Policies - E. Endangerment:

- **Substantial Risk:** Any act that directly or indirectly creates a substantial risk to anyone's (including one's own) medical or mental health or safety regardless of intent. This includes, but is not limited to, the use or abuse of any substances that results in medical evaluation or assistance.
- **False Report:** Any act, display, or communication that intentionally initiates or causes to be initiated any false report of an emergency, including, but not limited to, any threat of fire, explosion, or any other emergency or the unauthorized possession, use, or alteration of any emergency or safety equipment.
- **Weapons:** Any possession or use of Weapons, ammunition, explosives, or other objects designed or used to inflict injury or damage while on University Premises or items that simulate Weapons or other dangerous objects, even if the Student possesses a valid concealed Weapons permit or other lawful permission to carry a Weapon. The reckless misuse of these items either on or off University Premises is prohibited. The University does not prohibit the possession of non-lethal self-defense instruments such as mace; however, the University does prohibit the reckless or inappropriate use of those instruments or other items that could cause harm when not used for their intended purpose.
- **Fire Works/Explosives:** Any possession or use of fireworks, explosives, or other objects designed or used to explode, inflict injury or damage, or cause a spark while on University Premises, even if the Student possesses a valid permit or other lawful permission or the reckless misuse of these items either on or off University Premises.
- **Fire Safety Violation:** Intentionally or recklessly causing or attempting to cause a fire that damages or threatens University or personal property and/or causes injury, including, but not limited to, tampering or improper use of fire safety equipment.

University of Denver's Housing and Residential Education Guide to Residence Living

The setting of a fire within any University-managed housing is strictly prohibited. To promote fire safety and avoid fire hazards, HRE has established the following fire safety precautions for the residence halls/apartments.

Fire Safety – Tampering with Equipment:

HRE policy prohibits tampering with, interfering with, or unintentionally causing the activation of any kind of fire emergency equipment and setting fires of any kind. This prohibition includes, but is not limited to:

- Tampering with or hanging something from a smoke detector, sprinkler head, or sprinkler line
- Hitting or striking a sprinkler head or pipe
- Pulling or calling in a false alarm
- Discharging or removing a fire extinguisher or hose
- Breaking the safety glass on the fire extinguisher case
- Propping open fire doors; or
- Leaving an area through a locked fire door

In addition to other disciplinary action under the DU Honor Code, violation of this prohibition will result in the University imposing a fine and requiring the student to pay repair costs, costs for any damages incurred to university property or other individual's personal property, potential criminal charges and fines, and/or termination of the residence housing contract.

Fire Safety - Prohibited Items:

Possession or use of the following is prohibited:

- Halogen lamps
- Incense
- Candles
- Candle warmers
- Butane Torches
- Open flames
- Space heaters (except those provided by the University)
- Propane of any kind
- Grills
- Hover boards

Hazardous materials including, but not limited to, gasoline, propane, chemicals, flammable liquids, butane torches, and gas grills are not permitted in the resident halls/apartments under any circumstances.

Additionally, the use of toaster ovens, toasters, electric frying pans, George Foreman type grills, crock pots, rice cookers, pressure cookers, and open heating elements are prohibited except in suites/apartments with kitchens.

Fire Safety – Permitted Items (Portable Electronic Appliances):

Residents may use a reasonable number of University approved electronic devices in their room so long as they do not present a fire hazard or consume an excess of power. Devices with an exposed heating element are considered a fire hazard. The following appliances are permitted:

- Alarm Clock
- Computer
- Curling/Flat Iron
- Electric Razor
- Hairdryer
- Desk/Study Lamp
- Electric Blanket
- Electric Coffee Maker/Tea Maker
- Fan
- Blender
- Microwave (maximum 600 watts and/or 1 cubic ft.)
- Air Popcorn Popper
- Video Game Consoles (Playstation, Xbox, Wii, etc.)
- Stereo
- TV, DVD Player, VCR Player

Fire Safety - Extension cords and power strips:

Because extension cords can easily become overloaded, thereby creating a fire risk, HRE prohibits residents from using extension cords under any circumstances. When using appliances, do not overload electrical outlets as that may create an electrical fire. HRE requires power strips with surge suppressants for refrigerators, computers, and stereos.

Fire Safety - Cooking

Cooking is only permitted in designated kitchen areas. When cooking in authorized areas, students shall adhere to the following requirements:

- If the stove or cookware is messy, dirty, or excessively greasy, clean the stove or cookware before use.
- When using electric cooking appliances (such as microwaves, kettles, toasters) do not overload the circuit.
- NEVER leave food that is cooking unattended.
- Before starting to cook, familiarize yourself with the fire safety resources available and know where the fire extinguisher is located.
- Before leaving the kitchen area, be sure to clean up, dispose of trash, and turn off all appliances when finished cooking.

If a fire starts and you can safely do so, contain the fire by closing the door of the oven or microwave or putting the lid on the pan. Use an available fire extinguisher suitable for the type of fire. If these efforts fail, pull the fire alarm and evacuate immediately.

Fire Safety - Smoking:

Pursuant to the University's smoke-free policy, the use of smoking products is prohibited on campus, both outside and inside any campus buildings, including, but not limited to, University managed housing. Smoking violations include the following:

- **Possession** - Possession of cigarette products and smoke-producing products, including, but not limited to, e-cigarettes, vapor pens, and other vapor products, is not permitted on or in University owned or operated property.
- **Use** - Use of cigarette products and smoke-producing products, including but not limited to, e-cigarettes, vapor pens, and other vapor products is not permitted on or in University owned or operated property.
- **Delivery** - Cigarette products and smoke-producing products must not be delivered through the mail or other delivery service to University owned or operated housing.

Fire Safety - Decorations:

The Office of Emergency Preparedness and Fire Safety must inspect any major decorative construction (e.g., platforms, haunted houses, and obstacle courses) for fire safety before it is used. Residents must follow these requirements for fire-safe decorations:

- Use fire-resistant materials in assigned living quarters and at social events; Do not overload electrical outlets and do not use extension cords, which are prohibited in University owned or operated housing;
- Provide adequate safety lighting at all social events; Do not obstruct access to exits and fire extinguishers; Decorations may not be hung from ceilings;
- Decorations may not be hung on, from, or cover fire safety related equipment (i.e., fire sprinklers, fire alarm system, strobes, smoke/CO2 detectors); and
- Do not use fireworks, floating lanterns, paper bag lanterns and wood fueled fires, which are prohibited as decorations in living quarters or any campus event.

Fire Safety - Weapons:

N. Weapons, including, but not limited to, knife with a blade over three inches, guns, pellet guns, paint guns, tasers, bows and arrows, machetes, ninja throwing stars, nun chucks, grenades or other explosive or incendiary devices, swords (including decorative), any other illegal weapon, and all ammunition for any type of firearm is strictly prohibited. University officials also have the discretion to determine that additional objects are unsafe for the community and may restrict and/or confiscate these items. Culinary knives used in kitchen areas for their intended purpose are permitted in University owned or operated housing.

Fire Safety – Bicycle Storage (excerpt):

Only walking is permitted in all areas inside the residence halls/apartments. Residents and guests must walk their bikes and carry their skates, non-motorized scooters, and skateboards inside the residence halls/apartments. Motorcycles, motorized scooters, and motorbikes must be stored outdoors. Gasoline cans are prohibited inside any University owned or operated housing. Hoverboards are prohibited on campus, and Campus Safety will confiscate any hoverboards brought to campus.

Fire Safety Violations include the following:

1. **Cooking:** Residents must follow all cooking fire safety measures and requirements.
2. **Decorations:** Residents must follow decorating restrictions in University owned or operated housing and cannot hang items from a smoke detector, sprinkler head, sprinkler pipe, sprinkler line, or ceiling, temporarily or permanently.
3. **Evacuation:** Residents must follow the evacuation process and follow verbal directives from University officials and Fire and Police Department Personnel.
4. **Prohibited Items:** Residents cannot have any possession of or use prohibited items in University owned or operated housing.

Failure to follow Policies & Procedures as outlined elsewhere in this document (HRE Guide of Residence Living) or in other communication from a University official in the performance of their duties may be considered a violation of the University of Denver Honor Code.

FIRE SAFETY – ROOM INSPECTIONS

During announced periods, Housing and Residential Education staff members may inspect rooms periodically to assess possible fire and life-safety hazards. Damages in resident's room will also be noted during these inspections. Staff do not open drawers or search through personal belongings. Their search is only of items within plain view. Residents may be billed for damages, missing furniture, or irregularities encountered in the room.

University of Denver's Housing and Residential Education Guide to Residence Living

University staff may enter a resident's assigned living quarters in University owned or operated housing for a variety of reasons. HRE tries to give students a 24-hour advanced notice; however, HRE may not be able to do so. If HRE discovers a policy violation in any of the situations below, HRE will document the violation and may result in referral to the Office of Student Rights & Responsibilities. University officials, including HRE staff members and Campus Safety, may confiscate items which are in violation of University and HRE policies, including but not limited to: candles, incense, alcohol, drugs, controlled substances, false identification, illegal plants, weapons, and drug paraphernalia. Items may be discarded or turned over to Campus Safety for further investigation and/or disposal as appropriate.

The following are illustrative, but not an exhaustive list of reasons for room entry:

- Fulfill custodial, maintenance, or computer service needs;
- Investigate suspicion that the welfare and/or rights of other members of the University community are being infringed upon;
- Investigate if danger to a student, or danger to the property of a student or the University exists;
- Investigate suspicion of policy violation;
- Check that closing procedures for break periods were completed;
- Turn off alarms, stereos, or other devices that are causing a noise disturbance;
- Cleaning and maintenance inspections;
- Confirm room has been vacated during fire alarm; Confirm room is ready for a new resident;
- Confirm space has been vacated by resident if they were scheduled to have been moved out;
- Disruptive noise caused by an animal (whether emotional support animal, service animal, or unauthorized pet);
- Inspect rooms periodically for fire safety issues, including for the presence of prohibited items, evidence of tampering with fire safety devices, and verifying the following:
 - ✓ Fire alarm devices and fire safety equipment are not covered or broken.
 - ✓ Nothing obstructs the egress.
 - ✓ Nothing is hung from the ceiling.
 - ✓ No electrical safety hazards are present.
 - ✓ No excessive holiday lights or decorative LED lighting are present.
 - ✓ No furnishings are in contact with approved room heaters.

FIRE DRILLS

In addition to fire inspections, emergency egress and relocation drills are conducted with sufficient frequency to familiarize occupants with drill procedures. Fire evacuation drills are conducted three (3) times per academic year in residential facilities and one (1) to two (2) times per calendar year in all other facilities where required. Fire, tornado, and lockdown drills occur every month in primary and early childhood education facilities.

Student Residential Housing:

To ensure that students living in residential housing facilities under the control of the University of Denver's House and Residential Education are properly prepared to evacuate the building in the event of an emergency, the Division of Campus Safety conducts three routine fire drills in each building annually.

Fire drills are conducted without prior notice and building occupants are graded on their performance in the course of these drills. During a fire drill, representatives from the University's Division of Campus Safety look for the following:

- All people have evacuated the building
- All doors and windows are closed
- All halls, stairwells, fire system components, and walkways are clear and accessible
- Elevators are bypassed in favor of stairs
- All individuals have moved at least 50 feet from the building (walls and doors; 50 feet from an entrance is not the same as 50 feet from the building)
- The building is evacuated in a reasonable amount of time.

Upon inspection of the building, representative from the University's Division of Campus Safety will cite the building for the following:

- More than one open door or window
- Failure to evacuate without an order to do so by a Division of Campus Safety official
- Objects in the halls or stairwells
- Any fire hazards that are contrary to Denver Fire Code or University of Denver life safety policies

Should a building fail a fire drill, a remediation fire drill will be held within 7 days following a report of deficiencies to Housing and Residential Education. Should a building fail a remediation drill, the DCS Office of Emergency Preparedness and Fire Safety may take any number of steps, including, but not limited to, a second remediation drill during the overnight or early morning hours.

FIRE EVACUATION PROCEDURES – STUDENT RESIDENTIAL HOUSING

Evacuation procedures are posted on each floor in all student residential housing managed by the University's Housing and Residential Education (HRE). Additionally, evacuation procedures are listed in HRE's Guide to Residence Living. Fire evacuation procedures apply to all students, HRE staff and contracted employees who reside or work within all residence halls (to include dining halls and parking structures where applicable) as well as other student housing buildings managed by HRE:

University of Denver's Housing and Residential Education Guide to Residence Living

If a fire alarm sounds, residents must immediately vacate the building via the nearest stairwell and proceed at least 50 feet (15 meters) outside the building until a Campus Safety officer or first responder allows residents to re-enter the building. Residents and guests must fully cooperate in all evacuations.

Failure to evacuate the building in the event of an alarm sounding may result in a referral to the Office of Student Rights & Responsibilities.

Exit the building immediately in a safe manner. If you are not in your own room, do not go back to your room to retrieve items. If you are in your room, please do the following:

- Check to see if the doorknob is hot.
- If it is hot:
 - ✓ Do not open your door
 - ✓ Wait in plain view next to your window
 - ✓ Open blinds and leave your lights on.
 - ✓ Call the Division of Campus Safety at 303-871-300 or 911 to report your location if a phone is available.
- If your doorknob is not hot:
 - ✓ Take a dampened towel and cover nose and mouth to prevent smoke inhalation.
 - ✓ Put on shoes.
 - ✓ Close room door behind you.

- ✓ Go to the exit stairway closest to your room/apartment – do not use the elevator.
- ✓ If the outside exit door does not open immediately, kick the emergency strike plate.
- When evacuating the building:
 - ✓ Leave the building immediately.
 - ✓ Do not investigate the source of the emergency.
 - ✓ Walk, don't run, to the nearest exit.
 - ✓ Use stairs, not elevators.
 - ✓ Follow instructions of the Division of Campus Safety officials or other identified emergency personnel.
 - ✓ Upon exiting the building, move at least 50 feet away from the structure.
 - ✓ Do NOT reenter the building until told to do so by Campus Safety officials or the Denver Fire Department.

Special Considerations:

Certain evacuations may last longer than your typical fire alarm. In cases where there is an actual fire, carbon monoxide alarm, or any instance where one cannot re-enter their assigned living quarters for a prolonged period of time, please go to the following gathering points located in a building different than your living quarters:

- Residents of **Centennial Halls** will gather at **Centennial Towers** main lounge.
- Residents of **Centennial Towers** will gather at **Centennial Halls** main lounge.
- Residents of **Johnson-McFarlane** will gather inside the **Nelson Hall** cafeteria.
- Residents of **Nelson and Nagel Hall** will gather at the **Johnson-McFarlane** main lounge and classroom.
- Residents of the Dimond Family Residential Village will gather at Centennial Halls main lounge.

Persons with disabilities:

- If a person is unable to evacuate a building due to a physical disability, the following steps should be taken.
- If the building has a designated area of rescue, the person should be moved to this area.
- If the building does NOT have a designated area of rescue, the person should be moved to the closet stairwell.
- Call 911 or Campus Safety at 303-871-3000 and inform first responders of the person requiring rescue.

You are required to evacuate the building safely and quickly when a fire alarm sounds. Failure to comply with these directions may result in referral to the Office of Student Rights & Responsibilities and potential criminal action based on federal, state or city fire codes.

FIRE-SAFETY EDUCATION

The University of Denver's Division of Campus Safety conducts annual fire-safety education training for designated Emergency Response Teams who then disseminate the information covered to their respective departments and offer fire extinguisher training. Fire safety education and training is provided during the University's annual Spring Fest, in partnership with the Denver Fire Department.

HRE Residence Assistants are also given fire-safety training on an annual basis, which they disseminate to the residents in their residence halls. The University of Denver's Division of Campus Safety also conducts a fire safety presentation/training to Fraternity/Sorority Life (Greek Life) personnel at the beginning of each academic year. Training includes a review of use of fire extinguishers, fire safety components of their assigned building, expectations of the staff, evacuation procedures and their role, fire safety guidelines, and emergency assistance procedures.

The University of Denver's Housing and Residential Education (HRE) provides its residents with a copy of their Guide to Residence Living, which includes fire safety information and expectations to incoming and current student residents. HRE directs residents to their website for additional information. The University of Denver's Division of Campus Safety provides fire safety information and expectations to student residents, which is accessible via their website. At least annually, room inspections are conducted of each residence by either HRE staff or Division of Campus Safety Staff. During these announced periods, staff members may inspect rooms to assess possible fire and

life-safety hazards. Unannounced fire drills to practice existing procedures are conducted periodically throughout the year. Fire safety training materials are available to incoming and returning students and their families during the University of Denver's orientation and move-in period each year.

Contract employees that work in the dining halls of the University's Student Housing facilities follow the University's policies on fire evacuation and fire drills. Additionally, these employees are provided fire safety education and fire extinguisher training through the University's Division of Campus Safety and participate in daily safety meetings held by members of the contracted company.

All students, HRE staff and contracted employees who reside or work within all residence halls (to include dining halls and parking structures adjacent to or contained within, where applicable) as well as other student housing buildings managed by HRE, shall do the following if a fire is discovered or suspected:

- Locate and pull the nearest fire alarm. If the alarm fails to operate, warn other occupants to evacuate the building by shouting the warning.
- Follow the University's Fire Evacuation procedures for student housing. Evacuate the building immediately and move at least 50 feet from the building to a safe location.
- Even if the alarm sounds, call the Campus Safety emergency number, 303.871.3000 (1-3000), and provide as much information as possible about the alarm. Do not assume someone else has called or that the fire signal notified the Division of Campus Safety.

INSPECTION TESTING AND MAINTENANCE OF FIRE PROTECTION SYSTEMS AND EQUIPMENT

The University of Denver (DU's) Facilities Management and Planning manages this element of the campus fire safety program with support from DU's Housing and Residential Education and an approved/licensed 3rd party fire protection contractor. All fire protection systems and equipment in the Residence Halls, Greek Houses and Apartments is tested, inspected and maintained per local and national fire protection codes and standards.

As part of the ongoing fire prevention initiatives in the City of Denver, the Office of Emergency Preparedness and Fire Safety works with University departments and the Denver Fire Department to perform annual fire inspections in all buildings on campus. Firefighters from the local fire station or inspectors from the Fire Prevention Division and Hazardous Materials will visit each building accompanied by Division of Campus Safety and other University personnel at least once per year to ensure compliance with Denver Fire Code and good life safety practices. Any deficiencies found during these inspections will be remedied by DU's Facilities Management and Planning, Housing and Residential Education, or Division of Campus Safety personnel by order of the Denver Fire Department.

Fire alarms in residence halls are inspected annually to ensure proper functioning under normal conditions. These inspections are performed by Division of Campus Safety Alarm Technicians or by private contractors through agreements with the Division of Campus Safety.

Centennial Halls, Centennial Towers, Dimond Family Residential Village, Nagel Hall, Nelson Hall and Johnson McFarland Hall

These Residence Halls are each monitored by a supervised fire alarm system and are also protected by automatic, supervised wet pipe sprinkler systems that are integrated with the fire alarm system. The fire alarm systems are continuously monitored by a third party supervised 24/7 monitoring station. Nagel Hall, Dimond Family Residential Village, and Johnson McFarland Hall are equipped with digital voice notification. Each is equipped with a fire pump, with the exception of Johnson McFarland Hall. Centennial Towers, Dimond Family Residential Village and Nagel Hall are equipped with an emergency generator to power emergency lights and exit signs to

illuminate the means of egress. Elevators, magnetically held-open fire-rated door assemblies, and air handling units are also integrated with the fire alarm system. Multi-purpose ABC dry chemical fire extinguishers are installed on each floor as well as throughout the common areas and mechanical spaces in the complex. There are fire suppression systems and K fire extinguishers in the Centennial Halls, Nagel Hall and Nelson Hall kitchens. Dimond Family Residential Village does not have a kitchen area.

Lynn Marie Apartments

Lynn Marie Apartments has local smoke and CO detectors in the units. Multi-purpose ABC dry chemical fire extinguishers are installed on each floor as well as throughout the common areas.

Hilltop Hall, Mesa Apartments, Ridgeline Apartments, Summit Apartments and University Place Apartments

These apartment buildings are each monitored by a supervised fire alarm system. The fire alarm systems are continuously monitored by a third party supervised 24/7 monitoring station. University Place Apartments is equipped with digital voice notification. Multi-purpose ABC dry chemical fire extinguishers are installed on each floor as well as throughout the common areas and mechanical spaces in the complex.

Delta Delta Delta, Gamma Phi Beta, and Lambda Chi Alpha

These Greek Houses are each monitored by a supervised fire alarm system and are also protected by automatic, supervised wet pipe sprinkler systems that is integrated with the fire alarm system. The fire alarm systems are continuously monitored by a third party supervised 24/7 monitoring station. Multi-purpose ABC dry chemical fire extinguishers are installed on each floor as well as throughout the common areas and mechanical spaces in the complex. There are fire suppression systems and K fire extinguishers in the kitchens.

Delta Zeta, Phi Kappa Sigma and Zeta Beta Tau

These Greek Houses are each monitored by a supervised fire alarm system. The fire alarm systems are continuously monitored by a third party supervised 24/7 monitoring station. Multi-purpose ABC dry chemical fire extinguishers are installed on each floor as well as throughout the common areas and mechanical spaces in the complex. There are fire suppression systems and K fire extinguishers in the kitchens with the exception of Phi Kappa Sigma.

University Lofts (This apartment building is not owned or controlled by DU)

This apartment building is monitored by a supervised fire alarm system and are also protected by automatic, supervised wet pipe sprinkler systems that is integrated with the fire alarm system. The fire alarm system is continuously monitored by a third party supervised 24/7 monitoring station. Multi-purpose ABC dry chemical fire extinguishers are installed on each floor as well as throughout the common areas and mechanical spaces in the complex.

U-House and Vista Apartments (These apartment buildings are not owned or controlled by DU)

These apartment buildings are protected by automatic wet pipe sprinkler systems. Multi-purpose ABC dry chemical fire extinguishers are installed on each floor as well as throughout the common areas and mechanical spaces in the complex.

Alpha Phi, Delta Gamma and Chi Omega (These properties are not owned or controlled by DU)

These Greek Houses are each monitored by a supervised fire alarm system and are also protected by automatic, supervised wet pipe sprinkler systems that is integrated with the fire alarm system. The fire alarm systems are continuously monitored by a third party supervised 24/7 monitoring station. Multi-purpose ABC dry chemical fire extinguishers are installed on each floor as well as throughout the common areas and mechanical spaces in the complex.

PLANS FOR FUTURE IMPROVEMENTS AND FIRE SAFETY

The Division of Campus Safety has secured funding to upgrade the fire detection systems in our three largest residence halls. This upgrade will take place in Centennial Halls, Centennial Towers and Nelson Hall over the next 2.5 years. The upgrade includes moving to a digital voice enabled system and replacing all detection devices throughout these residential buildings. Several campus buildings have already been upgraded to a digital voice platform and the remaining buildings will all be upgraded over the next five years.

FIRE LOG

A log of all campus fires is maintained by the Division of Campus Safety, Manager of Emergency Preparedness. The log may be viewed at The University of Denver Division of Campus Safety, Campus Safety Center, 2130 S. High St., Denver, during the hours of 8am-4:30pm, Monday through Friday. Call our mainline at 303-871-2334, for more information.

The current fire log is also accessible via the Division of Campus Safety's website at:
<https://www.du.edu/emergency/firesafety/index.html>

FIRE STATISTICS

The fire statistics for student housing facilities for the 2017, 2018, and 2019 calendar years are provided in the pages that follow. The category and cause of the fire follow the classifications used by the Department of Education. The estimated dollar value of damages for the events on each facility or complex area are also included utilizing the ranges by the reporting of The Department of Education.

Fires which occurred in parking facilities and dining halls that are part of the residence hall complexes are entered in the Department of Education website as occurring in one of the residence halls that are physically attached to the dining facility.

FIRE SAFETY REPORT

FIRE LOG (CY2019)

LOCATION	Type of University Housing Property	Date of Incident	Time of Incident	Date Reported	Nature (Cause) of Fire	Number of Injuries ¹	Number Death	Value of Property Damaged	DCS Report #
JMAC 1901 Iliff Ave.	Owned	07/26/19	19:34	07/26/19	Unintentional: Electrical Fire of Light Fixture	0	0	\$0-\$99	19000675
Nagel Hall 2194 S. High St.	Owned	5/26/18	15:05	5/26/18	Unintentional: Electrical Fire/ Trash compactor motor	0	0	\$0-\$99	1800497
Delta Zeta 2258 S. Josephine St	Owned	9/2/18	12:11	9/2/18	Unintentional: Electrical Fire/ Electrical board behind dryer	0	0	\$0-\$99	1800658
Centennial Halls 1870 S. High St	Owned	9/15/18	20:30	9/15/18	Unintentional: Cooking Fire/ Metal inside microwave caught fire	0	0	\$0-\$99	1800740

* No reported fires in On-Campus Student Housing Facilities during CY 2017

FIRE STATISTICS—BY BUILDING

2019 UNIVERSITY PARK CAMPUS (UNIVERSITY OF DENVER RESIDENTIAL BUILDINGS ONLY)

LOCATION	Number by Building	Fire Number	Date Reported	Date of Incident	Time of Incident	Cause of Fire	Number of Injuries ¹	Number of Deaths ²	Value of Property Damage
AlphaPhi	0	0	—	—	—	—	—	—	—
Centennial Halls	0	0	—	—	—	—	—	—	—
Centennial Towers	0	0	—	—	—	—	—	—	—
DeltaDeltaDelta	0	0	—	—	—	—	—	—	—
Delta Gamma	0	0	—	—	—	—	—	—	—
DeltaZeta	0	0	—	—	—	—	—	—	—
Gamma Phi Beta	0	0	—	—	—	—	—	—	—
Hilltop Hall/BetaThetaPi	0	0	—	—	—	—	—	—	—
Johnson-McFarlane Hall	1	1	7/26/2019	7/26/2019	7:34PM	Unintentional: electrical fire	0	0	\$100-\$999
Lambda Chi Alpha	0	0	—	—	—	—	—	—	—
Lynn Marie Apartments	0	0	—	—	—	—	—	—	—
Mesa Apartments	0	0	—	—	—	—	—	—	—
Nagel Hall	0	0	—	—	—	—	—	—	—
Nelson Hall	0	0	—	—	—	—	—	—	—
Phi Kappa Sigma	0	0	—	—	—	—	—	—	—
Ridgeline Apartments	0	0	—	—	—	—	—	—	—
Chi Omega	0	0	—	—	—	—	—	—	—
Summit Apartments	0	0	—	—	—	—	—	—	—
Transfer House	0	0	—	—	—	—	—	—	—
U-House	0	0	—	—	—	—	—	—	—
University Lofts	0	0	—	—	—	—	—	—	—
University Place Apartments	0	0	—	—	—	—	—	—	—
Vista Apartments	0	0	—	—	—	—	—	—	—
Zeta Beta Tau	0	0	—	—	—	—	—	—	—
TOTALS:	1	1					0	0	\$100-999

FIRE SAFETY REPORT

FIRE STATISTICS—BY BUILDING

2018 UNIVERSITY PARK CAMPUS (UNIVERSITY OF DENVER RESIDENTIAL BUILDINGS ONLY)

LOCATION	Number by Building	Fire Number	Date Reported	Date of Incident	Time of Incident	Cause of Fire	Number of Injuries ¹	Number of Deaths ²	Value of Property Damaged
AlphaPhi	0	0	—	—	—	—	—	—	—
Centennial Halls	1	1	9/15/18	9/15/18	20:30	Unintentional: cooking fire	0	0	\$0
Centennial Towers	0	0	—	—	—	—	—	—	—
DeltaDeltaDelta	0	0	—	—	—	—	—	—	—
Delta Gamma	0	0	—	—	—	—	—	—	—
DeltaZeta	1	1	9/02/18	9/02/18	12:11	Unintentional: electrical fire	0	0	\$0
Gamma Phi Beta	0	0	—	—	—	—	—	—	—
Hilltop Hall/Beta Theta Pi	0	0	—	—	—	—	—	—	—
Johnson-McFarlane Hall	0	0	—	—	—	—	—	—	—
Kappa Sigma	0	0	—	—	—	—	—	—	—
Lambda Chi Alpha	0	0	—	—	—	—	—	—	—
Lynn Marie Apartments	0	0	—	—	—	—	—	—	—
Mesa Apartments	0	0	—	—	—	—	—	—	—
Nagel Hall	1	1	5/26/18	5/26/18	15:05	Unintentional: electrical fire	0	0	\$0
Nelson Hall	0	0	—	—	—	—	—	—	—
PhiKappaSigma	0	0	—	—	—	—	—	—	—
Ridgeline Apartments	0	0	—	—	—	—	—	—	—
Sigma Alpha Epsilon	0	0	—	—	—	—	—	—	—
Sigma Chi (formerly AGD)	0	0	—	—	—	—	—	—	—
Summit Apartments	0	0	—	—	—	—	—	—	—
U-House	0	0	—	—	—	—	—	—	—
University Lofts	0	0	—	—	—	—	—	—	—
UniversityPlace Apartments	0	0	—	—	—	—	—	—	—
Vista Apartments	0	0	—	—	—	—	—	—	—
Zeta Beta Tau	0	0	—	—	—	—	—	—	—
TOTALS:	3	3					0	0	\$0-99

FIRE SAFETY REPORT

FIRE STATISTICS—BY BUILDING

2017 UNIVERSITY PARK CAMPUS (UNIVERSITY OF DENVER RESIDENTIAL BUILDINGS ONLY)

LOCATION	Number by Building	Fire Number	Date Reported	Date of Incident	Time of Incident	Cause of Fire	Number of Injuries ¹	Number of Deaths ²	Value of Property Damaged
Alpha Phi	0	0	—	—	—	—	—	—	—
Centennial Halls	0	0	—	—	—	—	—	—	—
Centennial Towers	0	0	—	—	—	—	—	—	—
Delta Delta Delta	0	0	—	—	—	—	—	—	—
Delta Gamma	0	0	—	—	—	—	—	—	—
Delta Zeta	0	0	—	—	—	—	—	—	—
Gamma Phi Beta	0	0	—	—	—	—	—	—	—
Hilltop Hall	0	0	—	—	—	—	—	—	—
Johnson-McFarlane Hall	0	0	—	—	—	—	—	—	—
Kappa Sigma	0	0	—	—	—	—	—	—	—
Lambda Chi	0	0	—	—	—	—	—	—	—
Lynn Marie Apartments	0	0	—	—	—	—	—	—	—
Mesa Apartments	0	0	—	—	—	—	—	—	—
Nagel Hall	0	0	—	—	—	—	—	—	—
Nelson Hall	0	0	—	—	—	—	—	—	—
Phi Kappa Sigma	0	0	—	—	—	—	—	—	—
Ridgeline Apartments	0	0	—	—	—	—	—	—	—
Sigma Alpha Epsilon	0	0	—	—	—	—	—	—	—
Sigma Chi (formerly AGD)	0	0	—	—	—	—	—	—	—
Summit Apartments	0	0	—	—	—	—	—	—	—
University Lofts	0	0	—	—	—	—	—	—	—
University Place Apartments	0	0	—	—	—	—	—	—	—
Vista Apartments	0	0	—	—	—	—	—	—	—
Zeta Beta Tau	0	0	—	—	—	—	—	—	—
TOTALS:	0	0					0	0	\$0

FIRE SAFETY REPORT

RESIDENTIAL FIRE CONTROL SYSTEMS—BY BUILDING

	Fire Alarm Monitored	Partial (A) Sprinkler System	Full (B) Sprinkler System	Fire Alarm Control Panel	Warning Horn/ Strobe	Heat Detectors	Smoke Detectors	Manual Pull Stations	Beam Detectors	CO Detectors	Fire Doors	Fire Extinguishers	Evacuation plan/ Placards	# of Evacuation (fire drills) each Calendar Yr.
Housing Properties														
Alpha Phi 1985 S. Josephine St.	offsite		X	X	X	X	X	X		X	X	X		0
Centennial Halls 1870 S. High St.	offsite		X	X	X	X	X	X	X	X	X	X		3
Centennial Towers 1770 S. Williams St.	offsite		X	X	X	X	X	X		X	X	X		3
Delta Delta Delta 2249 S. Josephine St.	offsite		X	X	X	X	X	X		X	X	X		3
Delta Gamma 2222 S. Josephine St.	offsite		X	X	X	X	X	X			X	X		2
Delta Zeta 2258 S. Josephine St.	offsite			X	X	X	X	X		X	X	X	X	3
Gamma Phi Beta 2233 S. Josephine St.	offsite		X	X	X	X	X	X		X	X	X	X	3
Hilltop Hall/Beta Theta Pi 2280 S. Race St.	offsite			X	X	X	X	X		X	X	X		3
Johnson-McFarlane Hall 1901 E. Iliff Ave.	offsite		X	X	X	X	X	X	X	X	X	X		3
Lamba Chi Alpha 2217 E. Evans Ave	offsite		X	X	X	X	X	X		X	X	X		3
Lynn Marie Apts 1995 S. University Blvd	none						X					X		0
Mesa Apartments 1925 S. York St.	offsite		X	X	X	X	X	X		X	X	X		3
Nagal Hall 2194 S. High St	offsite		X	X	X	X	X	X		X	X	X	X	3
Nelson Hall 2222 S. High St.	offsite		X	X	X	X	X	X		X	X	X	X	3
Phi Kappa Sigma 2455 E. Asbury Ave	offsite			X	X	X	X	X		X	X	X		0
Ridgeline Apartments 1930 S. York St	offsite			X	X	X	X	X		X	X	X		3
Chi Omega 2203 S. Josephine St.	offsite		X	X	X	X	X	X			X	X		3
Summit Apartments 1094 S. York St.	offsite			X	X	X	X	X		X	X	X		3
Transfer House 2201 E. Evans Ave.	offsite		X	X	X	X	X	X		X	X	X	X	0
U-House 2400 E. Asbury Ave..	none		X	X	X	X	X	X			X	X		0
University Lofts 2373 E. Evans Ave.	offsite		X	X	X	X	X	X		X		X		0
University Place Apts 1950 S. York St.	offsite			X	X	X	X	X		X	X	X		0
Vista Apartments 1920 S. University Blvd.	none		X	X	X	X	X	X						0
Zeta Beta Tau 1959 S. Columbine St.	offsite			X	X	X	X	X		X	X	X	X	3

A. Partial Sprinkler System is defined as having sprinklers in the common areas only.

B. Full Sprinkler System is defined as having sprinklers in both the common areas and individual rooms.



UNIVERSITY *of*
DENVER



**Office of Equal Opportunity & Title IX
Title IX Sexual Harassment Procedures
2020 - 2021
(Effective August 14, 2020)**

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

- A. 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.
- B. 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, religion, creed, disability, sex, sexual orientation, gender identity, gender expression, marital status, pregnancy, military enlistment, veteran status, or genetic information.
- C. 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 the educational programs and activities that the University operates, including admissions, employment, extracurricular activities, athletics, or other programs. The University will promptly and equitably respond to reports of Sexual Harassment, prevent its recurrence, and address its effects on any individual or the community.

II. Purpose

- A. The Office of Equal Opportunity & Title IX has established these Procedures to administer and enforce the University’s policy regarding discrimination and harassment as it applies to sexual harassment as defined by Title IX. The University policy and these Procedures are intended to comply with the requirements of Title IX, 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 laws of the State of Colorado with respect to its application to sexual misconduct, and other applicable laws and regulations.
- B. Consistent with federal, state and local law, and University policies related to non-discrimination, the University, through the Office of Equal Opportunity & Title IX, takes action to provide a prompt and equitable resolution of student and employee complaints alleging:
 - 1. Sexual Harassment, as defined by the U.S. Department of Education’s Title IX regulations and Section IV.A.1 of these Procedures;
 - 2. Retaliation against any individual or group of individuals involved in an investigation and/or resolution of a report under these Procedures, provided that the University will address allegations of Retaliation pursuant to the Office of Equal Opportunity & Title IX General Discrimination and Harassment Procedures.
- C. The Office of Equal Opportunity & Title IX is responsible for administering the Procedures. Any inquiries about the Procedures should be referred to the University’s 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:

Erika Hollis, J.D.
Interim Title IX Coordinator
University of Denver
Mary Reed Building, 4th Floor
2199 South University Blvd.
Denver, CO 80208
Phone: 303-871-7016
TitleIX@du.edu

Assistant Secretary of the U.S.
Department of Education for the
Office of Civil Rights
Lyndon Baines Johnson
Department of Education Building
400 Maryland Avenue, SW
Washington, DC 20202-1100
Phone: 800-421-3481
Fax: 202-453-6012
OCR@ed.gov

- D. The Office of Equal Opportunity & Title IX will consider, recommend, and implement Supportive Measures for the parties involved and the community, conduct prompt and equitable investigations, promote accountability for violations of policies and procedures, and recommend other remedies designed to eliminate Sexual Harassment, prevent its recurrence, and address its effects.

III. Scope and Jurisdiction

- A. These Procedures apply to all reported instances of alleged Sexual Harassment where the following conditions are met:
 1. The Sexual Harassment conduct is alleged to have been perpetrated against a person in the United States;
 2. The Sexual Harassment conduct is alleged to have taken place within the University's programs and activities; and
 3. At the time of filing or signing the Formal Complaint, the Complainant is participating in or attempting to participate in the University's Education Programs or Activities.

- B. The University may address alleged incidents of discrimination, harassment or other misconduct 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 that are not covered by these Procedures using other University policies and procedures, including but not limited to:
 1. Office of Equal Opportunity & Title IX General Discrimination and Harassment Procedures
 2. Honor Code with the Student Rights & Responsibilities Policies and Procedures
 3. [Policy on Protection of Minors on Campus](#)
 4. [Procedures for the Protection of Minors on Campus](#)

- C. These Procedures apply to Sexual Harassment 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 Sexual Harassment. These Procedures provide the exclusive University remedy for alleged Sexual Harassment as defined by Title IX.

- D. 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.
 1. Members of the community are responsible for conducting themselves in accordance with these Procedures and other University policies and procedures.
 2. For students, these Procedures apply to conduct that takes place from the date on which the student is admitted to the University and continues until the student withdraws or graduates, including periods during any leaves of absence, term breaks and between terms.
 3. For faculty and staff, these Procedures apply to the conduct that takes place from the date on which the individual accepts an offer of employment with the University until their employment ceases.
 4. If a student graduates or withdraws or an employee voluntarily resigns prior to final resolution of any matter, the Office of Equal Opportunity & Title IX retains jurisdiction and the discretion to address the matter as necessary to fulfill the University's obligations under Title IX.

E. Visitors and Guests

1. Visitors to and guests of the University are both protected from and subject to the restrictions on Sexual Harassment, 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 Sexual Harassment committed against them by members of the University community, but visitors and guests are limited in their rights pursuant to these Procedures.
2. The University can trespass visitors and guests who have been alleged to have engaged in Sexual Harassment without any rights to the resolution processes described in these Procedures. Members of the University community who host guests may be held accountable for the misconduct of their guests pursuant to applicable University policies.

IV. Definitions

A. Definitions of Conduct Prohibited by these Procedures:

1. Sexual Harassment: conduct on the basis of sex that satisfies one or more of the following:
 - a) 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. Also known as quid pro quo sexual harassment;
 - b) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to a University Education Program or Activity; or
 - c) Sexual assault, which means 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:
 - i. 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;
 - ii. 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;
 - iii. 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;

- iv. 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;
 - v. Incest means sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; or
 - vi. Statutory Rape means sexual intercourse with a person who is under the statutory age of consent.
- d) Domestic violence, which means 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.
- e) Dating violence, which means 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.
- f) Stalking, which means a course of conduct directed at a specific person that would cause a reasonable person to (1) fear for their safety or the safety of others, or (2) suffer substantial emotional distress.
- i. Course of conduct means two 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.
 - ii. Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
 - iii. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
2. 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 Sexual Harassment; an individual's or group's participation, including testifying or assisting in the University's Title IX process, serving as an Investigator, Hearing Officer, Decision-Maker for Disciplinary Action, Outcome Council Member, Appellate Officer, Title IX Coordinator, a facilitator of the Informal Resolution Process, or otherwise exercising authority under these Procedures; an individual's or group's refusal to participate in the University's

Title IX process; or other form of good faith opposition to what an individual reasonably believes to be Sexual Harassment under these Procedures.

- a) Individuals are also protected from Retaliation for making good faith requests for accommodations on the basis of religion or disability.
- b) 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.
- c) Charging an individual with a violation of these Procedures for making a materially false statement in bad faith in the course the University's Title IX process does not constitute Retaliation. The exercise of rights protected under the First Amendment also does not constitute Retaliation prohibited under these Procedures.

B. Additional Definitions that Apply throughout these Procedures:

1. Complainant means an individual who is alleged to have experienced conduct that could constitute Sexual Harassment and who is participating or attempting to participate in a University Education Program or Activity.
2. Consent means mutually understandable, clear, knowing and voluntary affirmative permission given through words or actions regarding the willingness to engage in each sexual activity and the conditions thereof. An individual who is not of 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.
 - a) 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.
 - b) Coercion means unreasonable and/or persistent pressure to compel another individual to initiate or continue sexual activity against that individual's will.
 - c) Force means the use of physical violence and/or imposing on someone physically to engage in sexual activity.
 - d) 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).
3. Disciplinary Action means any action levied by the University against an employee who is found responsible for Sexual Harassment under these Procedures.
4. Education Program or Activity includes locations, events, or circumstances over which the University exercised substantial control over both the Respondent and the context in which the Sexual Harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the University.
5. Formal Complaint means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent or unknown party and requesting that the University investigate the allegation of Sexual Harassment. A

Formal Complaint may be filed with the Title IX Coordinator in person, by mail, by email, or using the online portal on the Title IX website.

6. Investigator means the individual who is designated by the Title IX Coordinator to be responsible for gathering evidence and drafting an investigative report.
7. Outcomes means the University statuses and educational opportunities, restrictions, and/or expectations for a student found responsible for Sexual Harassment.
8. Outcome Council means a body composed of University staff and faculty convened by the Office of Student Rights & Responsibilities to determine the Outcomes for a student who is a Respondent found responsible for Sexual Harassment.
9. Party/Parties means Complainant(s) and Respondent(s).
10. Preponderance of the Evidence means the standard of proof applied under these Procedures in which, an allegation is proven if, based on the credible, relevant information acquired during the investigation and provided at the hearing on 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.
11. Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
12. Remedies means the measures provided to a Complainant and/or the University Community, following a grievance process pursuant to these Procedures in which a Respondent is found responsible for Sexual Harassment.
13. Respondent means an individual who has been reported to have engaged in conduct that could constitute Sexual Harassment.
14. Responsible Employee means an employee, as identified in Section V below who has the obligation to report alleged Sexual Harassment and alleged Retaliation to the Title IX Coordinator.
15. Supportive Measures means non-disciplinary, non-punitive individualized services offered to the Complainant, Respondent, and/or Witnesses, as appropriate and reasonably available.
16. Witness means a person asked to provide information or a statement under these Procedures.

V. Reports of Alleged Sexual Harassment

- A. At any time, any person may report Sexual Harassment (whether or not the person reporting is the person alleged to have experienced Sexual Harassment), in person, by mail, by telephone, by electronic mail or other electronic submission to the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.
- B. After receiving a report, the University may conduct an initial assessment of the reported information to determine whether the nature or circumstances of the report are within the scope of these Procedures. If the University determines that the reported information does not fall within the scope of these Procedures, the Title IX Coordinator will, as appropriate, refer to

the matter to an appropriate administrator, provide the Complainant with resources, and/or close the matter.

- C. The University encourages Complainants to report incidents of Sexual Harassment directly to the Office of Equal Opportunity & Title IX by contacting the Title IX Coordinator:

Erika Hollis, Title IX Coordinator
University of Denver, Mary Reed Building, 4th Floor
2199 South University Blvd.
Denver, CO 80208
Phone: 303-871-7016
TitleIX@du.edu
<https://www.du.edu/equalopportunity/titleix/index.html>
[Title IX Online Report Form](#)

Molly Hooker
Deputy Title IX Coordinator
University of Denver, Mary Reed Building, 4th Floor
2199 South University Blvd.
Denver, CO 80208
Phone: 303-871-7016
TitleIX@du.edu

- D. Upon receiving a report of alleged Sexual Harassment, the Title IX Coordinator must promptly:
1. Inform the Complainant in writing of their right to simultaneously or subsequently file a Formal Complaint pursuant to these Procedures and the process for doing so.
 2. Contact the Complainant to discuss the availability of Supportive Measures with or without the filing of a Formal Complaint.
 3. Consider the Complainant's wishes with respect to Supportive Measures
 4. Offer Supportive Measures as provided in Section VI below.

- E. Individuals may also report alleged Sexual Harassment to other units identified below, which must promptly inform Office of Equal Opportunity & Title IX of the report:

Division of Campus Safety
University of Denver
2130 S. High St., MSC 6200
Denver, CO 80208
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

Driscoll Student Center
2050 E. Evans Ave.
Denver, CO 80208
303-871-2150

srr@du.edu

<https://www.du.edu/studentlife/studentconduct/rightsresponsibilities.html>

Student Outreach & Support (SOS) Referral

University of Denver

Driscoll Student Center South, Suite 30

2050 E. Evans Ave.

Phone: 303-871-2400

SOS@du.edu

SOS Referral [Online Report Form](#)

Housing and Residential Education Staff, including Resident Assistants (RAs, GRDs)

Housing and Residential Education

University of Denver

Nagel Hall, First Floor

2055 E. Evans Ave. Suite 200

Denver, CO 80208

Phone: 303-871-2246

housing@du.edu

<https://www.du.edu/housing/>

F. To promote timely support for all Parties and an effective and consistent University response, any Responsible Employee who receives a report of alleged Sexual Harassment must promptly report the alleged Sexual Harassment, including all known details of the incident (including the date, time, location, names of individuals, and details) to the Title IX Coordinator, 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:

- Members of the Board of Trustees
- Chancellor
- Provost and Executive Vice Chancellor
- Senior Vice Chancellors
- Vice Chancellors
- Vice and Associate Provosts
- Deans
- Directors
- Department Chairs
- Campus Safety personnel
- Athletics & Recreation personnel (including paid and unpaid coaches)
- Student Affairs & Inclusive Excellence personnel (including Resident Assistants)
- Faculty and Staff (including Graduate Teaching Assistants), and
- Advisors to student groups (including those who are not otherwise employees of

the University; e.g. fraternity or sorority advisors)

- G. The Office of Equal Opportunity & Title IX is not a confidential resource. For any report of Sexual Harassment, the University will endeavor to 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. Confidentiality means that a client or patient (including students, staff, and faculty) sharing information with a designated 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. Information related to a specific 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 any third party unless permissible for a student under the Family Educational Rights and Privacy Act (FERPA).
- H. Anonymous Reporting
1. Any individual other than a Responsible Employee can make a report without disclosing one's own name, identifying the Respondent, or requesting any action.
 2. Anonymous reports are referred to Division of Campus Safety and the Title IX Coordinator for review for appropriate action.
 3. The University will review all anonymous reports, and where there is sufficient information, include applicable information in Clery Act reporting.
 4. 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.
- I. Individuals have several reporting options within and outside the University. Individuals may pursue these options simultaneously or any one of them separately. The University has resources to support a Complainant regardless of the course of action chosen. The University encourages Complainants to contact local law enforcement to report incidents of Sexual Harassment 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.

J. If a report of Sexual Harassment 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.

K. Timeliness and Location of Incident

1. Although there is no time limit on reporting Sexual Harassment, the University encourages Complainants and other individuals to promptly report allegations of Sexual Harassment. Delays in reporting can prevent the University from gathering evidence sufficient to reach a determination as to the allegations and may result in a dismissal of a Formal Complaint.
2. 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 Sexual Harassment, prevent its recurrence, and address its effects.
3. The University also encourages the reporting of off-campus conduct, 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 campus or on an off-campus employment or Education Program or Activity, so that the University may address such conduct under these Procedures or other University policies and procedures, as applicable.

L. Amnesty for Personal Use of Drugs or Alcohol:

1. The University recognizes that students may be reluctant to seek assistance from a University official or emergency services after experiencing Sexual Harassment, or may be reluctant to seek assistance for others who may have experienced Sexual Harassment, because they fear being held responsible by the University for an alcohol or drug violation under the Honor Code related to the incident.
2. 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 Sexual Harassment, 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.
3. The University may, however, engage in an assessment or educational discussion or pursue other non-disciplinary options regarding alcohol or other drug use.
4. The University provides Medical Amnesty as set forth in the Honor Code.

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

1. 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.
2. All University employees must report suspected child abuse and neglect to the Title IX Coordinator or Division of Campus Safety.
3. 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.
4. 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.
5. Individuals should make these reports as follows.
 - a) If a child is in immediate danger, call 911
 - b) If there is no immediate danger, call
 - University Division of Campus Safety: 303-871-3000
 - University Title IX Coordinator: 303-871-7016
6. The Division of Campus Safety and Title IX Coordinator 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.

VI. 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 Formal Complaint is filed.
- 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.
- C. 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, and 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
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- D. Upon receiving a report of Sexual Harassment, the Title IX Coordinator will contact the Complainant to offer Supportive Measures. The Title IX Coordinator 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.
 - E. A Complainant who requests Supportive Measures retains the right to file a Formal Complaint, either at the time the Supportive Measure is requested or at a later date.
 - F. The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures.
 1. The Title IX Coordinator will contact the Complainant after receiving notice of possible Sexual Harassment to discuss the possibility of Supportive Measures and to explain that Supportive Measures are available with or without the filing of a Formal Complaint.
 2. Supportive Measures may also be requested by and made available to Respondents, Witnesses, and other impacted members of the University community. The Title IX Coordinator will serve as the point of contact for any individual requesting Supportive Measures.
 - G. Supportive Measures do not include Disciplinary Actions or Outcomes. The University shall not impose Disciplinary Actions or Outcomes on a Respondent unless and until after the Formal Resolution Process, as detailed in Section IX below, is completed.
 - H. The University may remove a Respondent from its Education Program or Activity on an emergency basis if the University:
 1. Undertakes an individualized safety and risk analysis;
 2. Determines that an immediate threat to the physical health or safety of the Parties or any other student or other individual arising from the allegations of Sexual Harassment justifies removal; and
 3. Provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.
 - I. The University may place a non-student employee Respondent on administrative leave during the pendency of the Formal Resolution Process set forth in Section IX below. The University will not place a non-student employee Respondent alleged to have committed Sexual Harassment on administrative leave due solely to the Sexual Harassment allegations unless and until a Formal Complaint has been filed with the University. The University, in its discretion and based

on the circumstances, will determine whether any administrative leave imposed is to be imposed with or without pay or benefits.

- J. 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.

VII. Fair and Equitable Process

- A. Any individual designated as a Title IX Coordinator, Deputy Title IX Coordinator, Investigator, Hearing Officer, Decision-Maker for Disciplinary Action, Outcome Council Member, Appellate Officer, or person designated to facilitate an Informal Resolution Process must not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.
 - 1. The University will provide training to the Title IX Coordinator, Deputy Title IX Coordinator, Investigators, Hearing Officers, Decision-Makers for Disciplinary Action, Outcome Council Members, Appellate Officers, and any person who facilitates the Informal Resolution Process. The University will make the training materials used publicly available on the Title IX website.
 - 2. The University will provide training to Hearing Officers on the following:
 - a) How to conduct a hearing;
 - b) Issues of relevance, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant;
 - c) The definitions in the Procedures, including but not limited to Consent;
 - d) How to serve impartially by, among other things, avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and other relevant issues;
 - e) The effects of trauma on individuals involved in allegations of Sexual Harassment; and
 - f) Any technology that might be used during a hearing.
 - 3. The University will provide training to all Investigators and the staff of the Office of Equal Opportunity & Title IX on the following:
 - a) These Procedures, including:
 - i. Issues of relevance;
 - ii. The definitions in the Procedures, including but not limited to Consent;
 - iii. The scope of the University's Education Program or Activity.
 - b) How to conduct an investigation;
 - c) How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
 - d) An explanation of relevant state and federal laws concerning sexual misconduct;
 - e) Options for involving law enforcement; and
 - f) The effects of trauma on individuals involved in allegations of Sexual Harassment.

4. The University will provide training to Decision-Makers for Disciplinary Action and Outcome Council Members on the following:
 - a) The definitions in the Procedures, including but not limited to Consent;
 - b) The scope of the University's Education Program or Activity.
 - c) How to conduct an investigation;
 - d) How to conduct a hearing;
 - e) Issues of relevance, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant;
 - f) How to serve impartially by, among other things, avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and other relevant issues; and
 - g) The effects of trauma on individuals involved in allegations of Sexual Harassment.
 5. The University will provide training to Appellate Officers on the following:
 - a) The definitions in the Procedures, including but not limited to Consent;
 - b) The scope of the University's Education Program or Activity.
 - c) How to conduct an investigation;
 - d) How to conduct a hearing;
 - e) Issues of relevance, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant;
 - f) How to serve impartially by, among other things, avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and other relevant issues; and
 - g) The effects of trauma on individuals involved in allegations of Sexual Harassment.
- B. All Complaints are presumed to be made in good faith and all Complainants have the right to be taken seriously.
- C. A Respondent is presumed not responsible for alleged conduct unless and until a determination regarding responsibility is made at the conclusion of the Formal Resolution Process set forth in Section IX below
- D. At any point during the grievance process, Parties or Witnesses may request disability-related accommodations by contacting the Title IX Coordinator who will facilitate interactions with the Disability Services Program or the ADA Coordinator, as appropriate.
- E. The University will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence.
- F. The University will not make credibility determinations based on a person's status as a Complainant, Respondent, or Witness.
- G. The University will endeavor to complete the processes set forth in these Procedures, including any appeals and any Informal Resolution Process if selected, within a reasonably prompt

timeframe. The University may extend these timeframes for good cause with written notice to the Parties of the delay or extension and the reason for such delay or extension. Good cause may include considerations such as the absence of a Party, a Party's advisor, or a Witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

VIII. Informal Resolution Process

- A. Informal Resolution is an alternative resolution process that does not include a full investigation or hearing. 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 Process
 - 1. The University will not require that the Parties participate in the Informal Resolution Process.
 - 2. After a Formal Complaint is filed, the Title IX Coordinator may offer the Informal Resolution Process to the Parties in certain circumstances. The Title IX Coordinator reserves the right to determine whether the Informal Resolution Process is appropriate in a specific case.
 - a) The Informal Resolution Process is only available after a Formal Complaint is filed and only if all Parties voluntarily consent, in writing, to the Informal Resolution Process.
 - i. However, any time prior to agreeing to a resolution, any Party has the right to withdraw from the Informal Resolution Process and resume the Formal Resolution Process described in Section IX below.
 - b) The Informal Resolution Process is not available to resolve allegations of Sexual Harassment in which the Complainant is a student of the University and the Respondent is an employee of the University.
 - 3. If the Parties voluntarily consent, the University may implement the Informal Resolution Process any time prior to reaching a determination regarding responsibility.

- C. Notice of Availability of Informal Resolution Process
 - 1. If the Informal Resolution Process is available, the Title IX Coordinator will issue written notice to the parties disclosing:
 - a) The allegations;
 - b) The requirements of the Informal Resolution Process, including the circumstances under which it precludes the Parties from resuming a Formal Complaint arising from the same allegations;
 - c) Any consequences resulting from participating in the Informal Resolution Process, including the records that will be maintained or could be shared;

- d) That either Party may withdraw from the Informal Resolution Process and resume the Formal Resolution process prior to agreeing to a resolution.

D. After the Parties have agreed to an Informal Resolution Process, reached a resolution, and the Title IX Coordinator has accepted the result of that process, the resolution is binding and the Parties generally are precluded from resuming or restarting the Formal Resolution Process related to the Formal Complaint. No Party can appeal a binding resolution.

E. Timeframe

1. The University will make a good faith effort to complete the Informal Resolution Process within an average of sixty (60) to ninety (90) days, without jeopardizing the rights of a Party.

IX. Formal Resolution Process

A. Formal Complaint

1. A Complainant has the option to file a Formal Complaint against a Respondent alleging Sexual Harassment and requesting that the University investigate those allegations. To file a Formal Complaint, the Complainant should contact the Title IX Coordinator and sign and submit the University's Formal Complaint form online, in person, or by email by contacting the Title IX Coordinator as follows:

Erika Hollis, JD
University of Denver
Mary Reed Building, 4th Floor
2199 South University Blvd.
Denver, CO 80208
303-871-7016
TitleIX@du.edu

2. When a Complainant does not wish to file a Formal Complaint on their own behalf, the Title IX Coordinator may, in their discretion, prepare and file a Formal Complaint by signing the Formal Complaint form. When the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not the Complainant or otherwise a Party. While the Complainant may choose to not participate in the grievance process initiated by the Title IX Coordinator's signing of a Formal Complaint of Sexual Harassment, the Complainant will still be treated as a Party entitled to inspect and review evidence and to receive all notices, including the notice of allegations, the notice of hearing, and the notice of Outcome. At no time will the University coerce or retaliate against a Complainant in order to convince the Complainant to participate in the grievance process.

B. Dismissal of a Formal Complaint

1. The Title IX Coordinator will dismiss a Formal Complaint, and the University shall not conduct any investigation under these Procedures, if:
 - a) The conduct alleged in the Formal Complaint would not constitute Sexual Harassment as defined by these Procedures even if proved; or
 - b) The conduct alleged in the Formal Complaint did not occur within the Scope and Jurisdiction of these Procedures, as described in Section II above.
2. The Title IX Coordinator, in their discretion, may dismiss a Formal Complaint, or any allegations therein, at any time during the investigation or hearing, if:
 - a) The Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein; and/or
 - b) The Respondent is not enrolled or employed by the University; and/or
 - c) Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.
3. The dismissal of a Formal Complaint under Section IX.B.1 of these Procedures does not preclude the University from conducting an investigation or taking action under other applicable University policies and procedures with regard to conduct that is not subject to these Procedures.
4. Upon dismissal of the Formal Complaint or any allegations therein, the Title IX Coordinator will promptly send written notice of the dismissal and the reasons therefor simultaneously to the Parties.
5. Either Party may appeal the decision to dismiss a Formal Complaint.

C. Consolidation

1. The Title IX Coordinator may consolidate Formal Complaints as to allegations of Sexual Harassment where the allegations of Sexual Harassment arise out of the same facts or circumstances.
2. The Title IX Coordinator may, in consultation with other University administrators, elect to consolidate the investigation of Formal Complaints as to allegations of Sexual Harassment 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 Title IX Coordinator 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 Formal 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 decision to consolidate Formal Complaints is not subject to appeal.

D. Timeframe for Conclusion

1. The University will make a good faith effort to complete the Formal Resolution Process, including the hearing but excluding appeals, within an average of sixty (60) to ninety (90) days, without jeopardizing the rights of a Party.
2. The timeframe 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. However, the University's failure to meet the timeframes specified herein, or failure to provide notice of the extension of these timeframes, shall not be grounds for dismissing any matter and shall not be the basis of an appeal of any matter; nor shall any such failure limit the University's ability to complete the Formal Resolution Process, impose Outcomes, enact Disciplinary Actions, or limit the University's ability take any other required administrative action under these Procedures.
4. The University will provide regular updates to the Parties of the status of the Formal Resolution Process.

E. Written Notice

1. Upon receipt of a Formal Complaint, the Title IX Coordinator will issue written notice of allegations to the Respondent and Complainant, if known.
2. The written notice will be provided to each Party with sufficient time to prepare a response before any initial interview.
3. The written notice will include the following:
 - a) A description of the University's Title IX Procedures, including the Informal Resolution Process;
 - b) A description of the allegations including sufficient details such as:
 - i. The identities of the Parties involved in the incident;
 - ii. The alleged conduct constituting Sexual Harassment;
 - iii. The date and location of the alleged incident;
 - c) A statement that the Respondent is presumed not responsible for alleged conduct unless and until a determination regarding responsibility is made at the conclusion of the Formal Resolution Process set forth in Section IX below;.
 - d) A statement that the parties have the right to an advisor of their choice;
 - e) A statement that the parties have the right to inspect and review evidence;
 - f) A statement that Retaliation is prohibited; and
 - g) For students, a statement that the Honor Code includes prohibitions on intentionally giving false or misleading information to a University official.
4. 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 notice of the additional allegations to the Parties whose identities are known.

F. Advisor

1. Throughout the Title IX process, each Party has the right to have one (1) advisor of their choice. A Party may have the same advisor throughout the process or may choose to have a different advisor at various stages of the process, such as during interviews, meetings with the Title IX Coordinator, or the hearing.
2. The University will communicate with a Party directly and not through an advisor.
3. The University establishes the following restrictions on the extent to which the advisor may participate in the process, and these restrictions apply equally to Complainants and Respondents.
 - a) Advisors may not:
 - i. Present information on behalf of the Party;
 - ii. Submit documents on behalf of the Party;
 - iii. Discuss any matter directly with University administrators or Investigator in the absence of the Party.
 - b) Except as specifically set forth in Section IX below, a Party's advisor may not speak on behalf of the Party or otherwise actively participate in any proceeding.
4. If a Party does not have an advisor present during the hearing, the University will appoint an advisor of its choice for the Party for the purposes of conducting cross-examination.
5. Although the advisor may be, but need not be, an attorney, their participation in the process is subject to the limitations described herein.
6. The advisor may be present at any proceedings that are part of the Formal Resolution Process. If a Party wishes to have an advisor present at a proceeding, the University will work within reason to schedule the proceeding so the advisor may attend, without unreasonably delaying the progress of the Formal Resolution Process. The advisor may consult directly with the Party whom they are advising in a manner that does not disrupt or delay the proceeding.
7. The University may exclude advisors who act in a manner contrary to these limitations or otherwise disrupt any proceeding from that proceeding and/or future proceedings. This includes excluding an advisor from the Hearing if the advisor violates the standards of decorum.

G. Investigation

1. The University will investigate the allegations in a Formal Complaint.
2. The University, and not the Complainant or the Respondent, has the burden of gathering evidence sufficient to reach a determination regarding responsibility.
3. The Investigator may gather evidence by:
 - a) Collecting relevant documents and other information;
 - b) Interviewing the Parties and Witnesses; and/or

- c) Receiving documents, Witness lists, requests to gather documentation or other information from the Complainant, Respondent, Witnesses, or third parties.
4. The University will not restrict the ability of either Party to discuss the allegations under investigation or to gather and present relevant evidence.
 5. The University encourages Parties to raise all issues or allegations that may arise out of the same facts or circumstances at the outset of the investigation.
 6. The University cannot access, consider, disclose, or otherwise use a Party's records that are made or maintained by a health care professional acting in their professional capacity, and which are made or maintained in connection with the provision of treatment to the Party, unless the University obtains that Party's voluntary written consent to do so for the resolution process.
 7. During the investigation, each Party has an equal opportunity to present Witnesses who have relevant information, including fact and expert witnesses, and other inculpatory and exculpatory evidence to the Investigator.
 8. The Investigator will provide written notice of the date, time, location, participants, and purpose of any investigative interview or other meeting to any Party whose participation is invited or expected with sufficient time for the Party to prepare to participate.
 9. The Investigator will make available a summary of the interview for each Party or Witness to review and provide comments by the deadline designated by the Investigator.
 10. Prior to conclusion of the investigation, the Investigator will make available via the University's chosen cloud storage platform to each Party and to each Party's advisor, if any, all evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint whether or not the University intends to rely on such evidence in reaching a determination regarding responsibility. The Parties and each Party's advisor may not download, photograph, copy or otherwise duplicate, share or transmit the evidence provided by the Investigator.
 - a) Each Party may submit a written response, which the Investigator will consider prior to conclusion of the investigation and completion of the investigative report.
 - b) The written response, if any, must be submitted to the Investigator by the deadline designated by the investigator, which will be at least ten (10) days after the Investigator makes the evidence available to the Party, unless the deadline is extended for good cause.
 11. The Investigator will create an investigative report that fairly summarizes relevant evidence.
 - a) The investigator must conduct an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence.
 - b) Any information not provided to the investigator prior to the final investigative report will not be allowed during the hearing unless the Party offering the evidence can clearly demonstrate that such information was not reasonably available to the parties at the time of the investigation through the exercise of

reasonable diligence or that the evidence has significant relevance to a material fact at issue in the investigation.

- c) If, after the final investigative report is issued, a Party provides or identifies evidence that they did not previously provide or identify despite that evidence being reasonably available to them during the investigation process, the Hearing Officer may, at their discretion, draw a negative inference from the Party's delay in providing or identifying the evidence.
12. At least ten (10) days prior to the scheduled hearing, the Title IX Coordinator will make available via the University's chosen cloud storage platform to each Party and to each Party's advisor, if any, the investigative report.
 - a) Each Party may submit a written response, which the Title IX Coordinator will submit to the Hearing Officer for consideration at the hearing.
 - b) The written response, if any, must be submitted to the Title IX Coordinator by the deadline designated by the Title IX Coordinator, unless the deadline is extended for good cause.
 13. After the investigative report is issued but no later than five (5) days before scheduled hearing, either Party may request an Informal Resolution Process subject to the provisions set forth in Section VIII.

H. Hearing

1. General Conduct of the Hearing
 - a) The University will appoint a Hearing Officer to serve as the Decision-Maker at the hearing.
 - i. The University will notify both Parties of identity of Hearing Officer at least seven (7) days prior to date of the hearing.
 - ii. The Parties have two (2) days from receipt of the names to raise any objection to the participation of the Hearing Officer based on a perceived conflict of interest, bias, or prejudice.
 - b) The Hearing Officer has discretion to determine whether to hold a pre-hearing meeting or to have the Parties submit written materials to address the following:
 - i. The Party's designated advisor to conduct cross-examination;
 - ii. The Witnesses a Party will request to call; and
 - iii. Decisions regarding relevance of evidence.
 - c) Prior to the hearing, the Hearing Officer will review the investigative report and the written responses provided by the Parties, if any.
 - d) The Hearing Officer will conduct a live hearing, with all questioning conducted in real time.
 - e) The hearing may occur in person or virtually in a manner allowing the participants to simultaneously see and hear the Party or Witness answering questions.
 - i. If either Party submits a request for a virtual hearing no later than five (5) days prior to the scheduled hearing, the hearing will occur virtually.
 - ii. For the academic year 2020-21, the presumption is that hearings will occur virtually.

- f) The University will record the hearing and make a transcript of the hearing available to the Parties for inspection and review via the University's chosen cloud storage platform.
 - g) Both Parties must be accompanied by an advisor to the hearing. If a Party does not have an advisor for the hearing, the University will provide without fee or charge to that Party an advisor of the University's choice for that Party.
 - h) Each Party's advisor must conduct any cross-examination of the other Party and any Witnesses. Apart from conducting cross-examination, the parties' advisors do not have a speaking role at the hearing; an advisors' participation is limited to conferring with the Party at intervals set by the Hearing Officer.
 - i) The University has the authority to establish standards of decorum for the hearing that apply equally to each Party, Witness or advisor.
2. Standard of Evidence
- a) The Hearing Officer will make a determination of responsibility using the Preponderance of the Evidence standard.
3. Relevant Evidence Considered
- a) In making a determination of responsibility, the Hearing Officer may only consider relevant evidence.
 - b) In making a determination of Outcomes or Disciplinary Action, the Outcomes Council and Decision-Maker for Disciplinary Action may only consider relevant evidence.
 - c) Relevant evidence is evidence having any tendency to make the existence of any fact that is of consequence to the determinations to be made more probable or less probable than it would be without the evidence.
 - d) The Hearing Officer will not consider:
 - i. Evidence about the Complainant's sexual predisposition or prior sexual behavior, except that the Hearing Officer may consider:
 - a. Evidence about the Complainant's prior sexual behavior, when offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant; or
 - b. Evidence concerning specific incidents of the Complainant's prior sexual behavior with respect to the Respondent, when offered to prove Consent.
 - ii. Any statement of a Party or Witness, if the Party or Witness does not submit to cross-examination at the hearing, in reaching a determination regarding responsibility.
 - a. The Hearing Officer cannot draw an inference about the determination regarding responsibility based solely on a Party's or Witness's absence from the hearing or refusal to answer cross-examination or other questions.
 - b. "Statements" for purposes of this section means factual assertions made by a Party or witness that do not themselves constitute alleged verbal harassment. Statements might include factual assertions made during an interview or conversation, written by the

individual making the assertions (including those found in a Formal Complaint), and memorialized in the writing of another (e.g. in an investigative report, police report, or medical record).

- c. Where evidence involves intertwined statements of both Parties (e.g. a text message exchange or an email thread) and one Party refuses to participate in the hearing or submit to questioning about the evidence while the other does participate and answer questions, the statements of only the participating Party may be relied on by the Hearing Officer.
 - iii. Information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
 - e) The Hearing Officer will conduct an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence.
 - i. Any information not provided to the investigator prior to the final investigative report will not be allowed during the hearing unless the Party offering the evidence can clearly demonstrate that such information was not reasonably available to the Party through the exercise of reasonable diligence at the time of the investigation or that the evidence has significant relevance to a material fact at issue in the investigation.
 - ii. If, after the final investigative report is issued, a Party provides or identifies evidence that they did not previously provide or identify despite that evidence being reasonably available to them during the investigation process, the Hearing Officer may, at their discretion, draw a negative inference from the Party's delay in providing or identifying the evidence.
4. Party Statements and Witness Examination
- a) Each Party will have an equal amount of time in which to make a statement of their case.
 - b) The Hearing Officer may ask questions of any Party or Witness.
 - c) The Hearing Officer will allow each Party's advisor to cross-examine Witnesses by asking all relevant questions and follow up questions, including those challenging credibility.
 - d) Cross examination may not be conducted by either Party. Cross examination must be conducted by an advisor acting on a Party's behalf. If a Party wishes to ask cross examination questions of a Party or Witness and does not have an advisor, the University will select and provide an advisor to the Party, free of charge, for the limited purpose of conducting cross examination.
 - e) Before a Party or Witness answers a question, the Hearing Officer will determine whether the question is relevant and explain any decision to exclude a question as not relevant.
 - f) After the Party's advisors have completed their cross-examination, the Hearing Officer will again have an opportunity to ask any additional questions of any Party or Witness.
 - g) Each Party will have an equal amount of time in which to make a closing statement.

I. Written Determination

1. After considering the investigative report, including any Party's written response to the investigative report, and all relevant evidence presented at the hearing, the Hearing Officer will issue a written determination.
2. Before the Hearing Officer issues the written determination, if the Hearing Officer has made a finding of responsibility, the Hearing Officer will provide the Outcome Council and Decision-Maker for Disciplinary Action with the written determination for purposes of determining Remedies, Outcomes and Disciplinary Action, respectively.
3. The Title IX Coordinator will provide the written determination simultaneously to the Parties.
4. The written determination will include:
 - a) Identification of the allegations potentially constituting Sexual Harassment;
 - b) A description of the procedural steps from the receipt of the Formal Complaint through the determination, including any notifications to the Parties, interviews, site visits, methods used to gather other evidence, and hearings held;
 - c) Findings of fact supporting the determination;
 - d) Conclusions regarding the application of these Procedures to the facts;
 - e) A statement of, and rationale for, the result as to each allegation, including:
 - i. A determination regarding responsibility;
 - ii. Any Disciplinary Actions or Outcomes imposed on the Respondent;
 - iii. Whether any remedies will be provided to the Complainant;
 - f) Procedures and permissible bases for the Parties to appeal.
5. The written determination becomes final five (5) days after it is sent to the Parties unless an appeal is filed.

J. Remedies/Outcomes/Disciplinary Actions

1. Remedies are designed to restore or preserve equal access to the University's Education Program or Activity. Remedies may be disciplinary or punitive.
2. In the event the Hearing Officer finds the Respondent responsible for Sexual Harassment
 - a) The Outcome Council or the Decision-Maker for Disciplinary Action may consult with the Title IX Coordinator or other appropriate University official in determining Remedies. The Remedies should eliminate a hostile environment for the Complainant and/or provide safety protections for the Complainant or the University Community.
 - b) If the Respondent is a student, the Outcome Council will determine the appropriate Outcomes for the Respondent and Remedies for the Complainant.
 - i. The University will notify both Parties of identity of the members of the Outcome Council at least seven (7) days prior to the hearing. The Parties have two (2) days from receipt of the names to raise any objection to the participation of the member based on a perceived conflict of interest, bias, or prejudice.
 - ii. The criteria for selection of the Outcome Council are set forth in the Honor Code.

- iii. 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 discriminatory conduct;
 - d. Taking steps reasonably calculated to prevent the future reoccurrence of the discriminatory conduct;
 - e. Restoring the Complainant to their pre-deprivation status, to the extent practical and possible.
 - iv. The Outcome Council considers the following criteria in determining Outcomes to meet those objectives:
 - a. Nature and severity of the action;
 - b. Number of Complainants;
 - c. Number of impacted individuals;
 - d. Prior Student Rights & Responsibilities history of the Respondent;
 - e. The impact the act or policy violation has had on the Complainant(s), University Community, community members, University and community safety, and University environment.
 - v. The range of Outcomes include:
 - 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.
- c) If the Respondent is not a student, then the Decision-Maker for Disciplinary Action is as follows:
- i. 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 Title IX Coordinator of the Disciplinary Action imposed.
 - ii. 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 Title IX Coordinator of the Disciplinary Action imposed. Disciplinary Action involving faculty is further subject to the Policies and Procedures Relating to Faculty Appointment, Promotion and Tenure.
 - iii. The University will notify both Parties of identity of the Decision-Maker for Disciplinary Action at least seven (7) days prior to the hearing. The Parties 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.

- iv. In determining Disciplinary Action, the Decision-Maker for Disciplinary Action has the following objectives:
 - a. Promoting safety or deterring individuals from similar future behavior;
 - b. Protecting the University community;
 - c. Ending discriminatory conduct;
 - d. Taking steps reasonably calculated to prevent the future reoccurrence of the discriminatory conduct;
 - e. Restoring the Complainant to their pre-deprivation status, to the extent practical and possible.
- v. In determining Disciplinary Action, the Decision-Maker for Disciplinary Action will consider whether the nature of the conduct at issue warrants removal from the University, either permanent (termination) or temporary (suspension). The Decision-Maker for Disciplinary Action 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).
- vi. 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.

K. Appeal

1. Appealable Issues

- a) Either Party may appeal:
 - i. Dismissal of a Formal Complaint or any allegations therein; or
 - ii. A determination regarding responsibility.
- b) No other issue may be appealed.

2. Bases for Appeal

- a) A Party may only appeal on one or more of the following bases:
 - i. Procedural irregularity that affected the outcome of the matter;
 - ii. New and relevant evidence not reasonably available at the time the determination regarding responsibility or dismissal of the Formal Complaint 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.
 - iii. The Title IX Coordinator, Investigator, or Hearing Officer 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.
 - iv. Where the Respondent is a student, the Outcomes imposed are substantially disproportionate to the severity of the violation.
- b) 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.

3. Filing an Appeal

- a) If a Party wishes to file an appeal, the Party must submit the appeal to the Title IX Coordinator in writing no later than five (5) days after:
 - i. The notice of dismissal of the Formal Complaint; or
 - ii. Written determination is sent to the Party.
- b) The written appeal must state with specificity:
 - i. The issues being appealed; and
 - ii. The bases for the appeal.

4. Timeframe for Completion of Appeal

- a) The University will make a good faith effort to complete the appeal within fifteen (15) days from receipt of the appeal.
- b) The timeframe for completion of appeal may be extended for good cause. If the timeframe for completion of appeal is extended, the Title IX Coordinator will notify both Parties in writing of the delay or extension and the reasons for the delay or extension.

5. Appeal Procedure

- a) After receiving a timely written appeal, the Title IX Coordinator will notify the Parties in writing:
 - i. That the appeal was submitted;
 - ii. The opportunity for the Party who did not submit an appeal to:
 - a. Review the appeal statement of the other Party; and
 - b. 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.

- b) The Appellate Officer shall not be the same person as the decision-makers that reached the determination regarding responsibility or dismissal of the Formal Complaint, the investigator(s), or the Title IX Coordinator.
 - i. The Appellate Officers are as follows:
 - a. For students, the Vice Chancellor for Student Affairs or designee;
 - b. For employees who are staff, the Vice Chancellor for Human Resources or designee; and
 - c. For employees who are faculty, the Provost and Executive Vice Chancellor or designee.
 - ii. 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.
 - c) The Appellate Officer will consider the appeal, including any written statements submitted by the Parties.
 - d) The Appellate Officer may also consider the investigative report, including any Party's written response to the investigative report, all relevant evidence presented at the hearing, and the transcript of the hearing.
 - e) 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:
 - a. Send the matter back for supplemental investigation or hearing;
 - b. If the defect cannot be cured through supplemental investigation or hearing, then the Appellate Officer may order a new investigation and/or new hearing, as appropriate; or
 - c. Dismiss the Formal Complaint.
 - iii. If the Respondent is a student, and the Appellate Officer determines that the Outcome(s) imposed are disproportionate to the violation, the Appellate Officer may return the matter to the Outcome Council with or without recommendations.
 - f) 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 Title IX Coordinator. The Title IX Coordinator will provide the written determination of appeal simultaneously to the Parties.
 - g) The result of the appeal is final.
6. Grievance of Disciplinary Action for Employees. In addition to the appellate rights set forth in Section IX.K.5 above, employees may file a grievance in accordance with the following procedures:
- a) Faculty members may pursue their applicable rights pursuant to the Policies and Procedures Relating to Faculty Appointment, Promotion, & Tenure;
 - b) Staff may pursue a grievance pursuant to the Employee Grievance procedures outlined in the Employee Handbook; and

- c) Employees who are subject to a collective bargaining agreement must pursue their grievance rights pursuant to that agreement.

X. Recordkeeping and Recordings

- A. 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, hearing, sanctioning, and/or appeals processes involving allegations of Sexual Harassment.
 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.

- B. The Office of Equal Opportunity & Title IX documents each report or investigation, 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.
 1. The University will not store records related to the investigation of any allegations of Sexual Harassment 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 Sexual Harassment in the employee's personnel file. The University will keep such records confidential to the extent permitted by law.
 2. The University has the right to make electronic recordings of any meeting, interview, hearing or other proceeding under these Procedures.
 3. Each Party, Witness, and advisor is prohibited from making an electronic recording of any meeting, interview, hearing or other proceeding under these Procedures.

XI. Revision & Amendment

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.

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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 Executive Director of Equal Opportunity & 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](#):

Interim Executive Director of Equal Opportunity & Title IX Coordinator

Erika Hollis, JD
University of Denver
Mary Reed Building, 4th Floor
2199 South University Blvd.
Denver, CO 80208
303-871-3142
Erika.Hollis@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 Executive Director, 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 Executive Director 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. Executive Director

Executive Director means the Executive Director of Equal Opportunity & 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 Executive Director 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 Executive Director 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 Interim Executive Director of Equal Opportunity & Title IX Coordinator

Erika Hollis
University of Denver, Mary Reed Building, 4th Floor
2199 South University Blvd.
Denver, CO 80208
Phone: 303-871-3142
Erika.Hollis@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 Executive Director 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 Executive Director 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 Executive Director of Equal Opportunity & 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 Executive Director 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 Executive Director 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 Executive Director 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 Executive Director concludes that the allegations contained in the report would not fall within the scope of Prohibited Conduct under these Procedures, the Executive Director 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 Executive Director 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 Executive Director 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 Executive Director may, in their discretion, proceed with an inquiry or investigation in which the University is the Complainant. When making this decision, the Executive Director 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 Executive Director 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 Executive Director 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 Executive Director 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 Executive Director 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 Executive Director 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 Executive Director will serve as the point of contact for any individual requesting Supportive Measures.
- E. The Executive Director 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 Executive Director 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 Executive Director will notify the leadership of the relevant unit to implement the Supportive Measures. The Executive Director 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 Executive Director, 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 Executive Director 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 Executive Director 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 Executive Director may initiate an inquiry to gather information and attempt to resolve the report. Following the inquiry, the Executive Director may refer

the matter to the appropriate administrator and may suggest remedial action. The Executive Director 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 Executive Director initiates an inquiry, the Executive Director 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 Executive Director 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 Executive Director 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 Executive Director 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 Executive Director may offer the informal resolution process to the Parties.
 - 3. The Executive Director 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 Executive Director 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 Executive Director determines that informal resolution process is appropriate, the Executive Director 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 Executive Director 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 Executive Director 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 Executive Director 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 Executive Director 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 Executive Director 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 Executive Director 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 Executive Director 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 Executive Director 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 Executive Director before the investigation moves forward. At the informational meeting, the Executive Director 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 Executive Director 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 Executive Director, 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 Executive Director, 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 Executive Director 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 Executive Director or Investigator will issue a determination letter to both parties indicating whether or not a Respondent was found

responsible for Prohibited Conduct. The Executive Director 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 Executive Director submitted prior to the original deadline. The Executive Director will have sole discretion to grant or deny the extension. The Executive Director may require proof to verify the circumstance(s) on which the request is based. The Executive Director 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 Executive Director 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 Executive Director 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 Executive Director 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 Executive Director 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 Executive Director 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 Executive Director 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 Executive Director 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 Executive Director, 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 Executive Director. The Executive Director 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.

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UNIVERSITY *of*
DENVER

HONOR CODE with the **STUDENT RIGHTS & RESPONSIBILITIES**

Policies and Procedures

2020 –2021

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University of Denver Honor Code

The Honor Code is the Student code of conduct that outlines the expectations, rights, and responsibilities of every Student at the University. This document provides information to support our Students in developing and demonstrating integrity, respect, and individual and community responsibility. All Students at the University should read this Honor Code carefully to understand the expectations, policies, and procedures that apply when a Student is alleged to have violated a policy. You are expected to know and to understand your **rights** as well as your **responsibilities** to be a positive contributor and successful community member at the University.

Honor Code Community Values

All members of the University of Denver community are expected to engage both individually and as community members with *Integrity, Respect, and Responsibility*. These values embody the standards of conduct for Students, faculty, staff, and administrators as members of the University Community. These community values are defined:

Integrity: acting in an honest and ethical manner.

Respect: honoring differences in people, ideas, experiences, and opinions; engaging with others in ways that demonstrate an appreciation of their rights and humanity.

Responsibility: accepting ownership for one's actions and choices; seeking opportunities to understand one's role in creating an inclusive environment as a University Student and global citizen; and when necessary, work to repair harm, restore trust, and acknowledge the impact of one's actions and choices.

A Community of Care

As a great private university dedicated to the public good, the University asks that all members of our Community commit to engaging with our values of respect, integrity, and responsibility. Our identities, our cultures, and humanity should be honored and respected. Members of the campus community have the **RIGHT** to be treated with respect and share the **RESPONSIBILITY** to behave with **INTEGRITY**, and to create a campus climate that honors free expression and inclusion.

Jurisdiction

The University will address alleged Student behavior and conduct that may have violated University Policies, including the Student Rights & Responsibilities (SRR) policies outlined in this document, regardless of where the alleged behavior and conduct occurred. The University, through the [Office of Student Rights & Responsibilities](#), has the authority to address off-campus Student behavior and conduct that disrupts neighbors, impacts the University mission, or negatively impacts the reputation of the University. Students hosting parties at off-campus residences are responsible for the activities occurring at or associated with their gatherings.

The Student Rights & Responsibilities process at the University is not intended to replace criminal or civil proceedings. It is a University administrative process and does not follow formal rules of evidence or rules of criminal or civil procedure as set forth in any federal, state, or local statute or regulation. **A Case Resolution Body will review and give appropriate weight to the information provided related to the incident. The Case Resolution Body will make determinations of responsibility for violations of the Honor Code based upon a finding of Preponderance of the Evidence – that the violation is more than likely or less than likely to have occurred.**

In cases of criminal or civil charges, the University may proceed with the SRR process as the University deems appropriate, regardless of any pending criminal charges or civil proceedings relating to the alleged violation. The University will not defer or postpone the SRR process based on concurrent criminal or civil proceedings. The University may still proceed with the SRR process even after the dismissal or reduction in criminal charges or civil proceedings related to the alleged violations. Additionally, the University may continue with the SRR process even if the Student withdraws from the University.

The University encourages the prompt Reporting of alleged violations of any policy; however, the University reserves the right to review any alleged violations, at any time, in furtherance of its goal to achieve a safe and productive environment for all University Community members.

With approval from the [Vice Chancellor for Student Affairs or their designee](#), the [Office of Student Rights & Responsibilities](#) reserves the authority to pilot new programs and procedures, to best meet the needs of the ever-changing University Community. Participation in such piloted programs and procedures is voluntary.

The [Office of Equal Opportunity & Title IX](#) has the responsibility for addressing alleged

violations of University Policies related to discrimination and harassment through its own procedures.

Students as Employees

Students may be involved in the University Community in different ways, such as Students who are also University employees. Such Students may be subject to other University Policies and expectations of behavior related to those other roles.

Students as Scholars

Students may also be members of academic programs with professional standards of conduct in addition to the University standards. The University may hold a Student responsible for alleged violations of both University Policies and the applicable professional standards through the SRR process. Students are responsible for knowing and following all applicable policies and standards.

Interpretation

The purpose of publishing the Honor Code is to give the University Community general notice of policies and procedures related to SRR. The Honor Code and included processes are designed to be educational and are not written with the specificity of a criminal code and should not be interpreted as such. The [Director of SRR](#) has the authority to interpret the Honor Code as it applies to Students with the Vice Chancellor for Student Affairs having the final authority to resolve disputes regarding the interpretation of the Honor Code.

Implementation

In order to better foster an environment of ethical conduct in the University Community, all community members are expected to take “Constructive Action,” that is, any effort to Report any behavior and conduct contrary to the Honor Code.

The [Chancellor](#) and the [Provost & Executive Vice Chancellor](#) grant authority to the [Office of Student Rights & Responsibilities](#) to resolve alleged violations of the Honor Code by Students. SRR is responsible for reviewing and evaluating Reports, assigning Alleged Policy Violations, investigating the incident(s), assessing findings, assigning status and educational Outcomes, and resolution of the incident. The Director of SRR may delegate this authority, or portions thereof, as necessary to maintain efficiency or address conflicts of interest. The SRR process is educational and provides Students the opportunity to learn from their choices and actions and wherever possible repair any harm, restore trust, and acknowledge the impact of their choices and actions. [The Office of Equal Opportunity & Title IX](#) has jurisdiction to address conduct prohibited under the applicable University Policies & procedures.

For alleged violations of the Honor Code by members of the University Community who are not Students, the following policies and procedures govern:

- For faculty members: The University’s Faculty Personnel Guidelines Relating to Appointment, Promotion, and Tenure
- For non-faculty employees: The University of Denver's [Human Resources](#) Policies and Procedures
- For trustees or the Chancellor: The By-Laws or other Board policies of the University of Denver

If there is any conflict or dispute concerning which policies and procedures govern in the enforcement of the Honor Code, the following University Officials shall resolve the conflict or dispute:

- Regarding faculty: The [Provost & Executive Vice Chancellor](#)
- Regarding non-faculty employees: The [Vice Chancellor for Human Resources](#)
- Regarding trustees or the Chancellor: The [Board of Trustees](#)

For alleged violations of the Honor Code by non-University Community members (e.g.

visitors and guests), the [Vice Chancellor for Student Affairs](#) designates the [Office of Student Rights & Responsibilities](#) and the [Division of Campus Safety](#) to consult regarding further action to recommend to the Vice Chancellor for Student Affairs or their designee.

If there is any conflict or dispute concerning which policies and procedures govern in the enforcement of the Honor Code regarding non-University Community members, the [Vice Chancellor for Student Affairs](#) shall resolve the conflict or dispute.

Revision & Amendment

The Honor Code was developed and has been revised following input from a broad range of constituencies within the University. Revisions to the Honor Code may be made to reflect the ever-changing community and circumstances facing the University.

The Office of Student Rights & Responsibilities staff annually reviews the Honor Code and recommends changes. All recommendations for substantive changes will be forwarded to the appropriate University administration, Faculty Senate, Undergraduate Student Government (USG), and/or the Graduate Student Government (GSG) for comment. The Provost & Executive Vice Chancellor and the Vice Chancellor for Student Affairs hold final authority to revise or amend the Honor Code. The Office of Student Rights & Responsibilities (SRR) will publish the Honor Code on the [SRR website](#) prior to the beginning of the academic term in which it takes effect.

In addition, upon recommendation from a Dean or the Faculty Senate, the Provost & Executive Vice Chancellor, in their sole discretion and through consultations with other relevant administrators, may permit individual units or divisions of the University to create more stringent professional standards that pertain directly to the unit or division involved. However, individual units or divisions cannot lessen the standards set forth in the Honor Code. These additions must be published on an official University of Denver website and provided to those impacted including to the Office of Student Rights & Responsibilities to be utilized in the Student Rights & Responsibilities process when appropriate.

At times, changes to the Honor Code are made necessary outside the annual review due to changes in federal, state, or local statutes or regulations or to address pressing University needs. The Office of Student Rights & Responsibilities will recommend such changes to the Provost & Executive Vice Chancellor and the Vice Chancellor for Student Affairs for final approval. These changes will be communicated to the University

Community upon approval.

University of Denver Processes

University Discrimination and Harassment Policy

The University of Denver strives to create and maintain a community in which people are treated with dignity, decency and respect. The environment of the University should be characterized by mutual trust, freedom of inquiry and expression, and the absence of intimidation, oppression and exploitation. Members of the University Community should be able to work and learn in a safe, yet invigorating and thought-provoking atmosphere.

The accomplishment of this goal is essential to the academic mission of the University. The University will not tolerate unlawful discrimination and/or harassment of any kind, including 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. When a Student is alleged to have violated the Discrimination and Harassment Policy, 3.10.010, SRR will forward the incident Report to the [Office of Equal Opportunity & Title IX](#) for evaluation, investigation, and findings as provided in the University of Denver Title IX Sexual Harassment Procedures or the University of Denver General Discrimination & Harassment Procedures. The Outcome Council will determine Status and Educational Outcomes under either procedure. The appeals process for determinations made under those procedures is set forth in the applicable procedure.

For more information, please see the full procedures governing the separate resolution process handled by the [Office of Equal Opportunity & Title IX](#).

Americans with Disabilities Act Statement

In accordance with the University's commitment to equitable access, the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act and other applicable statutes and regulations, the University includes this statement to inform Students of their right to request reasonable accommodations for a documented disability, medical, or mental health condition. Students should contact the **Disability Services Program (DSP)** at 303.871.3241, dsp@du.edu, 1999 E. Evans Ave., Room 440 Ruffatto Hall. Information is also available online at www.du.edu/disability/dsp. **DSP is the only office on campus authorized to review a student's self-disclosure of a disability, medical, or mental health condition and determine eligibility for requested accommodations.**

University Critical Response to Emergency Conditions Statement

The University of Denver has developed a coordinated approach to respond to emergency conditions and to protect the safety and wellbeing of the entire University Community in alignment with the University's mission. This approach includes plans, protocols, procedures, and instructions based on local, state and federal guidance and applies to all members of the University Community, their guests, and visitors to campus.

To reduce the health and safety risks, prevent property damage, and allow for continuity of operations, the University will focus on planning, training, testing, and implementation of effective health and safety protocols.

As members of the University Community, Students are expected to follow all applicable University plans, protocols, procedures and instructions during such emergency conditions. Students who do not follow University plans, protocols, procedures or instructions during emergency conditions may be referred to the Office of Student Rights & Responsibilities for disciplinary action, including considerations of temporary and permanent removal from the University.

Protests & Demonstrations Statement

The University recognizes the right to freedom of expression and the free interchange of ideas, including the right to peaceful and orderly protests and demonstrations. The University also recognizes that protests and demonstrations should not disrupt University operations, restrict movement of members of the University Community on and around campus, and/or interfere with the safety or security of members of the University Community. Students are expected to uphold the policies contained within the Honor Code, other University Policies, as well as applicable laws, and will be held accountable for any violations, including, but not limited to University Policies of Interference, Noncompliance, and Property Damage. The University values providing Students the opportunity to exercise these rights and the Division of Student Affairs & Inclusive Excellence desires to help Students do so effectively. Students should reach out to the [Director for Student Engagement](#) for assistance in this regard.

Medical Amnesty Statement

The health and safety of Students are of primary importance to the University. Students are expected to take immediate action when a person's health or safety is threatened. Medical Amnesty is designed to reduce barriers to Students taking immediate action for fear of being held responsible for alcohol or drug related Honor Code violations.

Situations in which Medical Amnesty may apply include, but are not limited to, instances of physical injury, discrimination, harassment, sexual misconduct, mental health concerns, or other medical situations that occur in relation to alcohol consumption or drug use.

When a student undertakes an intentional action to seek assistance from a University Official or emergency services for themselves or others in order to protect their health and safety, the reporting Student(s) or at risk Student(s) involved will not be found responsible for alcohol- or drug-related violations of the Honor Code, nor will alcohol- or drug-related violations appear on their Student Rights & Responsibilities Record. During emergency conditions, the University may extend this Medical Amnesty to include violations of the University's emergency conditions specific plans, protocols, procedures, and instructions as applicable.

It is the University's intent that Medical Amnesty extend to situations in which any Student makes a complaint or provides a statement to the [Office of Equal Opportunity & Title IX](#) in the course of an investigation or resolution pursuant to the University of Denver Title IX Sexual Harassment Procedures or the University of Denver General Discrimination & Harassment Procedures. However, Medical Amnesty does not extend to the distribution, sale, or otherwise providing another individual with alcohol or drugs for the purposes of inducing incapacitation, as defined in those procedures.

The Students involved in instances of Medical Amnesty may be referred for an Educational Outcome or evaluation related to their health status or substance use. This referral will not constitute a reportable violation of the Honor Code. The University expects that Students will always prioritize their own and others' health and safety. Moreover, this commitment does not preclude legal consequences or Alleged Policy Violations for non-alcohol or drug-related Honor Code violations related to the incident.

Parental Notification Policy

The University considers Student Rights & Responsibilities Records to be part of a Student's education record. Accordingly, the University complies with all applicable laws and regulations, including but not limited to the [Family Educational Rights and Privacy Act](#) (FERPA).

The University recognizes that parent(s) or guardian(s) maintain an interest in their Student's behavior and conduct while at the University, and parents or guardians can play a positive role in addressing these issues. Therefore, the University may notify the parent(s) or guardian(s) of any Student under the age of twenty-one (21) whose current enrollment ends due to suspension or dismissal. The University also reserves the right to

notify the parent(s) or guardian(s) of any dependent Student under the age of twenty-one (21) who has been found responsible for violating any drug or alcohol policies. The [Director of Student Rights & Responsibilities](#) has the discretion to decline notification under certain circumstances.

This notification is intended as a means to encourage communication between Students and their parent(s) or guardian(s) to provide the greatest level of support for the Student. Nevertheless, the University's primary relationship is with its Students, rather than with their parent(s) or guardian(s), and the University's priority and obligation is to correspond and otherwise conduct business directly with Students, and not through parent(s), guardian(s), or any other third party.

Student Rights & Responsibilities Records Policy

The [Office of Student Rights & Responsibilities](#) will be responsible for maintaining all official University records related to Student Rights & Responsibilities. A Student Rights & Responsibilities Record will include copies of all Cases in which a Student is found responsible for violating at least one Student Rights & Responsibilities policy, as well as copies of all relevant correspondence and other documentation related to the Case.

- The policies regarding the retention of Student Rights & Responsibilities Records are as follows:
 - The University will maintain Student Rights & Responsibilities Records for a period of no less than seven (7) years following the most recent finding of violation and completion of all Outcomes, consistent with the University's obligations under the Clery Act.
 - The University will maintain Student Rights & Responsibilities Records of Students who have been dismissed from the University indefinitely.

The University will retain, as necessary, appropriate statistical information related to Student Rights & Responsibilities policy violations consistent with the University's obligations under the [Clery Act](#) and any other applicable statutes or regulations. The [Office of Student Rights & Responsibilities](#) will work with the [Office of the Registrar](#) in complying with the Family Educational Rights and Privacy Act ([FERPA](#)) and other applicable statutes and regulations regarding access to and release of Student Rights & Responsibilities Records.

- Members of the University faculty and staff who receive requests from

Students or former Students to complete a request for information about Student Rights & Responsibilities Records should direct all inquiries to the [Office of the Registrar](#). Purposes for such requests can include undergraduate transfer to another institution; graduate/professional/law school admission; admission to the Bar (by state); and security clearances for employment.

- When a Student requests and authorizes the release of information through the online [Institutional Action Letter Request Form](#), the University will provide an overview of the Student's conduct history. The information released will include the findings, Outcomes, and will indicate whether or not a Student is in good conduct standing.
- Pursuant to University Policy, and consistent with [FERPA](#), Students may review their Student Rights & Responsibilities Record. Students should contact the [Office of the Registrar](#) to review their records or, for a brief summary, they can complete the online [Institutional Action Letter Request Form](#).
- The [Office of Student Rights & Responsibilities](#) does not release records for alternative resolution processes, such as Restorative Justice, which are considered internal records for University purposes, through the release of records process unless required by law.

Student Rights & Responsibilities Purpose

Mission Statement

The [Office of Student Rights & Responsibilities](#) at the University of Denver supports the University's mission by providing programs and services designed to foster an inclusive campus community and promote opportunities for holistic student living, learning, and growth. We strive to achieve a safe campus community in which Students:

- respect themselves, others, the University, and surrounding community;
- honor differences and gain an appreciation for living in a diverse society;
- maintain high standards of their personal and academic integrity;
- understand the impact of their actions and choices upon themselves, others, the University, and surrounding communities; and
- seek opportunities to repair harm, restore trust, and acknowledge the impact of

their actions and choices.

The [Office of Student Rights & Responsibilities](#) strives to be educational and restorative in our processes by offering educational Outcomes, workshops and alternate case resolution options. Through the Outcomes assigned to Students, we hope to encourage self-awareness, social engagement, and provide opportunities for reflection and meaning-making.

Restorative Practice

At the University of Denver, we strive to take a restorative approach to support our Students in learning how to strengthen interpersonal and community relationships. By strengthening relationships, Students learn how to intentionally and thoughtfully interact with each other, communicate, and address any conflict that may arise to repair harm in that individual relationship and understand the impact on the community as whole.

Restorative Justice

At times, Students may make decisions that are violations of the Honor Code that may negatively impact and/or disrupt the University Community. SRR strives to promote opportunities for holistic student learning and growth when Students take responsibility for their mistakes and decide they would like to repair harm in their community; this is referred to as Restorative Justice. The Restorative Justice process can only be used if the Respondent accepts responsibility for their actions and choices and the Complainant is able to participate fully as well. During a Restorative Justice process, impacted parties have an opportunity to share their perspective, confront the behavior, express the impact of the actions on them, and help develop Outcomes. Throughout this process, Students have an opportunity to reflect on this experience and learn how to move forward in a positive and productive way.

Policies & Procedures Statement

These policies and procedures govern all Student behavior and conduct at the University of Denver. Students are expected to uphold the values of the University and the Honor Code by exhibiting behavior and conduct that supports the spirit under which these values were established. Student's actions that are contrary to the core values of the Honor Code may be addressed through the Student Rights & Responsibilities Policies and procedures as administered by the [Office of Student Rights & Responsibilities](#).

Rights & Responsibilities of Involved Parties

The Student Rights & Responsibilities process is designed to be educational in nature and to fairly determine if a Student is responsible for violating the Honor Code. If the Student is found responsible, the goal is to hold the Student accountable for violations, assist the Student in understanding the impact their behavior has had on others, and provide opportunities to repair harm and restore trust. The process is also designed to provide those who may have been impacted by these actions an opportunity to address an alleged violation of the Honor Code. Throughout the Student Rights & Responsibilities process, Respondents and Complainants both have certain rights and responsibilities which include:

Fair Treatment

- The **right** to be treated with dignity and respect.
- The **right** to receive information regarding the SRR process and their role within this process.
- The Respondent has the **right** to be considered Not Responsible for an alleged violation(s) of the Honor Code unless found responsible during this process. This right will not prevent the University from taking necessary and reasonable supportive measures during this process.
- The **right** to object to a member of a Case Resolution Body based on demonstrable bias that would affect that member's ability to render a fair decision.
- The **right** for all decisions in the process to be based upon a Preponderance of the Evidence.
- The **responsibility** to request a reasonable arrangement and/or accommodation (e.g. for disability, language barriers, or location/proximity concerns) to allow their full participation in the SRR process. Requests must be received by [Student Rights & Responsibilities](#) as soon as possible and at least two (2) Business Days BEFORE the Case Resolution Meeting. Students seeking accommodations due to a documented disability must seek such accommodations through the [Disability Services Program \(DSP\)](#) process and procedures. [DSP](#)'s review of new accommodation requests may take up to five (5) Business Days. SRR will work with Students to reschedule Case Resolution Meetings as needed due to timely

engagement in the DSP process.

- The **responsibility** to engage in the process with honesty and appropriate behavior.
- The **responsibility** to promptly notify the leadership of the Office of Student Rights & Responsibilities if the Student believes they have not received fair and equitable treatment via the online [reporting form](#).

Privacy

- The **right** to protection of information subject to applicable provisions of the Family Educational Rights and Privacy Act ([FERPA](#)) and the Health Insurance Portability and Accountability Act ([HIPAA](#)).
- The **right** to privacy throughout the SRR process with respect to all parties.
- The **right** to be free from intimidation and harassment and the **responsibility** to request that the University take reasonable steps such as supportive measures to prevent unnecessary or unwanted contact with Involved Parties.
- The **responsibility** to notify the [Director of Student Rights & Responsibilities](#) or a member of the [Office of Student Rights & Responsibilities](#) if the Student believes reasonable steps such as supportive measures are needed to protect these rights.

Presence of a Support Person

- The **right** to have one (1) Support Person of their choice present throughout the SRR process (except for investigations and resolutions under the University of Denver Title IX Sexual Harassment Procedures). A Support Person can be any person chosen by the Student, including, but not limited to, a parent, family member, or an attorney. Individuals who are Involved Parties or Witnesses in the Case or a member of the Case Resolution Body shall not serve as a Support Person.
- The **right** to consult with their Support Person. The Support Person may not speak on behalf of the Involved Party nor actively participate in the proceeding. A Support Person may not attend a Case Resolution Meeting without the Involved Party they are supporting being present.
- The **responsibility** to complete a Release of Information Form with the University for any involved Support Person to address the University's obligations under FERPA. Without a completed Release of Information Form on file, a Support

Person cannot participate in the SRR process.

- The **responsibility** to notify their Support Person of the time, date, and location of any SRR proceedings. For virtual SAB Case Resolution Meetings, the Student has the responsibility to provide SRR staff with the name and email of their Support Person in order for SRR to send the information to the Support Person. The University will not reschedule proceedings to accommodate the schedule of a Support Person.
- The **responsibility** to provide SRR notification of the name of their Support Person no later than three (3) Business Days before the scheduled start of the Case Resolution Meeting. The Support Person's name will be made available to the other Involved Parties (as applicable), and those parties will have an opportunity to submit any objections to the Support Person's participation no later than two (2) Business Day before the scheduled start of the Case Resolution Meeting. SRR has the authority to exclude any individual from participating based on a reasonable objection. Failure to provide a Support Person's name prior to the Case Resolution Meeting may be grounds to exclude that Support Person.

Written Notice

- The **right** to Proper Written Notification of any Case Resolution Meeting a Student is invited to attend as a result of a Report filed. The notification may include the following:
 - The time, date, and location of the Case Resolution Meeting and procedures for requesting a change in time and/or date;
 - A summary of the incident, copy of the redacted Report, OR the office or agency to contact to request information underlying the Report;
 - The Alleged Policy Violations being considered at the time of the Proper Written Notification;
 - The name of the Reporting Party (as applicable); and
 - The process and Outcomes for not attending the Case Resolution Meeting.
- The **responsibility**, per University Policy, to provide the University with the most current and accurate address, email, and other contact information to facilitate notification in a timely manner.
- The **responsibility** to check official University or reported primary email, phone,

mail, and to respond in timely manner.

Respond to Allegations and Provide Statement

- The **right** to view any supporting documents not already provided in the written notice, such as videos and photos. The University will use reasonable efforts to allow the Involved Parties to review those materials in a monitored environment.
- When an administrative Case Resolution Meeting is held, a Student has
 - The **right** to respond to the Alleged Policy Violations, including the right to present information directly relevant to the incident. Polygraphs or “lie detector” results are not considered relevant and therefore are not permissible.
 - The **right** to not present information relevant to the incident.
 - The **responsibility** to allow only the presentation of accurate information; the presentation of false or misleading information is not allowed and may be a policy violation.
- When a Student Accountability Board ([SAB](#)) is held, additional rights and responsibilities include:
 - The **right** to hear all Witnesses and information presented during a SAB (an Involved Party does not have the right to question Witnesses).
 - The **right** to present Witnesses. If an Involved Party wishes to present information from a Witness who is unable to participate in person, the party must provide a written and signed statement from that individual five (5) Business Days prior to the time of the SAB meeting.
 - The SRR process addresses Student behavior and conduct, not Student character, therefore character witnesses, statements, and reference letters are not considered relevant and therefore are not permissible.
 - The **responsibility** to respond to any Witnesses or information when such is presented and prior to the Witness being dismissed. Involved Parties must direct any response to the SAB members and not to the Witness. The SAB may not consider any rebuttal presented after the Witness is dismissed.

- The **responsibility** to provide SRR prior notification of the names of any Witness the party intends to present no later than five (5) Business Days before the scheduled start of the SAB. SRR will provide these names to the other Involved Parties (as applicable), and each party will have an opportunity to raise any objections to the Witness' participation prior to the SAB. SRR has the authority to exclude any individual from participation based on a reasonable objection. Failure to provide SRR with the name of a Witness prior to the SAB may be grounds to exclude that Witness from the SAB.
- The **responsibility** to notify SRR of any Witness to be included in the SAB.
- The **responsibility** to have on hand all relevant evidence/information to be presented at the SAB.
- The **responsibility** to provide SRR with all evidence/information to be presented at the SAB for evaluation of relevance no later than five (5) Business Days before the scheduled start of the SAB. SRR will provide Students with the rationale regarding any evidence/information that is deemed not relevant.
 - SRR acknowledges that, at times, evidence/information may become available after this deadline. Students have the **responsibility** to alert SRR immediately and submit the consideration and documentation that the evidence/information was not available prior to the deadline. Evidence/information not submitted to SRR will not be permissible to present in a SAB.
 - Polygraphs or "lie detector" results are not permissible.

Written Decision and Appeal

- Respondents have the **right** to:
 - Proper Written Notification of the results of their Case Resolution Meeting. The notice will include the following information:
 - The determination of responsibility for the alleged violations of the Student Rights & Responsibilities Policies
 - The rationale for the finding
 - If found responsible for a policy violation(s), the Outcomes imposed

- Information regarding the criteria for eligibility and steps to appeal the finding(s) and/or Outcomes
 - Appeal the finding and Outcomes based on specified criteria.
- Respondents have the **responsibility** to comply with all Outcomes imposed. If either party files an appeal or the appeal is denied, the Respondent must comply with all applicable Outcomes after receiving the appeal decision.
- Complainants have the **right** to:
 - Proper Written Notification of the results of a Case Resolution Meeting convened as a result of a Report they filed if the Complainant is a victim of an alleged crime of violence. In the event that a Complainant dies as a result of the incident, the alleged victim's next of kin has the right to such notification.
 - Proper Written Notification may include the following:
 - The rationale for the finding
 - The specific SRR Policies the Respondent has been found responsible for violating
 - The Outcomes imposed
 - Information regarding the criteria for eligibility and steps to appeal the finding(s) and/or Outcomes
 - Appeal the finding(s) and Outcomes based on specified criteria.
- Both Respondents and Complainants have the **responsibility** to submit an appeal through the online [Appeal Form](#), if they choose to appeal the finding.

Student Rights & Responsibilities Policies

Students at the University of Denver are expected to follow these SRR Policies:

A. Academic Integrity violations includes the following:

1. **Plagiarism:** Any representation of another's work or ideas as one's own in academic and educational submissions, including, failure to include appropriate citation(s).

2. **Unauthorized Use:** Any actual or attempted use or possession of resources prohibited by the instructor(s) or those that a reasonable person would consider inappropriate under the circumstances for academic submissions, including prohibited or inappropriate use of the internet.
3. **Cheating:** Any actual or attempted effort to engage in falsification of academic materials, claiming credit for another's work contrary to instructor/department instructions, such as copying answers on a test, and/or assisting another Student in engaging in any action that may violate one or more aspects of the Academic Integrity Policy.
4. **Repeated Submission:** Any submission of an academic work for more than one course without written permission of the instructor.
5. **Fabrication:** Any falsification or creation of unsubstantiated data, research or resources to support academic submissions.
6. **Impediment:** Intentionally damaging, misrepresenting, or inhibiting the academic work of another Student.
7. **Syllabus Violation:** Failure to meet expectations set forth in a course syllabus.
8. **Violation of Professional Standards:** Failure to comply with the standards applicable to a field of study, profession and/or academic department.

B. Alcohol Misuse includes the following:

1. **Unauthorized Possession:** Possession and/or use of alcoholic beverages by any person under the legal drinking age of the United States (currently twenty-one (21) years of age), unless expressly permitted by law and University Policy.
2. **Unauthorized Distribution:** The manufacturing and/or delivery of alcohol, except as expressly permitted by law and University Policies. Students may not provide alcoholic beverages to any person under the legal drinking age of the United States (currently twenty-one (21) years of age).
3. **Intoxication:** Being under the influence of alcohol to the point of causing a disruption to University activities and/or endangering one's own health or safety regardless of age.
4. **Coerced Consumption:** Any act that causes a person to consume alcohol

without their Effective Consent.

5. **Paraphernalia:** Any possession or use of paraphernalia used to facilitate the unauthorized use or rapid consumption or distribution of alcohol, including, but is not limited to, beer bong or similar items.

C. Dishonesty includes the following:

1. **Misleading Information:** Intentionally giving false or misleading information to a University Official, law enforcement officer, or other emergency service professional while they are performing their duties. This includes, but is not limited to, intentionally omitting information in response to a request from a University Official and asking or persuading another individual to give false or misleading information and/or to omit information in response to a request from a University Official.
2. **False Statement:** Any written or public statement about another person or group that would cause distress or would cause a reasonable person to fear for their safety and is proven to be false or misleading through the SRR process.
3. **Falsified Identification:** Purchase, possession, use, manufacture, or distribution of forged or falsified identification, including, but not limited to, use of another person's identification or the possession of any identification that misrepresents one's age, whether designated as "novelty" identification or otherwise.
4. **Alteration:** Any forgery, misuse, misrepresentation, or unauthorized alteration of any University documents, records, or credentials, including, but not limited to, the submission of false information on any official form or document to the University or alteration of University parking passes.

D. Drug Misuse includes the following:

1. **Unauthorized Possession:** Possession and/or use of any Federally Illegal Drug, or any possession and/or use of any prescription drug or other controlled substance except under the direction of a licensed physician and with a valid prescription. The University prohibits possession and/or use of cannabis, including medical cannabis, on University Premises in all circumstances.
2. **Distribution:** Manufacturing and/or delivery of any Federally Illegal Drug,

prescription drugs, or other controlled substance, including cannabis in any form.

3. **Intoxication:** Being under the influence of any Federally Illegal Drug, prescription or non-prescription drug, or other controlled substance to the point of causing a disruption to University activities and/or endangering one's own health or safety regardless of age.
4. **Coerced Consumption:** Any act that causes a person to ingest any Federally Illegal Drug, prescription drug, or other controlled substance without their Effective Consent.
5. **Paraphernalia:** Any possession or use of paraphernalia used to facilitate the unauthorized or rapid use or distribution of any Federally Illegal Drug or other controlled substance regardless of age; including but not limited to, cannabis pipes, bongs and scales or other measuring devices.
6. **CBD:** The use of cannabidiol (CBD) is restricted to products with no levels of THC. The product must remain in the original container and the container must state the product has no THC levels. All other CBD products are not allowed in University owned or operated housing or on University Premises.

E. Endangerment includes the following:

1. **Substantial Risk:** Any act that directly or indirectly creates a substantial risk to anyone's (including one's own) medical or mental health or safety regardless of intent. This includes, but is not limited to, the use or abuse of any substances that results in medical evaluation or assistance.
2. **False Report:** Any act, display, or communication that intentionally initiates or causes to be initiated any false report of an emergency, including, but not limited to, any threat of fire, explosion, or any other emergency or the unauthorized possession, use, or alteration of any emergency or safety equipment.
3. **Weapons:** Any possession or use of Weapons, ammunition, explosives, or other objects designed or used to inflict injury or damage while on University Premises or items that simulate Weapons or other dangerous objects, even if the Student possesses a valid concealed Weapons permit or other lawful permission to carry a Weapon. The reckless misuse of these items either on or off University Premises is prohibited. The University does not prohibit the

possession of non-lethal self-defense instruments such as mace; however, the University does prohibit the reckless or inappropriate use of those instruments or other items that could cause harm when not used for their intended purpose.

4. **Fire Works/Explosives:** Any possession or use of fireworks, explosives, or other objects designed or used to explode, inflict injury or damage, or cause a spark while on University Premises, even if the Student possesses a valid permit or other lawful permission or the reckless misuse of these items either on or off University Premises.
5. **Fire Safety Violation:** Intentionally or recklessly causing or attempting to cause a fire that damages or threatens University or personal property and/or causes injury, including, but not limited to, tampering or improper use of fire safety equipment.

F. Harassment includes the following:

1. **Bullying:** Any intentional electronic, written, verbal, or physical act or a series of acts of physical, social, or emotional domination that cause physical or emotional harm to another person or group. Bullying conduct is severe, persistent, or pervasive and has the effect of substantially interfering with a community member's education, employment, or full enjoyment of the University; creating a threatening or intimidating environment; or substantially disrupting the orderly operation of the University.
2. **Coercion:** Any use of force, threats, manipulation, blackmail, bribery or extortion in order to persuade someone to do something.
3. **Intimidation:** Any verbal, written, or electronic threats of violence or other threatening behavior and conduct directed toward another person or group that reasonably leads the person(s) in the group to fear for their physical or emotional well-being, or significantly impacts a person's social engagement on campus.
4. **Retaliation:** Any actions or attempted actions that impose a hardship, loss of benefit, or a penalty on any Student, faculty, or staff in response to filing or responding to a Report, appearing as a Witness in the investigation of a Report, or serving as a Student Rights & Responsibilities Administrator or as a member of a Case Resolution Body.

G. Hazing:

Any act, even if committed with the consent or acquiescence of all parties, that endangers the psychological or physical health or safety of a person, or by which a person is encouraged to engage in conduct that a reasonable person would consider to be humiliating, when the act is explicitly or implicitly a condition of admission into, affiliation with, or continued membership in any group. Actively or passively encouraging these acts is also prohibited.

H. Interference:

Any act, display, or communication that causes a disruption or an obstruction of educational, administrative, residential (including off University Premises) or other aspect of the University's mission or operations, or intentionally interferes with the right of access to University facilities or freedom of movement of anyone on University Premises. This is not intended to prohibit organized, peaceful, and orderly protests.

I. Noncompliance includes the following:

1. **Reasonable Request:** Any failure to comply with the reasonable request of a University Official, law enforcement officer, or other emergency service professional in the performance of their duties.
2. **SRR Process:** Any failure to comply with the Student Rights & Responsibilities process, including, but not limited to, failure to complete Outcomes.
3. **Identification:** Any failure to provide one's University Identification Card or any form of legal identification upon the request of University Officials.
4. **Postings:** Any failure to abide by signs, placards, or other official postings.
5. **Guests & Visitors:** Students are responsible for the behavior of their guests and visitors to the University of Denver. Students are expected to inform their guests and visitors of any and all University policies and applicable laws.

J. Physical Misconduct includes the following:

1. **Bodily Harm:** Any act causing or likely to cause, bodily harm to any person, regardless of intent.
2. **Physical Contact:** Any act resulting in physical contact with another person, without their Effective Consent.

K. Property Damage:

Any act causing or likely to cause damage to the property of another person or entity without the Effective Consent of that person or entity, regardless of intent, including, but not limited to, vandalism of residence hall bulletin boards.

L. Provocation includes the following:

1. **Disruption:** Any act, display, or communication directed towards a person or a group of persons that may reasonably be expected to cause an immediate disruption of normal University activity.
2. **Harm:** Any act, display or communication that encourages actions that may be reasonably expected to cause harm to a person(s) or damage to property, including, but not limited to, rioting.

M. Theft includes the following:

1. **Attempted:** Attempted acquisition or possession of property (including intellectual property) without the consent of the owner or person legally responsible for that property. This includes, but is not limited to, the attempted possession of property a Student should reasonably know is stolen.
2. **Possession:** Actual acquisition or possession of property, including intellectual property, of another person or entity without the permission or authorization of that person or entity. This includes, but is not limited to, the attempted possession of property a Student should reasonably know is stolen.
3. **Unauthorized Use:** Any utilization of labor or services by unauthorized or deceitful methods, including, but not limited to, the misuse of University parking passes.
4. **Unauthorized Procurement:** Any attempted or actual acquisition of items offered without charge when that acquisition exceeds reasonable limits or

restrictions imposed by the provider of the materials, including, but not limited to, taking excessive numbers of giveaways.

N. Unauthorized Presence includes the following:

1. **Unauthorized Entry:** Entry or presence within enclosed University buildings or areas including, but not limited to, athletic facilities, construction sites, offices, another residential building owned or operated by the University, or another Student's living quarters, even if unlocked, without the permission or authorization of the owner or person legally responsible for that property, regardless of intent. This includes, but is not limited to, entry in violation of posted hours of operation.
2. **Unauthorized Access:** Climbing on, being present on the roof of, or other invalid use or access of any University building or University owned or operated structure or other University property.
3. **Unauthorized Access/Alteration of Keys/Entry Devices:** Tampering with locks to University buildings, unauthorized possession or use of University keys/entry devices, and/or alteration or duplication of University keys/entry devices.

O. Violation of the Law:

Committing or attempting to commit any violation of local, state, federal, or applicable foreign law, or a local ordinance or regulation, whether on or off University Premises. Evidence of a conviction, including but not limited to, a plea agreement, shall be considered conclusive documentation as to the violation of a law, ordinance, and/or regulations.

P. Violation of the University's Discrimination and Harassment Policy:

Any violation of the University's Discrimination and Harassment Policy, as implemented through the University of Denver Title IX Sexual Harassment Procedures or the University of Denver General Discrimination & Harassment Procedures.

Q. Violation of Other University Policies includes the following:

1. **University Policy:** Any act which is in violation of any University Policies, whether or not enumerated in these Student Rights & Responsibilities

Policies. The University expects Students to review these policies and inform their guests of these policies.

- a. [Guide to Residence Living Policies](#): Any act that is in violation of the policies set forth in the [Guide to Residence Living](#).
- b. [Campus Safety Policies](#): Any act that is in violation of the policies and procedures of the [Division of Campus Safety](#).
- c. [Smoke-Free DU Policy](#): Any act that is in violation of Smoke-Free DU policy. The University does not permit vaping of any type on University Premises. Per the Colorado Clean Air Act, vaping or use of e-cigarettes is prohibited inside any public buildings and most businesses. Individuals may not vape within 25 feet of the main or front door of a building.
- d. [Parking and Mobility Services Policies](#): Any act that is in violation of the policies and procedures of Parking and Mobility Services, including, but not limited to, permit regulations and traffic regulations.
- e. [Information Technology Policies](#): Any act that is in violation of the policies of the Information Technology division.
- f. **Policies of Academic Departments**: Any act that is in violation of the policies of an academic department.
- g. **Other University Policy**: Any act that is in violation of any other University policy not listed above.

Student Rights & Responsibilities/University of Denver Procedures

Supportive Measures

All Students have the right to continue their education free from the threat of harassment, abuse, retribution, or violence. The University may act or offer services to protect the safety, security, or integrity of a Complainant, a Reporting Party, a Witness, the University, or any member of the University Community.

Support measures include, but are not limited to, Mutual No Contact Orders, Location Restrictions, involuntary removal from a course, program, activity, or University Premises, and modifications to living arrangements pending case

resolution, and/or prior to reporting incidents to law enforcement or other non-University agencies.

- [Student Outreach and Support](#) may assign a Case Manager to work with the Student on supportive measures that may include, but are not limited to:
 - Access to [Counseling Services](#)
 - Change in on campus work schedule or job assignment
 - Assistance with seeking accommodations or short-term adjustments, which may include (if approved)
 - Rescheduling or extensions on exams and assignments
 - Extra absences
 - Change in class schedule or transferring sections
 - Withdrawing from class without penalty
 - Voluntary Leave of Absence
 - Other accommodations as appropriate
 - Connection to [Housing & Residential Education](#) to support a change in University owned or operated housing
 - Connection to the [Division of Campus Safety](#) to request an escort or other appropriate measures to facilitate safe movement between classes and activities on campus
 - Connection to the Center for Advocacy, Prevention, & Empowerment ([CAPE](#)) and other resources
 - Connection to the Office of Equal Opportunity & Title IX ([EOIX](#))
 - Any other measure which can be tailored to the involved individuals to achieve the goals of these procedures
- The [Vice Chancellor for Student Affairs](#) or their designee, in consultation with the appropriate faculty and/or administrators, has the authority to implement any supportive measure. The Title IX Coordinator will separately evaluate any

supportive measures offered pursuant to the University of Denver Title IX Sexual Harassment Procedures to determine that the measures are consistent with the requirements of Title IX. The University also recognizes its obligation to Students who have been accused of a violation of a policy but have not yet gone through the Student Rights & Responsibilities process. Therefore, supportive measures should not unreasonably burden a Respondent's academic progress except as deemed necessary to protect the University, any member of the University Community, or the University's mission.

- The University may implement supportive measures while the Student Rights & Responsibilities process is on-going or until a final decision is made. If the supportive measure is assigned through a formal case resolution process, it will become a formal Outcome, which is appealable through the Appeals Process. Should no formal case resolution process occur following the issuance of a supportive measure, the University will make a determination on the appropriateness of the continuance of the supportive measure and notify the Involved Parties.
- Where the University deems necessary to enhance safety, prevent retaliation, and/or avoid an ongoing hostile environment, the University may take administrative action to restrict contact between two or more members of the University Community in the form of a Mutual No Contact Order, a Location Restriction Order, or both. Mutual No Contact Orders and Location Restriction Orders expire upon graduation of the Student upon which the order is issued, unless otherwise stated in written notification to parties involved.

Interim Suspension

- The [Vice Chancellor for Student Affairs](#) or their designee may suspend a Student for an interim period prior to case resolution.
- An Interim Suspension will be effective immediately, without prior notice, whenever the [Vice Chancellor for Student Affairs](#) or their designee determines that the continued presence of the Student on the University Premises poses a substantial threat to any member of the University Community or the stability and continuance of normal University operations.
- For investigations and resolutions under University of Denver Title IX Sexual Harassment Procedures, the University will consider emergency removal consistent with those procedures.

- During an Interim Suspension, the Student is denied access to University Premises and all University activities or privileges for which the Student might otherwise be eligible, as the [Vice Chancellor for Student Affairs](#) or their designee may determine to be appropriate.
- Whenever a Student is subjected to an Interim Suspension, the University will complete case resolution as promptly as possible. The Interim Suspension may remain in effect until a final decision has been reached, including any appropriate appellate process.

Mutual No Contact and Location Restriction Orders

A Mutual No Contact Order is a written directive for the identified parties to avoid all contact and/or communication with one another. Unless expressly stated otherwise in the Mutual No Contact Order, contact is defined as communicating in person, communicating through a third party, and communicating through all forms of written and/or electronic contact (including phone, email, texting, and social media). The Mutual No Contact Order may apply to other forms of contact, as the University deems appropriate under the circumstances.

A Location Restriction Order is a written directive for one or more identified parties not to enter a particular physical space that is owned or operated by the University. The written Location Restriction Order will define the space to be avoided, which may include particular rooms, buildings, outdoor areas, events, or other spaces as described in the Location Restriction Order. The Location Restriction Order may also require a housing reassignment or reassignment to a different section of a course for one or multiple individuals identified in the Location Restriction Order.

Although these Mutual No Contact Orders and Location Restriction Orders are not considered disciplinary in nature, failing to abide by the terms of the Mutual No Contact Order and Location Restriction Orders will constitute a violation of the [Student Rights & Responsibilities Policies](#).

Mutual No Contact Orders and Location Restriction Orders may be issued as an Emergency Order, Temporary Order, or Standing Order. For more information on Mutual No Contact Orders and Location Restriction Orders, please see the [SRR website](#). To request a Mutual No Contact Order and/or Location Order, please complete this [form](#).

Case Resolution Procedures

Report Submission

- Any individual may file a Report with the University. A Report is considered to have been filed when it has been presented in writing to a Student Rights & Responsibilities [staff member](#), Division of Campus Safety [staff member](#), or Office of Equal Opportunity & Title IX [staff member](#). Under the Clery Act and Title IX, certain staff members are considered [Campus Security Authorities](#) (CSA) and/or Responsible Employees and are required to Report the incident to the [Office of Student Rights & Responsibilities](#) and/or the [Office of Equal Opportunity & Title IX](#). An individual may file a Report with a CSA or Responsible Employee who will then submit the Report to the appropriate office.
- Once a Report has been filed, the University may proceed with the Student Rights & Responsibilities process, even if a Reporting Party or Complainant later chooses to retract, rescind, or recant any or all of the Report or the individual chooses not to cooperate.
- The University will only take action without the consent of a Complainant if, in the Director of Student Rights & Responsibilities' judgment, such action is necessary to protect the safety, security, or integrity of the University or any member(s) of its community.
- If a Respondent withdraws from the University, the Student Rights & Responsibilities process may continue.

Assess for Supportive Measures

The University may implement supportive measures based on the unique circumstances of a specific incident. Please see the Supportive Measures section for further information.

Referral of Incident Report

- [Housing & Residential Education](#) (HRE)
 - Student Rights & Responsibilities may assign Cases involving allegations of violation of the University's Housing & Residential Education policies to a member of the HRE professional staff for adjudication.
- [Office of Equal Opportunity & Title IX](#)

- Student Rights & Responsibilities will refer Reports involving allegations of violation of the University's [Discrimination and Harassment Policy](#), to the [Office of Equal Opportunity & Title IX](#).
- If the [Office of Equal Opportunity & Title IX](#) process results in a determination of responsibility for a Student, the Case will be referred to the [Outcome Council](#) as set forth in the University of Denver Title IX Sexual Harassment Procedures and the University of Denver General Discrimination & Harassment Procedures.
- Other Appropriate Offices
 - SRR reserves the right to refer Cases to other relevant departments (such as Athletics & Recreation) to take appropriate action under applicable policies and procedures.

Determination of Alleged Policy Violations

- Student Rights & Responsibilities [staff](#) will review available evidence/information, assess if Alleged Policy Violations are applicable, and one of the following will occur:
 - No further action will be taken if Student Rights & Responsibilities staff determines that the Report is not substantiated. The University reserves the right to proceed with the Student Rights & Responsibilities process for any Report should further relevant information become available.
 - The Report will be referred to a Case Resolution Body if Student Rights & Responsibilities staff determines that the Report is substantiated and sufficient documentation already exists to proceed with the Student Rights & Responsibilities process.
- If, during the Student Rights & Responsibilities process, Student Rights & Responsibilities staff receives information supporting more Alleged Policy Violations, Student Rights & Responsibilities staff will review the information and determine whether to add additional Alleged Policy Violations.

Notification of Case Resolution Meeting

- The Student Rights & Responsibilities [staff](#) member or designee will review the academic schedule(s) of the Involved Parties and schedule a Case Resolution Meeting with the appropriate Case Resolution Body.

- The Student Rights & Responsibilities [staff](#) member or designee will send each Involved Party Proper Written Notification.

Case Resolution Bodies

When Student Rights & Responsibilities determines that an alleged policy violation has occurred, SRR will refer the Case to a Case Resolution Body for responsibility and/or Outcome determination.

A Case Resolution Body is any person, persons, or groups authorized by the University to determine whether a Student has violated [Student Rights & Responsibilities Policies](#) and to impose Outcomes when appropriate.

All Case Resolution Bodies have the authority to make a determination regarding responsibility for violations of Honor Code and/or other University Policies and assign Outcomes as appropriate:

- The [Director of Student Rights & Responsibilities](#), or their designee, has the authority to impose Outcomes up to, and including, Suspension.
- The Director of Student Rights & Responsibilities has the authority to authorize Student Rights & Responsibilities [staff](#) members to impose Outcomes up to, and including, Deferred Suspension.
- The Director of Student Rights & Responsibilities has the authority to authorize Housing and Residential Education ([HRE staff](#)) to conduct Case Resolution Meetings for Cases that originate in University owned or operated housing and are not assigned to a different Case Resolution Body. Generally, [HRE staff](#) may hear Cases involving alleged violations of policies set forth in the [Guide to Residence Living](#) and alleged violations of Student Rights & Responsibilities Policies. [HRE staff](#) members have the authority to assign Outcomes up to, and including, probation.
- Faculty Members have inherent authority to make decisions on Academic Actions in response to allegations of Academic Integrity violations. Academic Actions may include, but are not limited to
 - Failure of an assignment
 - Failure of a course

- Recommendation of termination from a program of study as per applicable procedures
- Student Accountability Board (SAB) has the authority to conduct Case Resolution Meetings involving student Respondents and issue all forms of Outcomes, up to and including Dismissal from the University. The Director of Student Rights & Responsibilities or designee will be the Chair for the SAB. The role of the Chair is to facilitate the SAB and to advise the SAB. The Chair does not make decisions on responsibility or Outcomes. When possible, the SAB should be comprised of three (3) eligible members of the University Community. When possible, the SAB will be comprised of one (1) Student, one (1) Faculty, and one (1) Staff member.
- Specific guidelines for who may serve are as follows:
 - When possible, the undergraduate or graduate student status of the Respondent(s) will be the same as the status of the Student member of the SAB.
 - In Cases involving an alleged violation of Academic Integrity Policies, at least one (1) member of the SAB must be a University faculty member.
 - The SAB may conduct a meeting with only two (2) members, provided the Respondent(s) and Complainant(s) (if applicable) have no objections.
 - In order to be eligible to serve on the SAB, individuals must meet the following requirements:
 - Students must be registered as a full-time Student in good standing after completing at least one (1) term of coursework at the University.
 - Faculty must be currently employed by the University and taught courses at the University for a Minimum of one (1) academic term. Faculty must also have taught at least one (1) course within the most recent two (2) academic terms.
 - Staff must be currently employed part- or full-time, and must have been employed full- or part- time by the University for at least one (1) academic term.
 - All members must be neutral and impartial decision-makers, free of any conflicts of interest pertaining to the incident being resolved.

- SAB Procedures
 - The SAB meeting will be recorded. This recording will be kept for a period of no less than seven (7) years from the date of the Respondent's most recent Case and/or completion of all Outcomes, whichever is later.
 - The SAB meeting will be closed, with participation limited to the Respondent(s), the Complainant(s), approved Support Persons, Witnesses, the Chair, the SAB members, SAB members in training, and any other appropriate University official, as applicable.
 - The Office of Student Rights & Responsibilities will notify the Respondent(s) and Complainant(s) (if applicable) of the SAB Members who will be serving. Respondent(s) and Complainant(s) have the right to object to the participation of any member based on a significant, demonstrable bias.
 - The party must submit such objections, with supporting information, to the administrator designated in the notice within two (2) Business Days of release of the names.
 - The designated administrator will review any concerns and determine whether the objection has merit. The Office of Student Rights & Responsibilities will notify the Respondent(s) and Complainant(s) if any changes to the SAB composition have been made as a result of the objection.
 - If the Office of Student Rights & Responsibilities designates a new SAB member, Respondent(s) and Complainant(s) will have one (1) Business Day to submit any objections to the new member to the designated administrator for review.
 - All statements will be restricted to matters relevant to the Case.
 - The Chair has the authority to set reasonable expectations regarding behavior. Any person disrupting, interfering with or failing to abide by the decisions of the Chair may be removed from the SAB meeting. The SAB will continue in that individual's absence.
 - Support Persons, if present, are restricted to consulting with the party they are there to support. Support Persons may not address Witnesses or the

SAB unless invited to do so by the Chair.

- Deliberations are limited to the members of the SAB and are not recorded.
- The SAB Meeting and the results of the SAB Meeting are protected by FERPA as part of the education records of the Student(s) who participate in the SAB Meeting.
- Respondent(s) and, as appropriate, Complainant(s), will receive information regarding the proceedings of the SAB upon notification of the scheduled SAB.
- The order of proceedings includes the following:
 - Summary of the Incident and statement of the alleged policy violations
 - Opportunity for the Respondent(s) to respond to the alleged violations by accepting or denying Responsibility
 - Opening statements by all Complainant(s) and/or Respondent(s)
 - Presentation of submitted evidence/information
 - Opportunity for the SAB Members to ask questions of all Complainant(s), Respondent(s) and/or Witnesses
 - Closing statements by Complainant(s) and/or Respondent(s)
 - Deliberations
 - The Chair has the discretion to vary the specific order of the proceedings, so long as each of the components is included. Additionally, there may be multiple Complainants and Respondents involved in a SAB at one time. All Complainants will speak first, followed by all Respondents.
- Restorative Justice Conference (RJC)
 - A Restorative Justice Conference is an alternative dispute resolution process and will only be considered when: (1) the Student Respondent(s) have taken responsibility for violating the applicable Student Rights & Responsibilities Policies and have an interest in repairing the harm done by their actions; and (2) the Complainant(s) agree to participate in the process.
 - Members of the greater University Community will serve on an RJC, including

faculty, staff, students, alumni, neighbors and impacted parties. RJC's use a collaborative process to create an Outcomes Agreement and can impose a variety of Outcomes focused on reconciliation, resolution, and/or the betterment of the University Community.

- If the members of an RJC successfully create an Outcomes Agreement, the Respondent(s) cannot appeal the Outcomes as this was a mutually agreed upon decision. If the members of an RJC cannot come to an agreement about Outcomes, the RJC is considered unsuccessful, and the Case will be sent back to the Student Rights & Responsibilities process for traditional Case Resolution.
- The typical rights and responsibilities provided to Students in the traditional Student Rights & Responsibilities process may not be applicable in an RJC.

Attending the Case Resolution Meeting

The Administrative Case Resolution Meeting is an opportunity for the Case Resolution Body to gain the perspectives regarding the incident from the Involved Parties and assess, based on a Preponderance of the Evidence, whether University Policies were violated. If so, the Case Resolution Body and the Student have an opportunity to evaluate the impact of the incident, begin to explore possible alternatives to the behavior and conduct that occurred, and discuss opportunities to repair harm.

Cases may be referred to the appropriate Case Resolution Body based on the following guidelines:

- Administrative Case Resolution Meeting with [Housing & Residential Education](#) (HRE) staff in Cases which occur within the University owned or operated housing involving violations of the policies set forth in the [Guide to Residence Living](#) and basic violations of Student Rights & Responsibilities policies
- Administrative Case Resolution Meeting with Student Rights & Responsibilities [staff](#) member in Cases which occur within University owned or operated housing and involve significant violations of the [Guide to Residence Living](#) and [Student Rights & Responsibilities Policies](#) such as physical violence, legitimate threats of violence, Weapons, or other policies
- Administrative Case Resolution Meeting with Student Rights & Responsibilities [staff](#) member in Cases which occur within University owned or operated housing and at least one of the Respondents involved is already on probation, deferred suspension, or has been previously suspended.

- Administrative Case Resolution Meeting with Student Rights & Responsibilities [staff](#) member in Cases which occur on campus or at University Events.
- Administrative Case Resolution Meeting with Student Rights & Responsibilities [staff](#) member in Cases which occur off campus, but which disrupts neighbors, impacts the University mission, or negatively impacts the reputation of the University.
- Student Accountability Board (SAB) in Cases which:
 - An active Complainant is participating;
 - There is highly disputed information between parties; and/or
 - The Outcome is potentially suspension or dismissal.
- In Cases involving a minor violation of the policies set forth in the [Guide to Residence Living](#) and/or [Student Rights & Responsibilities Policies](#), a simple warning letter may be sent to the Respondent instead of scheduling a Case Resolution Meeting. However, a Case Resolution Meeting is available upon request from the Respondent.
- SRR reserves the right to make exceptions to the above guidelines to accommodate scheduling, confidentiality, or other extenuating circumstances.
- Parties involved with the SRR process are prohibited from making any recording of any Case Resolution Meeting or related proceeding.
- Following a Case Resolution Meeting, the Case Resolution Body can take one of the following actions regarding each Respondent:
 - Find the Respondent not responsible of violating University or SRR Policies.
 - Find the Respondent responsible of violating University or SRR Policies and assign appropriate Outcomes. The Case Resolution Body will only find a Student responsible if a Preponderance of the Evidence presented supports such a finding.
 - Find the Respondent responsible of violating University or SRR Policies and refer the Student to a Restorative Justice Conference (RJC) for Outcomes when the Case Resolution Body determines that this option is appropriate.
 - The Case Resolution Body will only refer a matter to an RJC if the

parties can agree on responsibility; the Respondent agrees to seek alternative ways to address the impact of their choice and actions; and the Complainant is in agreement.

- Refer the Respondent to a new Case Resolution Meeting before a separate Case Resolution Body.

Determinations and Decision Notice

- Once the Case Resolution Body has made a decision regarding responsibility and Outcomes, Student Rights & Responsibilities will send Proper Written Notification, as applicable.
- Decision Notice may include, as applicable to the recipient, a rationale explaining the decision, the determination of responsibility per each Alleged Policy Violation reviewed and discovered in the Case Resolution Meeting, any assigned Outcomes with details and due dates for completion, and appeal instructions.

Completing the Appeal Process

- Respondents have the **right** to appeal a decision made by a Case Resolution Body based on specific appeal criteria. In certain incidents, Complainants have the **right** to appeal a decision based on specific appeal criteria. For cases brought pursuant to the University of Denver Title IX Sexual Harassment Procedures, the appeal process is set forth in those procedures.
- Respondents and Complainants (as applicable) wishing to appeal a decision have the **responsibility** to submit a completed appeal form within five (5) Business Days of the Proper Written Notification.
- The [Director of Student Rights & Responsibilities](#) or designee has the discretion to grant a reasonable extension to the appeal deadline based on an appealing party's requests. A reasonable extension is considered to be two (2) additional Business Days; however, the Director of Student Rights & Responsibilities or designee has the discretion to adjust the length of the extension as circumstances warrant.
- The Director of Student Rights & Responsibilities will refer the appeal to the appropriate Appellate Officer for review.
- If either Party submits an appeal, Outcomes assigned will be considered "on hold" pending a final decision on the appeal, unless otherwise determined or in

a case in which the Respondent was previously issued an Interim Suspension.

- If either or both the Complainant or Respondent submits an Appeal Form, within five (5) Business Days of the date on the Decision Notice letter, the other party(ies) involved in the Case will be notified that an appeal has been received.
- In the SRR process, neither Complainants nor Respondents have the right to view the appeal information that was submitted by the other party(ies). However, the Appellate Officer may reserve the right to forward any and all portions of the appeal to the other part(ies) as needed in order to address matters raised in the appeal. In such situations, the other party(ies) will be given the opportunity to submit a written response by a stated deadline. The appeal must include information to support the specific Appeal Criteria cited in the appeal. Disagreement with the decision is not grounds for appeal.
- Appeals will only be considered based on the following criteria:
 - The existence of procedural errors so substantial that they greatly impacted the findings, responsibility determination, and/or the ultimate Outcomes;
 - Presentation of new and significant evidence which was not reasonably available at the time of the initial Case Resolution Meeting and would likely alter the findings, responsibility determination, and/or the ultimate Outcomes;
 - New and significant discovery of conflict of interest or bias on part of a member of a Case Resolution Body member that greatly impacted the findings, responsibility determination, and/or the ultimate Outcomes; and/or
 - The Outcomes imposed are substantially disproportionate to the severity of the violation.
- The following positions are designated as Appellate Officers:
 - If the Case was heard by [Housing & Residential Education](#) (HRE) staff or Student Rights & Responsibilities staff, the Director of Student Rights & Responsibilities or their designee will review any appeal.
 - If the Case was heard by the Director of Student Rights & Responsibilities or the Student Accountability Board (SAB) and resulted in an Outcome of

Deferred Suspension or lower, the Associate Vice Chancellor for Student Affairs or their designee will review any appeal.

- If the Outcomes were determined by the Outcome Council, the Vice Chancellor for Student Affairs or their designee will review any appeal.
- If the Case results in suspension or dismissal from the University the Vice Chancellor for Student Affairs or their designee will review any appeal.
- The Appellate Officer will review the Appeal Form, Student Rights & Responsibilities Records, and any other applicable information to determine a decision on the appeal.
- The Appellate Officer may take one of the following actions:
 - Deny the appeal and uphold the original decision based on not satisfying the Appeal Criteria.
 - Accept the appeal in whole or in part based on satisfying the Appeal Criteria and either:
 - Send the Case back to Student Rights & Responsibilities for a new Case Resolution Meeting; or
 - Dismiss the Case.
- The Appellate Officer may not replace the judgment of the original Case Resolution Body. The appellate process exists solely to review the procedures used in the Student Rights & Responsibilities proceedings. The Appellate Officer will transmit a final decision on the appeal within five (5) Business Days after receipt of the appeal. If there are extenuating circumstances, the Appellate Officer will notify all parties involved that an extension beyond five (5) Business Days is necessary in making a decision on the appeal.

Case Completion

- The case resolution process is considered completed when either no appeal is submitted by a Respondent or Complainant (as applicable) within five (5) Business Days or an appeal is denied, rendering the decision by the Case Resolution Body as final.
- Student Rights & Responsibilities [staff](#) may notify campus entities of the decision

as necessary in order to move forward with processes impacted by the Outcomes. The following examples illustrate the types of notification:

- In Cases resulting in a Location Restriction Order, Student Rights & Responsibilities [staff](#) will notify the applicable office(s).
- In Cases resulting in a probation status Outcome, Student Rights & Responsibilities [staff](#) will notify the applicable office(s).
- In Cases resulting in suspension or dismissal, Student Rights & Responsibilities [staff](#) will notify the offices impacted financially to update their records.
 - Financial Aid Eligibility is based on the effective withdrawal date. The effective withdrawal date is the first date of notification to the [Office of the Registrar](#) or other designated offices that the Student is no longer enrolled. Please refer to [Withdrawing from DU](#) for more information.
 - The Student will be reimbursed for room and board consistent with applicable [Housing & Residential Education policies](#).
 - The Student will receive any applicable tuition refunds according to the posted [Tuition Refund Calendar](#) based on the incident date. Other fees (e.g., parking permit, Fraternity & Sorority Life membership, health insurance, student activities) may be refunded at the discretion of the applicable office.

Outcome Council

The Outcome Council is the body responsible for making a neutral and impartial review of investigations and findings and imposing Outcomes following a finding of responsibility for violations of University Discrimination and Harassment Policy pursuant to the University of Denver Title IX Sexual Harassment Procedures or the University of Denver General Discrimination & Harassment Procedures. The Outcome Council meets independently to make its determinations.

Outcome Council Composition

Typically, the Outcome Council will be comprised of three (3) University Community members, including the [Director of Student Rights & Responsibilities](#), or their designee;

and an appointed faculty member or similar University employee, appointed by the [Vice Chancellor for Student Affairs](#) or [Provost & Executive Vice Chancellor](#). All Outcome Council members will receive and/or have specific training pursuant to the University of Denver Title IX Sexual Harassment Procedures or the University of Denver General Discrimination & Harassment Procedures.

To be eligible to serve on the Outcome Council, individuals must meet the following requirements:

- Faculty must have been employed by and taught courses at the University for at least one (1) academic year. Faculty must be currently employed at the University and have taught at least one (1) course within the two (2) most recent academic terms.
- Staff must be currently employed part- or full-time, and must have been employed full- or part- time by the University for at least one (1) academic term.

For more information regarding the process and procedure of the Outcome Council, please refer to the University of Denver Title IX Sexual Harassment Procedures or the University of Denver General Discrimination & Harassment Procedures.

Academic Integrity Process

The University of Denver creates an academic learning environment grounded in Academic Integrity. Students are expected to engage honestly and demonstrate responsibility in research and academic assignments. Therefore, all work and grades should result from the Student's own understanding of the materials and their effort.

Faculty Members are responsible for determining if a violation has occurred. When evidence/information indicates that a Student may have violated an Academic Integrity Policy, Faculty should contact the Student and provide an opportunity for the Student to respond to the allegation.

If the Faculty member determines that the Student has violated an Academic Integrity Policy, the Faculty member will assign appropriate Academic Actions and will work with SRR to identify any appropriate Educational and Status Outcomes.

For more information regarding the Academic Integrity Process please see the [SRR website](#).

Disruptive Classroom Behavior Policy

The University is committed to a positive and safe learning environment. Individual instructors have the right to determine whether specific Student classroom behavior and conduct is disruptive to the learning environment. In extenuating circumstances, instructors may require a Student to leave an **individual class** meeting based on disruptive behavior and conduct. However, instructors are not authorized to permanently remove a Student from the course without following the process set forth below.

Instructors should initiate this process as soon as possible after the initial disruption. If during the course of this process, the Student's continued presence in the class represents a **significant impediment** to the educational process of the learning community, the University may officially withdraw the Student from the class. If attempts at informal resolution fail or are not possible, the withdrawal procedure will be followed.

If there is an emergency, please call 911 and then the [Division of Campus Safety](#) at 303.871.3000. Faculty members or Students in the class in which the disruption is alleged to have occurred should file an [SRR Incident Report](#).

Disruptive Classroom Behavior Process

- Faculty member or Students in the class file the SRR Incident Report.
- The Dean or designee, as a neutral party, will lead a meeting between the Student and faculty member to attempt to resolve the concern as soon as possible after the faculty member files the SRR Incident Report.
- The instructor need not lead the meeting but should be present at this initial meeting with the Student.
- The Director of SRR, or their designee, will attend the meeting to help facilitate administrative response and provide clarification for policies and procedures.
- Additional faculty or staff members (including Dean's office staff, or Campus Safety staff) may be asked to attend this meeting.
- The Student may bring a Support Person to this meeting; provided that the

Support Person follows all guidelines related to the role of a Support Person as outlined in the Honor Code.

- If the Student fails to attend the meeting, the instructor may proceed with a request to the relevant Dean's office for an involuntary removal of the Student from the class.
- If the initial conversation does not resolve the conflict or if the Student fails to attend the resolution meeting, the Dean or designee will issue a determination within five (5) Business Days from the scheduled time of the meeting.
- During deliberations, the Student is not permitted to return to class and the Faculty shall provide the Student with materials, assignments, and other course information the instructor deems essential to assist the Student with remaining current in the course.
- The Dean or designee will communicate the determination regarding whether or not the Student will be removed from the class to the Student, Faculty member, and applicable University Officials.
- If the Dean or designee determines that removing the Student from the class is necessary, the Student will be provided the opportunity to drop the class voluntarily. If the Student does not drop the class voluntarily, the Office of the Registrar will drop the student from the class. In either case, the student's transcript will reflect a "W" for withdrawal if the action occurs after the class drop deadline.
- If the Dean or designee determines that removal is not warranted, the Student shall be allowed to return to the class immediately. The Student may be required to sign a Behavioral Responsibilities Agreement to set forth the appropriate and inappropriate conduct and expectations for conduct for the remainder of the course as well as the consequences for violating the agreement. The agreement is not appealable. The agreement will be kept on file with the Office of Student Rights & Responsibilities.
- The Student may appeal the decision in writing to the Office of the Provost & Executive Vice Chancellor no later than five (5) Business Days from the date of the Dean's or their designee's decision. The Provost & Executive Vice Chancellor or Provost's designee will consider appeals based only on the following criteria:
 - The existence of procedural errors so substantial that they greatly

- impacted the decision;
 - Presentation of new and significant evidence which was not reasonably available at the time of the initial meeting and would likely alter the decision; and/or
 - The decision is substantially disproportionate to the severity of the violation.
- Disagreement with the decision is not grounds for appeal.
 - During the appeal process, the Student is not permitted to attend class sessions or activities. The instructor shall provide the Student with materials, assignments, and other course information the instructor deems essential to assist the Student with remaining current in the course.
 - The Provost & Executive Vice Chancellor or Provost's designee will render a decision to the Student no later than five (5) Business Days from the date of receipt of the appeal. This decision is final with no further avenue of appeal

Crisis Assessment Risk Evaluation (C.A.R.E.) Behavioral Intervention Team

The [\(C.A.R.E.\) Behavioral Intervention Team](#) is committed to providing care, support, and access to resources to create a safe and secure University Community environment. The C.A.R.E. team is comprised of campus staff and administrators who will intervene to manage patterns and/or instances of concerning behavior to support the individual Student while balancing the safety, health, and well-being of the University Community.

The CARE Team takes a proactive, objective, supportive, and collaborative approach to the prevention, identification, assessment, intervention, management of, and coordinated response to situations and behaviors that may be disruptive and/or pose a risk of harm.

As the C.A.R.E. team provides support for the individual Student and the University Community, C.A.R.E. has the authority to require the following actions or supportive measures to address a Student's behavior which has been assessed as causing a significant disruption to the living and/or learning environment of the University Community and/or posing a credible substantial risk of harm to individuals within the University or to the safety, health, and/or well-being of the University Community.

- Issuing Behavioral Expectations Letters to identify concerning patterns of behavior, connect Students to appropriate University, healthcare, and other resources to address the behavior and develop an action plan to help the Student remain in good standing with the University.
- Mandating Individualized Assessments if the Student’s behavior significantly disrupts the living and/or learning environment of others; the Student may be unwilling and/or unable to carry out substantial self-care obligations; and/or the Student poses a credible substantial risk of harm to individuals within the University or to the safety, health, and/or well-being of the University Community.
- Temporarily removing Students from the University for a period of time.
- Invoking the Mandatory Withdrawal Policy if the University determines that the Student can no longer remain as part of the University Community for health, safety, or disruption reasons.

Student Organizational Rights & Responsibilities Process

The Office of Student Rights & Responsibilities maintains the authority to investigate and adjudicate any violation of University Policies by Student Organizations. The Director of Student Rights & Responsibilities has the authority to delegate responsibility for investigation or adjudication of Alleged Policy Violations.

Student Rights & Responsibilities action taken against Student Organizations is an extension of the University’s Student Rights & Responsibilities process. Student Rights & Responsibilities, in consultation with relevant campus partners including, but not limited to, Athletics & Recreation, Office of Student Engagement, Campus Life & Inclusive Excellence staff, shall take whatever action deemed necessary to respond to complaints involving Student Organizations and/or to prevent future violations.

For more information regarding the policies and procedures related to Student Organizations, please see the Office of Student Rights & Responsibilities [website](#).

Outcomes

The Student Rights & Responsibilities process is designed to create opportunities for holistic student living, learning, and growth which results in a safe campus community.

Outcomes are intended to be educational and endeavor to encourage student development of self-awareness, social engagement, and a sense of purpose. Individuals found responsible for violating policies will be held accountable and assigned Outcomes which balance the developmental needs of the Respondent and the needs of the University to provide equitable process and promote a safe campus community.

The [Office of Student Rights & Responsibilities](#) will determine Outcomes for violations of Student Rights & Responsibilities policies utilizing criteria, including, but not limited to, the following:

- A Student's previous Student Rights & Responsibilities Record
- The intent of the Respondent
- The impact of the incident
- The Respondent's level of demonstrated understanding regarding the impact their choices and actions had
- The influence of alcohol or other drugs
- The circumstances and severity of the violation including behavior and conduct

The [Office of Student Rights & Responsibilities](#) assigns Outcomes for the entirety of an incident, not for each violation. All Outcomes typically include a "Status" Outcome and at least one appropriate "Educational" Outcome.

Status Outcomes

These Outcomes define the Student's standing at the University. These include the following:

- **Warning:** A warning is given to notify a Student that their behavior and conduct has been inconsistent with the expectations of the University. A warning has no immediate effect upon a Student's status at the University. However, once given a warning, Students should expect to receive different Outcomes for any subsequent violations of the [Student Rights & Responsibilities policies](#).
- **Probation:** Probation serves to notify a Student that they must avoid any further violations for a specified period of time in order to remain a Student at the University. Students on probation are not in good standing with the University. As a result, a Student may be prohibited from participating in certain co-curricular

activities while on probation. If a Student on probation is found responsible for any further violations of the [Student Rights & Responsibilities policies](#) the Outcomes may escalate as noted below.

- **Deferred Suspension:** Deferred Suspension serves to notify a Student that they must avoid any further violations of the [Student Rights & Responsibilities Policies](#) for a specific period of time in order to remain a Student at the University. When a student on Deferred Suspension is alleged to be involved with any subsequent violations of the Student Rights & Responsibilities Policies, they will likely be issued an Interim Suspension until the University can determine their responsibility in the subsequent incident. Students on Deferred Suspension are not in good standing with the University. As a result, a Student on Deferred Suspension may be prohibited from participating in certain co-curricular activities. If the student on Deferred Suspension is found responsible for any further violations of the Student Rights & Responsibilities Policies, the Student will likely be suspended or dismissed from the University.
- **Suspension:** A Student who has been suspended from the University may not participate in any University activities, academic or otherwise, for a specific period of time, and will be restricted from all University Premises and activities. A suspended Student who wishes to re-enroll must apply for readmission to the University and must also apply to the [Director of Student Rights & Responsibilities](#) who will determine whether any and all requirements for readmission have been satisfactorily completed. The University does not accept courses that the Student may have completed at another institution while on suspension.
- **Dismissal:** A Student who has been dismissed from the University is permanently prohibited from participating in any University activities, academic or otherwise, and will be permanently restricted from all University Premises and activities.

Educational Outcomes

These Outcomes are intended to facilitate the learning process and encourage a Student to reflect on the impact of the decisions they have made and help Students develop the skills necessary to be successful at the University. If a Student fails to complete any educational Outcome by the specified deadline, the University will place a hold on a Student's registration account with the University, and the Student may be subject to further disciplinary action.

Types of Educational Outcomes include, but are not limited to:

- **Written Assignments:** A Student is required to, for example, write a reflection paper, maintain a journal, or write a review of a policy.
- **Worksheets:** A Student is required to, for example, answer a series of questions designed to help them evaluate the decisions that led to the violation and avoid making similar decisions in the future.
- **Programs & Activities:** A Student is required to, for example, complete community service hours, attend a program, or design a poster board.
- **Interventions:** The Student is required to, for example, undergo a counseling consultation, assessment, complete a drug and/or alcohol evaluation, or attend a workshop.
- **Restrictions:** The Student is restricted from certain locations or activities, for example, a single residence hall or a particular Student Organization.
- **Referrals:** The Student is referred to another process, such as mediation, for resolution.

Definitions

For the purposes of this document, the following definitions apply:

- *Academic Actions* are those Outcomes and/or consequences that are determined by faculty members, instructors, and/or academic units for Students found responsible for academic integrity violations/misconduct within a course or academic program.
- *Alleged Policy Violations* mean the Student Rights & Responsibilities or University Policies that a Student is notified to allegedly have violated as a result of the incident described in a *Report*.
- *Appellate Officer* is a University official who has been designated to evaluate an appeal on the *Appeal Criteria* and to determine which available action should be taken if any *Appeal Criteria* is met.
- *Business Day* refers to any weekday Monday through Friday in which the University is in operation, including days when the University is in operation, but classes are not in session.
- *Case(s)* refer to a *Report* in which *Alleged Policy Violations* are identified and at

least one *Respondent* is named.

- *Case Resolution Body* refers to any person, persons, or groups authorized by the University to determine whether a Student has violated [Student Rights & Responsibilities Policies](#) and to impose Outcomes when appropriate.
- *Case Resolution Meeting* refers to the time and date during which a Student will be invited to present their perspective of an incident with the designated Case Resolution Body.
- *Complainant* means a Reporting Party or an individual who may have been harmed as a result of the incident described in a Report.
- *Constructive Action* means Reporting any action contrary to University Policies to someone in a position to take action – such as a faculty member, Dean, Campus Safety officer, or administrator.
- *Director of Student Rights & Responsibilities* is the University administrator responsible for the oversight of the Student Rights & Responsibilities Policies and Procedures. The [Vice Chancellor for Student Affairs](#) can appoint a designee to fulfill the Director’s responsibilities as needed, such as in an instance of an absence, vacancy, or a potential conflict of interest.
- *Evidence/Information* refers to credible information, including, but not limited to, perspective statements or reports, pictures, screenshots, and documented communication, that is related to the incident being addressed
- *Effective Consent*, in reference to [Student Rights & Responsibilities Policies](#) such as Alcohol Misuse, Drug Misuse, Hazing, Physical Misconduct and Property Damage, means an informed, mutually understandable words and/or actions that indicate a willingness to participate in and/or allow a specific activity, freely and actively given by a person with the current mental capacity to make rational decisions. A person may be without such capacity due to the influence of alcohol and/or other drugs. Consent is not effective if it results from the use of physical force, threats, intimidation, or coercion. A person always retains the right to revoke consent at any point during an activity. In order to give consent, one must be of legal age. Consent to any one activity cannot automatically imply consent to any other activity.
- *Federally Illegal Drugs* are set forth by the Controlled Substances Act (CSA), 21 U.S.C. 801 et seq., as amended. Under CSA, marijuana is classified as a Schedule I

controlled substance; all forms of cannabis are illegal under federal law, even medical marijuana, and regardless of state drug laws. In an effort to comply with the Drug-Free Schools Act, the University prohibits the distribution, possession, use, or manufacture of marijuana in any form or paraphernalia associated with the use of Federally Illegal Drugs on University Premises.

- *Involved Parties* refers to Respondents and Complainants associated with the incident being addressed.
- *Outcomes* are required University statuses and educational opportunities, restrictions, and/or expectations for a Student found responsible for violating Student Rights & Responsibilities Policies.
- *Proper Written Notification* means (1) delivery via electronic mail to the Student's preferred email address in the PioneerWeb or other approved University process; (2) delivery in person, or (3) delivery by other means to a Student's University or permanent mailing address. The Student is responsible per [University policy](#) to have an updated preferred email account on file with the University, and to check such email account regularly, and to provide a mailing address.
- *Report* means a narrative detailing an incident in which one or more Students may have violated the Student Rights & Responsibilities Policies.
- *Reporting Party* is any person who has filed a Report against a Student, either directly or through a University Official, such as a Campus Safety officer or a Resident Assistant.
- *Respondent* means any Student who is alleged to have violated one or more of the Student Rights & Responsibilities Policies.
- *Restorative Justice* offers a different framework for case resolution and is considered an alternative dispute resolution option.
- *Student(s)* means, for the purpose of this Honor Code, any persons registered for or auditing classes at the University; enrolled in any University program; or on University Premises for any purpose related to the same regardless if the class, program, or other education activity is credit earning or part of a degree or non-degree program. For the purpose of this Honor Code, a person is considered a Student if they have completed the immediately preceding term and are enrolled for a subsequent term or program; if they are representing the University between terms or programs; or, if they are not officially enrolled for a

particular term, they have a continuing relationship with the University. 3ew
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- *Student Accountability Board (SAB)* refers to one type of Case Resolution Body used in the Student Rights & Responsibilities Process that is used when one or more of the following factors exists in a case: an active Complainant is participating, there is highly disputed information between parties, and/or the Outcome is potentially Suspension or Dismissal.
- *Student Rights & Responsibilities Administrators* are administrators and staff authorized to implement the Student Rights & Responsibilities process, and may include the professional and graduate staff within Student Rights & Responsibilities and Housing and Residential Education (HRE).
- *Student Organization* is defined as any group that has been recognized by the University of Denver as a student organization or has applied for such recognition and/or is acting as a student organization without formal University Recognition. This includes, but is not limited to, athletic teams, fraternities and sororities, Registered Student Organizations, departmental student groups, and unchartered provisional chapters/interest groups.
- *Support Person* refers to an individual chosen by a Respondent or Complainant to be present during the Student Rights & Responsibilities process. A support person can be any individual who is not a Witness in the Case or a member of the Case Resolution Body. A Support Person must abide by all expectations and procedures.
- *University* means the University of Denver.
- *University Community* includes all Students, University Officials, and other individuals involved in the normal operations of the University.
- *University Events* include any activity involving Students or University Officials and held on University Premises. Activities involving Students or University Officials not held on University Premises are also considered University Events when such activities are connected with or sponsored by any academic course or Student Organization.
- *University Official* includes any person employed by or under contract with the University performing academic, administrative, or professional duties. When this document refers to any University Official by title, such reference includes

their designee.

- *University Policies* refers to any rule, regulation, or process as it relates to the expectations and functions of the institution. When used in this document, University Policies includes, but is not limited to, the Student Rights & Responsibilities Policies.
- *University Premises* include 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.
- *Vice Chancellor for Student Affairs* is the administrator with oversight of the Division of Student Affairs & Inclusive Excellence. The [Vice Chancellor for Student Affairs](#) can appoint a designee to act on their behalf in times as needed, such as in an absence or when a conflict of interest may apply.
- *Weapons* refer to objects designed or used to inflict injury or damage and include, but are not limited to, knives with a blade over three inches (excluding kitchen knives possessed, properly stored, and used for their intended purpose in University owned or operated housing), guns, pellet guns, paint guns, Tasers, bows and arrows, machetes, ninja stars, nun chucks, explosive or incendiary devices, and swords.
- *Witness* refers to an individual who sees an event or has first-hand knowledge of information relevant to the incident being addressed.

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Guide to Residence Living 2020-2021

WELCOME!

Dear Residents,

Welcome to your new home with Housing & Residential Education (HRE) at the University of Denver! We are happy you have joined our community for the academic year! We've created the *Guide to Residence Living* to introduce you to your new home and explain what is expected of you as a member of the DU HRE Community.

HRE's mission is "Cultivating Individuals & Inclusive Communities." You will find that we live this mission in a variety of ways, in particular through our core values of student development, staff development, sustainability, and diversity.

The *Guide to Residence Living* is organized in the following sections:

1. COVID-19 Culture of Care
2. HRE Administrative Policies and Procedures
3. Rights and Responsibilities Policies
4. HRE Resources
5. Campus Resources

As specified in the housing contract that you signed, residents are responsible for abiding by the policies set forth in this document. *It is important to read the Guide to Residence Living carefully. If you have any questions, please contact HRE at 303-871-2246 or housing@du.edu.*

Please visit our website for more information at <http://www.du.edu/housing/>.

We look forward to having a wonderful year together!

Welcome Home!

Sincerely,

The Housing & Residential Education Team

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COVID-19 Culture of Care

As members of the Housing & Residential Education (HRE) Community, we **all** have the responsibility to Protect DU, ourselves, and others during the COVID-19 pandemic.

As a member of the HRE Community, I will

- wear a face covering in all areas outside of my room (i.e. all public areas and community spaces, including hallways, laundry rooms, dining halls, and public spaces in other campus buildings).
- follow DU's protocols for physical distancing on University owned or operated property or while attending a DU event.
- contact the Health and Counseling Center and/or HRE staff virtually and remain in my room if I am feeling sick.
- communicate with HRE staff members and students who live in my HRE community virtually whenever possible, particularly if I am feeling sick.
- keep my contact information, including my cell phone number, local address, and emergency contact information updated in PioneerWeb.
- participate in visual wellness checks as requested by HRE/FSL Staff; either virtually or in person.
- follow all posted protocols and other instructions, in indoor and outdoor settings.
- not host or attend any gathering that exceeds the maximum number of permitted attendees. I understand that socializing virtually is encouraged and should be the first option for social contact.
- not exceed the stated room capacity for my assigned living quarters, as communicated by HRE staff.
- clean and disinfect my room, including (if applicable) the bathroom and kitchen within my suite/apartment, and follow DU's protocols for cleaning and disinfection posted on the DU COVID-19 website or other instructions from HRE staff.
- clean up after myself in all common areas in my residential community using the disinfection and cleaning supplies provided by HRE.
- practice good hygiene, including thorough and frequent hand washing for at least 20 seconds and using hand sanitizer when hand washing is not

available, especially after entering the building, after using a restroom, and before meals.

- only use the bathrooms/fixtures assigned to me if I live in a residence hall with communal bathrooms (JMAC, Halls, Dimond).

To promote safety in the HRE Community, I will

- follow the guest restrictions HRE has enacted during COVID-19. The only guest(s) I may have in my assigned living space are individuals who are assigned to my residence building. I understand I may not invite anyone not assigned to my residence building, including DU students living in other residence halls, apartments, or off-campus, and individuals who are not DU community members, such as siblings, parents, other family, or friends.
- not exceed the maximum occupancy for my assigned living quarters (room, suite, or apartment as applicable) at all times.
- only access my own residential building and not access other residential buildings unless to visit the dining hall in that building.
- not provide anyone else access to my residential building either by letting someone follow me into the building without swiping their access card or by opening the door for someone. All residents will only have access to their assigned residential building(s) and the dining hall areas in other residential buildings.

To prevent the spread of COVID-19, I will

- participate in frequent, routine COVID-19 testing as directed by the University and will undertake daily wellness checks using the designated app or website. I understand that students will not be separately charged for routine COVID-19 testing provided through the University.
- complete the required responsibility course, *Pathway Back to Campus*, in Canvas no later than:
 - August 14th if I am a law student,
 - August 24th if I am a first-year or transfer student, or
 - September 10th if I am not a first-year or transfer student.
- prior to arrival on campus at the University of Denver:
 - quarantine for 14 days; and
 - provide the University with documentation of a negative result from a nasal swab RT-PCR test for the virus that causes COVID-19.

- If I am unable to provide documentation of a negative test result prior to my arrival on campus, I will take the RT-PCR test on my first day on campus and quarantine off campus in a hotel until I can provide documentation of a negative test result. Please contact COVIDcoordinator@du.edu for information about area hotels with discounted rates for DU students.
- comply with University travel restrictions posted at <https://www.du.edu/coronavirus/travel-visiting-campus>.
- comply with all self-quarantine protocols if I am notified that I have been in close contact with an individual who tested positive for COVID-19.
- upon discovering that I am experiencing any symptoms of COVID-19, immediately call the Health & Counseling Center (HCC) for medical guidance and comply with all medical instructions.
- receive the seasonal flu vaccine when one becomes available at HCC or through another health care provider, unless for health reasons the vaccine is contraindicated for me.
- arrange for and fund my own personal travel from campus, or work with the Office of Financial Aid as needed, if the University determines it must close the residence halls and apartments.

If I test positive for COVID-19, I will

- comply with the University's requirements and Colorado's public health guidance for quarantine.
- share truthful and complete information with those conducting contact tracing about others who may be at risk based on exposure to me.
- have an alternate caregiver who lives off-campus provide care for my approved emotional support animal while I am in quarantine.

If I violate these requirements or other DU policies, I understand the University will refer me to the Office of Student Rights & Responsibilities for disciplinary action.

HRE Administrative Policies & Procedures

HRE developed the following administrative policies and procedures with the focus on efficiency, safety, and community support. It is important to follow and understand these policies and procedures for residents and staff to have a smooth year. As stated in the terms and conditions of your HRE housing contract, you agreed to abide by the policies set forth in the Guide to Residence Living. The assigned living space identified in the housing placement notification may be a room, suite, apartment, or other housing unit in University owned or operated housing.

Disability Accommodations

If you are a student with a documented disability, medical, or mental health condition(s), you may request a housing accommodation/modification through the following process:

1. Submit an application to HRE through the standard housing application process at <https://www.du.edu/housing/student/applying.html>, by no later than the stated deadline.
2. Submit a [Request for Accommodation](#) to the Disability Services Program (DSP). You may submit the accommodation request at any time. However, if you have received your eligibility notification and Letter of Approved Accommodation from DSP prior to June 8th, HRE will be able to consider your accommodation needs during the regular room assignment process. If you have not received your eligibility notification and letter of approval from DSP by June 8th, you may be placed on a waitlist until a space opens up matching that accommodation. HRE and DSP recommend that students begin the [accommodation process](#) as early as possible because DSP may require up to two weeks to process the request after DSP has received all required documentation.

If you acquire a disability or have a change in a medical condition that necessitates a modification in existing housing after the housing assignment process has been completed, the University will make reasonable efforts to implement the modification in your current assigned living quarters or move you to another assigned living quarters.

The University will provide reasonable accommodations, including reasonable accommodations in University owned or operated housing, to enrolled students

who incur injuries or other temporary medical conditions or experience a change in a medical condition for which they have already been approved for accommodations. Residents with temporary disabilities or conditions should work with DSP to discuss reasonable accommodations. The University will work to provide these accommodations in a timely manner although some accommodations may require time to coordinate.

Housing accommodations in University owned or operated housing will require an HRE housing contract and current housing rates will apply. Please contact the Resident Director of your building for more information and to facilitate arrangements.

In the event of an emergency evacuation, having information about your medical condition/disability allows HRE staff to inform first responders which of our residents need assistance exiting the building. Please provide this information by contacting the Resident Director of your building or stop by the front desk to fill out the Residence Hall Evacuation Procedures form.

To initiate a request for the University to grant a release from the live-on requirement based on medical condition/disability, you should contact DSP at 303-871-3241, by email at dsp@du.edu, or visit the [DSP website](#) to obtain the relevant forms.

Emotional Support Animals/Service Animals

The University of Denver recognizes the roles and benefits that animals have in addressing the needs of individuals with disabilities. At the same time, the University strives to provide a safe and welcoming environment for all members of the DU community. The University works to balance these considerations consistent with the legal requirements of the Americans with Disabilities Act, applicable provisions of the Fair Housing Act, and other applicable state law and local regulations. This involves proactively working to address concerns related to living with service animals and approved emotional support animals, as well as establishing systems and supports that promote high standards of animal welfare for such animals.

Service animals are dogs or miniature horses that are trained to do work or perform tasks for an individual with a disability where the work or tasks are directly related to the individual's disability. Service animals are permitted to accompany their handler in most, but not all, University owned or operated housing. Students with a service animal wishing to live in University owned or operated housing are

encouraged to update the voluntary registration of their service animal with HRE each time they change their University housing location. This allows HRE to make appropriate accommodations for other residents, faculty or staff who may have allergies, phobias, or service animals of their own.

Emotional support animals (ESAs), which can be a wider variety of species, assist in the treatment of an individual with a disability. Residents seeking to have an ESA in University owned or operated housing must submit a request for approval through DSP and be approved **before** bringing the animal on campus. To make a request, you must complete and return the [Request for Accommodation](#) and provide supporting documentation to DSP, as specified in the [Documentation Guidelines](#). You must demonstrate a relationship or nexus between the individual's disability and the assistance the animal provides, using documentation from an appropriate licensed healthcare or mental healthcare provider, dated within six (6) months prior to taking occupancy of University owned or operated housing. The University engages in an interactive process with residents requesting to have an ESA in University owned or operated housing to determine whether the request is reasonable and does not pose an undue hardship on the University, present a danger to members of the community, or a risk to the property of others. Typically, the University does not allow multiple ESAs. However, the University will evaluate such requests on a case-by-case basis, considering the information contained in supporting documentation as well as the size and/or species of the animal(s).

Once you have received approval through DSP, you must meet with HRE staff, prior to bringing the ESA into University owned or operated housing, to review and complete the ESA Resident Agreement and provide the following documentation:

- Copy of animal's registration for the City and County of Denver, if applicable to the type of animal.
- Veterinarian recommended vaccinations.
- The animal is spayed/neutered, as applicable.
- A current photograph of the ESA for HRE and DSP so that staff can identify the ESA. The photograph will be shared with HRE and/or University staff on a need to know basis only.
- Contact information for an alternate caregiver who lives off-campus to provide care for the ESA in the event that you become unable to care for the ESA.

ESAs are only permitted in your assigned living quarters (as specified in the housing assignment notification) except when you are taking the ESA to outdoor spaces for natural relief and/or exercise in which case you may transport the ESA through common areas solely as needed to access outdoor spaces. Approved ESAs are not permitted in any University facilities other than the resident's assigned living quarters, including, but are not limited to, kitchens and food service preparation areas. You are responsible for maintaining control of the ESA at all times and for any disruption caused by the ESA on University owned or operated property. You are responsible for caring for the ESA, including but not limited to immediately cleaning up after and properly disposing of the animal's waste in a safe and sanitary manner. If you are personally unable to care for the ESA, you must arrange and pay for this service.

If you have an allergy, phobia, or other disability that would you not be able to live with an approved ESA or a service animal, you must request accommodations for such allergy, phobia, or other disability through DSP. DSP shares all approved housing-related accommodations with HRE for appropriate housing placements. For further information, please contact the Disability Services Program at 303-871-3241, by email at dsp@du.edu, visit the [Disability Services Program website](#), or contact the HRE Office directly at 303-871-2246 or housing@du.edu.

Facilities Management

Air Conditioning Units

Due to electrical capacity in University owned or operated housing, personal air conditioning units are not permitted in any of the residence halls/apartments, unless the [Disability Services Program](#) has approved air conditioning as a reasonable accommodation. The University will provide air conditioning units for approved accommodations.

Bicycle Storage

The University provides bicycle racks at each University owned or operated housing building. These bicycle racks are available on a first come, first serve basis; therefore, the University does not guarantee all residents will have a space for their bicycle(s).

The University does not guarantee the safety of bicycles on campus. To reduce bicycle theft and/or damage, the University has implemented the University Bicycle Policies, which are available on the website for the Division of Campus Safety at <https://www.du.edu/campussafety/policies/index.html>. These policies require that bicycles must be locked in designated areas only with approved U-Locks. U-Locks may be purchased in the DU Bookstore. Campus Safety will either impound or boot any bicycles kept in inappropriate areas, any bicycles locked without a U-Lock, and bicycles left by residents after they vacate the residence hall/apartment building. Students must claim impounded bicycles from Campus Safety within 90 days or the bicycle may be sold at public auction.

Only walking is permitted in all areas inside the residence halls/apartments. Residents and guests must walk their bikes and carry their skates, non-motorized scooters, and skateboards inside the residence halls/apartments. Motorcycles, motorized scooters, and motorbikes must be stored outdoors. Gasoline cans are prohibited inside any University owned or operated housing. Hoverboards are prohibited on campus, and Campus Safety will confiscate any hoverboards brought to campus.

Fire Safety

The Honor Code and this Guide to Residence Living outline the fire safety policies applicable to students. Students who violate the fire safety policies will be referred to the Student Rights & Responsibilities process. In addition to status and educational Outcomes, students found responsible for such violations may be required to pay restitution for the cost of repairs, damaged property (both University and personal), and/or medical evaluation and treatment; have their

housing contract terminated; be assigned a HRE fine; and/or be subject to criminal charges and fines.

Fire Safety Equipment

The University has installed advanced fire safety technology in University housing, including smoke alarms, thermal alarms connected to the central fire alarm system, and a sprinkler system, to provide a high level of protection in the event of a fire.

Each sprinkler head operates with a “fusible link,” a small device that melts under the heat of a fire and releases the water flow. The sprinklers can also be activated if the fusible links or the pipes of the system are pulled or struck, such as if you hang any object from the sprinkler head or if you are carrying or throwing an object that hits the sprinkler head. **Because the fusible links are very sensitive, you must be extremely careful not to touch, throw anything at, or hang anything from them.**

The sprinkler heads are tied into a powerful building-wide sprinkler system. When the sprinklers are activated, they will generate more than forty (40) gallons of water each minute from each head. The water will damage personal belongings in your room as well as damage other residents’ belongings in other rooms on your floor and the floors below. If you intentionally or carelessly activate the sprinkler system, you will be held accountable for the resulting water damage.

If a fire activates the sprinklers, the Denver Fire Department will investigate to determine the cause of the fire. If you intentionally or carelessly set a fire, you will be held accountable for the damage caused by the fire and/or water, which may include criminal charges, disciplinary action under the Honor Code, and/or financial responsibility.

HRE policy prohibits tampering with, interfering with, or unintentionally causing the activation of any kind of fire emergency equipment and setting fires of any kind. This prohibition includes, but is not limited to, tampering with or hanging something from a smoke detector, sprinkler head, or sprinkler line; hitting or striking a sprinkler head or pipe; pulling or calling in a false alarm; discharging or removing a fire extinguisher or hose; breaking the safety glass on the fire extinguisher case; propping open fire doors; or leaving an area through a locked fire door.

Hazardous Materials

Hazardous materials including, but not limited to, gasoline, propane, chemicals, flammable liquids, butane torches, and gas grills are not permitted in the residence

halls/apartments under any circumstances. If you are unsure whether an item is allowed, please ask your Resident Director prior to bringing the item into University owned or operated housing.

Please see the Safety Resources & Procedures for information on how to safely evacuate your building.

Fire Safety Measures

Cooking:

Cooking is only permitted in designated kitchen areas. When cooking in authorized areas, residents shall adhere to the following requirements:

- If the stove or cookware is messy, dirty, or excessively greasy, clean the stove or cookware before use.
- When using electric cooking appliances (such as microwaves, kettles, toasters) do not overload the circuit.
- NEVER leave food that is cooking unattended.
- Before starting to cook, familiarize yourself with the fire safety resources available and know where the fire extinguisher is located.
- Before leaving the kitchen area, be sure to clean up, dispose of trash, and turn off all appliances when finished cooking.

If a fire starts and you can safely do so, contain the fire by closing the door of the oven or microwave or putting the lid on the pan. Use an available fire extinguisher suitable for the type of fire. If these efforts fail, pull the fire alarm and evacuate immediately.

Decorations:

The [Office of Emergency Preparedness and Fire Safety](#) must inspect any major decorative construction (e.g., platforms, haunted houses, and obstacle courses) for fire safety before it is used. Residents must follow these requirements for fire-safe decorations:

- Use fire-resistant materials in assigned living quarters and at social events;
- Do not overload electrical outlets and do not use extension cords, which are prohibited in University owned or operated housing;
- Provide adequate safety lighting at all social events;
- Do not obstruct access to exits and fire extinguishers;
- Decorations may not be hung from ceilings;

- Decorations may not be hung on, from, or cover fire safety related equipment (i.e., fire sprinklers, fire alarm system, strobes, smoke/CO2 detectors); and
- Do not use fireworks, floating lanterns, paper bag lanterns and wood fueled fires, which are prohibited as decorations in living quarters or any campus event.

Extension cords and power strips:

Because extension cords can easily become overloaded, thereby creating a fire risk, HRE prohibits residents from using extension cords under any circumstances.

When using appliances, do not overload electrical outlets as that may create an electrical fire. HRE requires power strips with surge suppressants for refrigerators, computers, and stereos.

Prohibited Items

- Possession or use of the following is prohibited:
 - Halogen lamps
 - Incense
 - Candles
 - Candle warmers
 - Butane torches
 - Open flames
 - Space heaters (except those provided by the University)
 - Propane of any kind
 - Grills
 - Hoverboards

Additionally, the use of toaster ovens, toasters, electric frying pans, George Foreman type grills, crock pots, rice cookers, pressure cookers, and any appliance or device with an open heating element is prohibited except in in suites/apartments with kitchens.

Permitted Items

Residents may use a reasonable number of University approved electronic devices in their room so long as they do not present a fire hazard or consume an excess of power. Use of microwave ovens, popcorn poppers, or other approved electrical appliances is permitted. The following appliances/devices are permitted:

- Alarm clock
- Computer
- Curling/flat iron
- Electric razor
- Hairdryer
- Desk/study lamp
- Electric blanket
- Electric coffee maker/tea maker
- Fan
- Blender
- Microwave (maximum 600 watts and/or 1 cubic ft.)
- Air popcorn popper
- Video game consoles (PlayStation, Xbox, Wii, etc.)
- Stereo
- TV/DVD player/VCR

Guests

During the 2020-2021 academic year, until further notice, except as expressly provided herein, no guests will be allowed in University owned or operated housing due to COVID-19.

If guests are permitted, to protect the safety and comfort of all residents, HRE has established the following guest policy:

- Residents should be aware of their surroundings and what is happening in their living community, and residents should inform the front desk or a HRE staff member of anyone in the building who is causing a disturbance.
- Residents are responsible for escorting their guests within University owned or operated housing at all times and are responsible for their guests' behavior at all times.
- Guests are required to present photo identification and sign in at the front desk.
- Unescorted guests may be asked to show identification, identify the person they are visiting, and return to the front desk with their host to sign in if they have not already done so.
- Failure to cooperate with HRE staff's requests will result in a guest's immediate removal from the building.
- Providing keys or access cards to other individuals is strictly prohibited.

- Each resident has the right to have guests with explicit prior permission of room/suitemates. At the same time, every resident has the right to privacy in their room. Your right to have visitors does not supersede your room/suitemate's right to privacy. Your room/suitemate or an HRE staff member can require that your guest(s) leave immediately, and if your guest(s) fails to do so, you and your guest may face disciplinary action.
- Cohabitation (allowing someone other than your designated room/suitemate to live in your assigned living quarters) is not permitted.
- Guests are limited to staying overnight a maximum of two nights per 7-day week (Sunday through Saturday) with the explicit prior permission of room/suitemates.
- If guests stay overnight, they must sleep in their host's room or apartment. Neither guests nor residents are permitted to sleep in lounges or other common areas under any circumstances. Neither guests nor residents are permitted to sleep in a room/suitemate's bed without explicit prior permission of that person.

Mailbox Stuffers

HRE does not permit any mailbox stuffers from any student group or organization without prior approval. HRE approves mailbox stuffers on a very limited basis for HRE business. Please contact our main housing office (housing@du.edu or Dimond #P112) if you are requesting mass distribution of any fliers/mailers for residents.

Contractual Provisions

Live On Requirement

The University of Denver has a two-year “live on” requirement, which can be fulfilled in the following ways:

- A student has completed two full years of attendance at the University of Denver or another accredited post-secondary institution before University owned or operated housing opens for fall quarter. For example, a transfer student who has attended another accredited institution for at least two years is exempt from the live on requirement. The student's experience must be at an institution of higher education and cannot include high school or boarding school experience. For the academic year 2020-21, due to COVID-19, the University waived this requirement for students who had completed one full year of attendance at the University to provide for greater de-densification in University owned or operated housing.

- The student is 21 years of age or older before University owned or operated housing opens for fall quarter.
- The student provides documentation that they are legally married or in a legally-recognized civil union.
- The student resides with their dependent child(ren).

Administrative Moves

HRE reserves the right to reassign residents within University owned or operated housing for reasons the University deems appropriate. These reasons may include occupancy needs, facility problems, vandalism, misconduct, discrimination, patterns of inappropriate behavior that negatively affect the community, established University owned or operated housing priorities, or any other reasons deemed necessary for the health or safety of the community. If a roommate conflict(s) cannot be resolved, one or all residents may be moved. The University will strive to give appropriate notice to affected residents.

Housing Contract

You sign your housing contract, a legally binding document, electronically when you complete the online housing application, which covers the entire academic year. There is a separate contract for the summer term. If you have any questions concerning your housing contract or this Guide to Residence Living, contact HRE by phone at 303-871-2246 from 8:00 am - 4:30 pm Monday through Friday, excluding [University holidays](#), or by email at housing@du.edu.

Contract Release

Releases from the housing contract are very rare. The Contract Release Committee will only consider your request if you have completed all the necessary steps. The committee will not approve requests to be released during the current quarter. To start the release process, you must meet with an HRE Operations team member to review the forms and learn about the process. You can schedule an appointment by contacting HRE by phone at 303-871-2246 from 8:00 am - 4:30 pm Monday through Friday, excluding University holidays, or by email at housing@du.edu. Additional details are available on the HRE website (<https://www.du.edu/housing/resources/release.html>).

If the committee releases you, you must complete the checkout process to avoid any additional charges. Please refer to the checkout process below. If you cancel your housing contract, HRE may retain your \$200 housing deposit and may charge

you a \$1,000 cancellation penalty. HRE will not adjust housing charges until you have completed the checkout process.

Pro-rated Schedule

Until you have returned the keys and completed checkout, HRE will charge you a daily fee.

Room Pro-rated Schedule

For approved move outs, HRE calculates pro-rated room fees on a daily basis. HRE charges for each day beginning when University owned or operated housing opens for the quarter and ending on the date on which you check out and return your keys. If you do not complete the checkout procedures, HRE will charge daily room fees according to the date listed by HRE staff on the checkout paperwork when HRE has determined that you have moved out. HRE may also charge you for a lock change if you do not return your keys at checkout.

Meal Plan Pro-rated Schedule

If HRE approves cancellation of your housing contract, HRE will automatically cancel your meal plan. HRE calculates pro-rated meal plan fees according to the number of meals/meal plan cash used or a daily rate, whichever is greater. Using a daily rate, HRE calculates pro-rated fees beginning with when the meal plan begins for the quarter and ending on the date the meal plan is taken off of the ID card system. (Note: Because of the different processing times, this date may be later than the date of HRE checkout.)

If you are continuing as a student and wish to keep your meal plan, you must sign an off-campus meal plan contract before your checkout.

Room Changes and Living with a Roommate

Learning to live with someone is not always easy. Good communication is the key to successful roommate relationships. At the beginning of the year, you and your roommate will complete a Roommate Agreement that establishes guidelines for successfully sharing your room. It is important to be honest about your living needs during this conversation – as well as be willing to compromise if your needs differ significantly from your roommate's. Should a conflict arise during the academic year, you should review your Roommate Agreement with your roommate. If you are unable to work out a solution to your conflict, speak with your RA to set up mediation between you and your roommate. If the problems in your room persist, you can work with your Graduate Resident Director (GRD) or Resident Director (RD) to further mediate your conflict. Due to COVID-19, room changes may not be

available. If room changes are available, HRE will only grant room changes for residents who have gone through the mediation process. Only the GRD or RD may approve a room change.

What if I am in A Double Room or Apartment by Myself?

If you find yourself in a double room or apartment without a roommate, you must abide by the Open Space Agreement. You will receive this agreement via email. This agreement shows your understanding that the other half of your room/apartment should be ready at all times for another resident to move in. Failure to read the agreement does not mean that you will not be assigned a new roommate nor be exempt from following the Open Space Agreement.

If you are in a double room by yourself, you are expected to keep all of your belongings on one side of the room and keep the other side clean and open for a potential roommate assignment. This means you should only occupy one bed, one desk, one dresser, and one closet. During COVID-19 de-densification, if you reside in Dimond, Halls or JMAC, it is less likely that you will be assigned a roommate. HRE will try to give advance notice before a new resident moves in, however, roommate assignments can happen at any time, including during break periods.

If you have an open room in your suite/apartment, you are expected to keep the suite/apartment clean and open for a potential roommate assignment. Roommate assignments can happen at any time during the fall, winter, or spring quarters, including during break periods. Your assigned living quarters must be kept in a condition that allows a person to move into the space without encountering your belongings or any mess.

You may not attempt to keep a potential roommate from moving in or to force a new roommate to move out. Such actions may result in referral to the Office of Student Rights & Responsibilities.

If you do not abide by the terms listed above (e.g. keeping one side of the room clean, keeping the suite/apartment clean, etc.), you may be assessed a fine, charged for a single room or single apartment retroactive to the beginning of the current term, and/or you may be relocated. An HRE staff member may enter your assigned living quarters and move your belongings to one side of the room or in the apartment to prepare the space for a roommate. If this occurs, HRE will charge you for this service, and you may be reported to the Office of Student Rights & Responsibilities.

Check-In/Check-Out Procedures

Check-In Procedures

There are many steps involved in checking into your new home. Be sure to check the condition of your assigned living quarters and note your comments on the Room Inspection online within 72 hours of checking in. If you do not complete the Room Inspection within 72 hours, you agree to accept the room without any damage or flaws. You will be found liable for all damages upon check-out. Instructions on how to complete the Room Inspection are included in your welcome email. If anything in your assigned living space is not in working order or needs attention from our custodial or maintenance staff, you must submit a [work order online](#). If a roommate has yet to arrive, please remember to leave half of the room open (which includes one closet, desk, desk chair, bed, and bookshelf) or the equivalent space in an apartment.

Mid-Year Checkout Procedures

The following procedures must be completed in order to complete checkout and avoid a checkout fee during the academic year. (If you have additional questions, contact an HRE staff member.)

- Take all your personal belongings out of your assigned living quarters prior to your checkout time.
- Make sure your portion of your assigned living quarters is clean and ready for inspection prior to your checkout time.
- Review the Room Inspection Form with a HRE staff member during checkout to assess the condition of your assigned living quarters.
- Maintenance and custodial staff will check your assigned living quarters after you leave, and you may be assessed additional charges. You may also be assessed group billing charges that have accrued during your time residing in University owned or operated housing. These will be assessed to your student account.
- Return all keys/keycards to the RA who is checking you out. Failure to do so will result in charges for re-coring locks and replacement of keys.
- Unless you make arrangements in advance, your meal plan will automatically be cancelled when you complete the checkout procedures. Please consult HRE for details.

Your housing contract is for the entire academic year. The only reasons for checking out during the academic year are:

- Withdrawal or stop-out from the University. For academic questions, contact the Center for Academic Resources if you are an undergraduate student or your department if you are a graduate student;
- If you are not registered in courses for the term;
- Study abroad;
- Medical Leave of Absence;
- Contract release approval;
- Graduation; or,
- Conduct removal.

If you are withdrawing or “stopping out,” you must notify HRE and checkout of your room within 48 hours of withdrawing. If you are moving out due to contract release or conduct removal and want to continue your meal plan, you must contact HRE and sign an off-campus meal plan contract. (See the Pro-rated Schedule section of this Guide to find out more on how your charges will be adjusted.)

If you move out and one of the above situations does not apply to you, you will continue to be billed for the remainder of the contract period for both your room and meal plan.

Scheduling a Checkout

1. Express Checkout: At the front desk of your building, there is an express checkout box where you can drop your room/mailbox keys. You must write your name, student ID number, and room number on the envelope located at the front desk, put the keys inside, and drop the envelope into the Express Checkout box.

Please know that by choosing the Express Checkout option, you are forfeiting your right to appeal any damages.

2. Schedule a time to check out with an HRE staff member at least 24 hours prior to your departure, starting with your Resident Assistants (RA). However, any available HRE staff member for the building in which your assigned living quarters are located may check you out.

3. You can stop by your front desk between 5-7 p.m. to check out with a desk staff member. If you live in the Apartments or Off-Campus Community, this option does not apply.

End of Year Checkout Procedures

At the end of the academic year, every resident is responsible for checking out of their assigned living quarters before 9 a.m. on the Friday of finals week. RAs will hold mandatory floor meetings to share information about procedures required for end of year check out. Residents are responsible for attending those meetings. Residents who are unable to attend the mandatory floor meetings are responsible for following up with an HRE staff member to learn the checkout procedures.

If you are not returning to on-campus housing for the following academic year, your housing deposit refund will be credited to your student account approximately 30 business days after your University owned or operated housing closes.

Damage Charges

When property damage occurs, and individuals are identified as potentially responsible, HRE may make a referral to the Office of Student Rights & Responsibilities. When an individual(s) cannot be identified, HRE will assess the costs evenly to all members of the impacted community. Although HRE makes most damage assessments at the end of the year, some residents may be charged during the term. The two types of charges residents may be assessed for are individual damages and group damages.

Group Damages Charges

When damages occur in a common area such as in a floor lounge, hallway, or bathroom, HRE staff will attempt to determine the responsible individual(s). HRE will send an email to the community members to notify them of the damage and approximate cost of repair or replacement. You should attempt to identify individuals responsible and report damage and vandalism to the HRE staff immediately in order to avoid group damage charges.

When there is damage to a public area and HRE cannot identify the responsible individual(s), HRE reserves the right to assess group damage charges to the residents of that community. This means that everyone in that community shares the cost of the damages.

Individual Damage Charges

You are provided an electronic Room Inventory Form when you move in. You should carefully inspect every aspect of your room/apartment and make a note of pre-existing damages. Damages not noted on the inventory form at check-in will be charged to you at checkout. You have 72 hours from the time that you move in to complete the inspection form. If you do not complete the form within 72 hours,

you agree to accept the room without any damage or flaws. Charges for damages to common areas in the room/apartment are shared by you and your roommate and are assessed accordingly. If your roommate leaves before the end of the academic year and damage is found at that time, both roommates may be assessed the cost of repair. For information about specific damage, contact your Resident Director.

Winter Break Procedures

Traditionally, residents may keep their belongings in their assigned living quarters during winter break. However, due to COVID-19, residents may be unable to keep their belongings in their assigned living quarters during winter break. Centennial Towers, Nagel, Nelson, the Apartments Community, and the Off-Campus Residential Community may remain open during winter break. Dimond, Halls, and JMAC are closed during winter break. The University does not offer temporary housing over winter break. Residents who need housing over winter break and were assigned to Dimond, Halls, or JMAC are encouraged to contact HRE's main office. Based upon available space, residents interested in staying over winter break may receive a permanent move.

Dining services will not be available during the winter break. Residents will need to plan and provide their own meals during this time.

Entry by Staff

University staff may enter a resident's assigned living quarters in University owned or operated housing for a variety of reasons. HRE tries to give residents a 24-hour advanced notice; however, HRE may not always be able to do so. If HRE discovers a policy violation in any of the situations below, HRE will document the violation and may result in referral to the Office of Student Rights & Responsibilities. University officials, including HRE staff members and Campus Safety, may confiscate items which are in violation of University and HRE policies, including but not limited to: candles, incense, alcohol, drugs, controlled substances, false identification, illegal plants, weapons, and drug paraphernalia. Items may be discarded or turned over to Campus Safety for further investigation and/or disposal as appropriate.

The following are illustrative, but not an exhaustive list of reasons for room entry:

- Fulfill custodial, maintenance, or computer service needs;
- Investigate suspicion that the welfare and/or rights of other members of the University community are being infringed upon;

- Investigate if danger to a student, or danger to the property of a student or the University exists;
- Investigate suspicion of policy violation;
- Check that closing procedures for break periods were completed;
- Turn off alarms, stereos, or other devices that are causing a noise disturbance;
- Cleaning and maintenance inspections;
- Confirm room has been vacated during fire alarm;
- Confirm room is ready for a new resident;
- Confirm space has been vacated by resident if they were scheduled to have been moved out;
- Disruptive noise caused by an animal (whether emotional support animal, service animal, or unauthorized pet);
- Inspect rooms periodically for fire safety issues, including for the presence of prohibited items, evidence of tampering with fire safety devices, and verifying the following:
 - Fire alarm devices and fire safety equipment are not covered or broken.
 - Nothing obstructs the egress.
 - Nothing is hung from the ceiling.
 - No electrical safety hazards are present.
 - No excessive holiday lights or decorative LED lighting are present.
 - No furnishings are in contact with approved room heaters.

Open Space Agreements

If you have an unoccupied space in your assigned living quarters, HRE will send you via email an Open Space Agreement. To prepare for a potential room/suitemate, you will need to make sure all your belongings are on your side of the room — and that you occupy only one set of furniture and one closet space in the room. During

COVID-19 de-densification, if you are in Dimond, Halls, or JMAC, it is less likely that you will be assigned a roommate. HRE will try to give advance notice before a new resident moves in, however, roommate assignments can happen at any time, including during break periods. An HRE staff member will come by to check your assigned living quarters periodically to make sure it is ready to receive a new resident. Students interested in this open space may stop by the room to meet you and see the space at any time. HRE expects that you will be courteous and treat these students with respect.

Assigned Living quarters Expectations

Balconies & Terraces

HRE reserves the right to lock balconies and/or terraces for any reason without prior notice to residents. Residents with locked balconies and/or terraces in their assigned living quarters are not permitted to access their balcony/terrace.

Cleanliness

In order to protect the health and safety of all residents, residents must maintain reasonable standards of cleanliness in all University owned or operated housing, including common shared spaces. HRE staff will conduct periodic inspections in all assigned living quarters to maintain clean, safe, and high-quality housing. While HRE will endeavor to notify residents of the inspection, HRE is not required to provide notice and HRE can conduct inspections at any time and without prior notice to the resident. If HRE staff determines, in its discretion, that a resident(s) has not met cleanliness standards, the HRE staff member will take appropriate action to resolve the concern with the resident(s), which may include scheduling the Custodial Staff to clean the space at the expense of the resident. HRE will bill these costs at the current published rates. Residents may not refuse Custodial Staff services at any time.

Residents must keep floors clear of personal items and trash. Residents must deposit their trash and recycling in designated areas in a timely manner and cannot allow trash and recycling to accumulate. Residents may not empty their personal trash and recycling cans in bathrooms, laundry areas, or in lobby trashcans. Residents must keep hallways, stairwells, and elevators free of personal belongings, including trash and recycling. Failure to follow the cleanliness guidelines may result in an hourly fee for staff cleaning time at the current published rates, which HRE will bill that fee to an individual resident or the residents of the floor impacted.

Furniture

Furniture is to be used as designed and may not be removed from its original location. No other construction or configurations of furniture are allowed (e.g. lofts, stacking of furniture, bed lifts, or stacking on concrete blocks). In addition to any charges for repair or replacement of damaged furniture caused by misuse, HRE may assess a minimum \$75 fine for misuse of furniture or other construction in rooms. Lounge furniture and other University property is placed in common areas for common use. Residents may not take, borrow, or add additional furniture to the lobby areas for their own personal use.

Residents may not remove closet doors.

The mattresses in residence halls/apartments range from full to twin extra-long (36"x80"x7").

If residents violate this policy, HRE may refer them to the Office of Student Rights & Responsibilities and subject to a minimum fine of \$50 per item per incident, as well as payment of the cost of any damage incurred.

Identification Cards

A University of Denver ID card is used to verify the identity of residents and gain access to specific University owned or operated housing. For security reasons, a residence hall staff member will routinely ask residents entering a building to show their University of Denver ID card. University of Denver ID cards are not transferable. Students may not lend their University of Denver ID card to another individual for any purpose including, but not limited to, entry to a building, misrepresentation of age, or the purchase of meals. Students must report a lost University of Denver ID card to the Pioneer ID Card Office immediately and must get a new University of Denver ID card to be able to access the entrance and elevators/stairways of their building.

To promote the security of University owned or operated housing, in order to enter Halls, JMAC, Nelson, Nagel, Towers, Dimond, or the Apartments Community (Ridgeline, Summit, Mesa, Hilltop, Lynn Marie, University Lofts, and University Place), you will need your University of Denver ID card to gain access to the residential areas and the exterior doors after business hours. During business hours, DU Community members can use their DU ID card to gain access to food service and classroom facilities. Off-Campus Residential Communities (Auraria, Vista, and University House) require residents to use a building-issued electronic FOB to gain access to their building.

Keys

Lost keys may jeopardize your own security and the security of other residents. For these reasons, residents are prohibited from making or purchasing an unauthorized key. Residents may not have in their possession a key to any assigned living quarters other than their own, nor may they have more than one key to their own assigned living quarters.

If a resident is locked out of their assigned living quarters, the resident can check out a lockout key from the front desk of their building, but must return the key to the front desk within 15 minutes after checking it out. Failure to return the lockout key within 15 minutes may result in a fine.

Residents must report lost keys to the front desk or apartment office immediately. To protect your safety and the safety of the community, HRE will re-core the lock for any lost keys and will assess a re-core charge at then current rates to your student financial account. HRE will assess this charge regardless of where or how their key(s) went missing. Because of safety concerns, residents may not provide their own replacement keys or refuse a re-core of the lock for their assigned living quarters.

Noise

Noise is a particular concern in University owned or operated housing where many students live and study together in a relatively small space. HRE expects all residents to show courtesy and consideration of others at all times. All residents are responsible for their own noise level, as well as the noise levels of their guests. Noise that intrudes on others right to sleep and study is prohibited. Reasonable quiet in areas outside the buildings must be maintained. Noise will be considered disruptive if it can be heard through a closed door or window. Excessive bass, loud music, running and shouting in the hallways, yelling out windows, and door slamming are always considered unacceptable.

Residents who are being disturbed by noise are encouraged to respectfully approach others to request they reduce their noise. Should a resident need help handling a noise complaint, contact the front desk of your building, and an HRE staff member will provide assistance.

Quiet hours

For all University owned or operated housing quiet hours are as follows:

- Sunday through Thursday: 10 p.m. to 7 a.m.

- Friday and Saturday: 12 a.m. to 9 a.m.

During quiet hours, residents need to be particularly conscious of their noise levels, and excessive noise will be documented. A floor community may choose to extend quiet hours.

Courtesy hours

Courtesy hours are observed 24-hours a day throughout University owned or operated housing. When asked by another resident or staff member to reduce noise level, residents are expected to immediately comply as a courtesy to fellow community members.

Finals week quiet hours

24-hour quiet hours will be in effect.

Rights & Responsibilities Policies

In addition to the policies outlined in the [University of Denver Honor Code](#), residents and guests in University owned or operated housing are expected to uphold all policies in this Guide to Residence Living. Any potential violation of policies may be documented and processed through the Student Rights & Responsibilities process as outlined in the University of Denver Honor Code. If/when guests are permitted, you are responsible for informing your guests of all the policies listed in this document, as well as in all other University publications and to make your guests follow University policies while visiting.

A. Alcohol violations include the following:

1. **Delivery:** Alcohol or alcohol paraphernalia must not be delivered through the mail or other delivery service to any resident under the legal drinking age of 21.
2. **Keepsake:** Residents under the age of 21 must not have keepsake or decorative alcohol containers, empty or full, in any common areas, or in their assigned living quarters, regardless of if any roommate(s) or suitemate(s) are of the legal drinking age of 21.
3. **Large Quantities:** Large quantities of alcohol and devices designed to quickly consume alcohol, including, but not limited to, kegs, and beer bongs, are not permitted in University owned or operated housing regardless of the age of a resident.
4. **Open Containers:** Open containers of alcohol are not permitted in common areas, including, but not limited to, hallways, stairwells, elevators, lounges, and lobbies, regardless of the age of the individual.
5. **Underage Residents:** Residents under the legal drinking age of 21 cannot be in the presence of alcohol or alcohol use.
6. **Presence of Alcohol:** Alcohol cannot be present in any room/suite/apartment unless all residents assigned to that room/suite/apartment are of the legal drinking age.

B. Balconies and Terraces must remain locked and cannot be accessed.

C. Cleanliness violations include the following:

1. **Common Area Cleanliness:** Leaving or storing personal belongings in common areas, including, but not limited to, hallways, stairwells, elevators, lounges, and lobbies, is not permitted.
2. **Disposal:** Trash, recycling, and unwanted personal items must be disposed of in the designated trash or recycling locations within the residence building, and large amounts may not be disposed of in common areas, including, but not limited to, bathrooms, laundry areas, hallways, elevators, stairwells, or lobby trash cans.
3. **Personal Space Cleanliness:** Assigned living quarters must be clean, sanitary, and free of noxious odors. Floors must be kept reasonably clear of items, including, but not limited to, personal items and trash.

D. Computer Use violations include the following:

1. **Installation:** Any installation of additional electronic equipment that is not explicitly permitted, including, but not limited to, hubs, switches, routers, and wireless access points, in assigned living quarters or common areas is not permitted.
2. **Access:** Residents cannot access another individual's computer or programs without the owner's permission.

E. Drug violations include the following:

1. **Delivery:** Any Federally Illegal Drug (as defined in the Honor Code) or drug paraphernalia may not be delivered through the mail or other delivery service to any resident. This does not include federally legal prescription drugs with a valid prescription from a licensed physician. Medical marijuana/cannabis is not allowed in University owned or operated housing.
2. **CBD:** The use of cannabidiol (CBD) is restricted to products with no levels of THC. The product must remain in the original container and the container must state the product has no THC levels. All other CBD products are not allowed in University owned or operated housing.
3. **Presence:** Individuals may not be in the presence of Federally Illegal Drugs or drug use. This includes, but is not limited to, being in the presence of or use of any prescription drug or other controlled substance, except under

the direction of a licensed physician and with a valid prescription. Medical marijuana/cannabis is not allowed in University owned or operated housing.

F. Facilities Misuse violations include the following:

1. **Animals:** Service animals, approved emotional support animals, and freshwater fish in aquariums or tanks of 10 gallons or smaller are permitted. All other animals, permanent or visiting, are prohibited.
2. **Furniture:** Any use of furniture that is not consistent with the designed purpose of the furniture is prohibited, including, but not limited to:
 - a) sleeping on common area furniture at any time;
 - b) residents or guests using beds assigned to another resident without explicit permission;
 - c) any removal of furniture from its original location within the residence hall, including, but not limited to, removal of furniture from an assigned space, and possession of common area furniture in an assigned space; and
 - d) any construction or configuration of furniture outside of its original construction or configuration. This includes but is not limited to lofts, stacking of furniture, bed lifts, and stacking beds on concrete blocks.
3. **Painting:** Residents may not make any intentional markings, including, but not limited to, painting, drawing, and chalking on walls, ceilings, or furniture in assigned living quarters or common areas.
4. **Posting:** Residents must abide by the HRE Sign Posting Policy.
5. **Windows:** Any use of windows that is not consistent with the designed purpose is not permitted, including but not limited to:
 - a) throwing, hanging, or dropping any items, liquid or solid, from any window, balcony, or terrace;
 - b) entering or exiting a space through any window or terrace;
 - c) sitting in or on window sills;
 - d) removing screens from windows; and
 - e) modification of or additions to window units.

G. Fire Safety violations include the following:

1. **Cooking:** Residents must follow all cooking fire safety measures and requirements.
2. **Decorations:** Residents must follow decorating restrictions in University owned or operated housing and cannot hang items from a smoke detector, sprinkler head, sprinkler pipe, sprinkler line, or ceiling, temporarily or permanently.
3. **Evacuation:** Residents must follow the evacuation process and follow verbal directives from University officials and Fire and Police Department Personnel.
4. **Prohibited Items:** Residents cannot have any possession of or use prohibited items in University owned or operated housing.

H. Guest violations include the following:

1. **Unauthorized Guests:** During the 2020-2021 academic year, until further notice, except as expressly provided herein, no guests will be allowed in University owned or operated housing.
2. **Unauthorized Entry:** Due to COVID-19, residents may not enter a building that is not their assigned building of residence except to eat at a dining hall or attend class in an assigned classroom. If the University determines it can allow invited guest(s) in residence halls, the University will notify residents at that time.
3. **Escort:** If the University allows guests who do not reside in the same building, residents must remain with their guest(s) at all times while the guest(s) is/are in the building.
4. **Sign-In:** If the University allows guests who do not reside in the same building, residents must make their guest(s) comply with sign-in procedures, including, but not limited to, stopping at the front desk to sign-in and presenting photo identification.
5. **Unauthorized Residents:** If the University allows guests who do not reside in the same building, individuals who are not residents assigned to a specific living space, including, but not limited to, a room, suite, and apartment, are not permitted to stay overnight for more than two nights per 7-day week.

- 6. Unauthorized Access:** Residents cannot provide their keys or access cards to any individual.
- I. Noise:** Residents cannot produce noise that can be heard through a closed door or window or intrudes on the right of other residents to sleep and study, including, but not limited to, playing music, running, slamming doors, elevated conversation, and yelling. This includes the designated Quiet Hours.
- J. Open Space Agreement:** Residents must abide by the Open Space Agreement.
- K. Smoking Product** violations include the following:
- 1. Possession:** Possession of cigarette products and smoke-producing products, including, but not limited to, e-cigarettes, vapor pens, and other vapor products, is not permitted on or in University owned or operated property.
 - 2. Use:** Use of cigarette products and smoke-producing products, including but not limited to, e-cigarettes, vapor pens, and other vapor products is not permitted on or in University owned or operated property.
 - 3. Delivery:** Cigarette products and smoke-producing products must not be delivered through the mail or other delivery service to University owned or operated housing.
- L. Sports Activities** violations include the following:
- 1. Games:** Playing games, including, but not limited to, any form of ball, frisbee, snowball fights, and wrestling, in University owned or operated property is not permitted. Playing games using provided equipment, courts, or areas properly is permitted.
 - 2. Transportation Devices:** Transportation devices cannot be used within the residence halls/apartments, including, but not limited to, skateboards, bicycles, and skates, except for assistive devices.
- M. Unauthorized Room Change:** Residents cannot change rooms unless they have received a new room assignment from HRE.
- N. Weapons,** including, but not limited to, knife with a blade over three inches, guns, pellet guns, paint guns, tasers, bows and arrows, machetes, ninja

throwing stars, nun chucks, grenades or other explosive or incendiary devices, swords (including decorative), any other illegal weapon, and all ammunition for any type of firearm is strictly prohibited. University officials also have the discretion to determine that additional objects are unsafe for the community and may restrict and/or confiscate these items. Culinary knives used in kitchen areas for their intended purpose are permitted in University owned or operated housing.

Failure to follow Policies & Procedures as outlined elsewhere in this document or in other communication from a University official in the performance of their duties may be considered a violation of the University of Denver Honor Code.

HRE Resources

Cable Television

HRE does not provide cable television.

Custodial and Maintenance Requests

If you find something that needs to be repaired or a common space that needs to be cleaned, you can notify our maintenance or custodial staff by submitting an online work request at www.du.edu/housing/resources/workorder.html. You can only submit this request through a computer or device using the University internet network. When filling out the work request, be as specific as possible about the location and problem so our staff can respond accordingly. You may also report an issue through the front desk of your building or at the HRE main office. Residents will not be able to request replacement keys or lock changes through this system. Work orders submitted by residents for resident-caused damages will be billed back to the resident.

Front Desk Operations & Amenities

Residence buildings, except for the Apartment and Off-Campus Residential Communities, have 24-hour front desk operations during the academic year when classes are in session. The Apartment and Off-Campus Residential Communities' desks are open with limited hours. The front desk is where to go to pick up mail or to get a key/key card to your room. In addition, you can check out recreational equipment at the front desk or find out what is happening in the building or on campus. If there is a problem in the building and you need staff assistance, please contact the front desk.

HRE offers a number of different amenities located at your residence hall and apartment community's front desks. Please go to the front desk of your building to learn more about what is available. Some examples are below:

Resources available for checkout:

- Billiard Table Set (Pool cues, balls, and ball racking triangle)
- Ping Pong Set (Paddles and Ping Pong Balls)
- Drying Racks
- Vacuums
- Dollies
- Various Games
- Trash bags

To check out any of these resources, stop by your building's front desk and bring your University of Denver ID.

How to File an Incident Report

Any resident may file a formal, written incident report to inform the University about any alleged policy violation or inappropriate behavior. You can complete this report using the online "[Submit an Incident Report](https://cm.maxient.com/reportingform.php?UnivofDenver)" form at <https://cm.maxient.com/reportingform.php?UnivofDenver>.

Keys: Lockouts and Lost Keys

Residents can check out a lockout key from the front desk of their building. Lockout keys must be returned to the front desk within 15 minutes after checking them out. Failure to return the lockout key within that 15 minutes may result in a fine.

Residents must report lost keys to the front desk or apartment office immediately. If a key is lost, HRE will re-core the lock and will assess a re-core charge at then current rates to your student financial account. Residents may not provide their own replacement keys or refuse a re-core of the lock for their room.

Mail and Packages

At all on-campus residential communities – Halls, Towers, Nelson, Nagel, JMAC, Dimond, and the Apartments – the front desk staff sorts your mail. Any mail you have received will be placed in your mailbox no later than 8:00 p.m. Residents of Off-Campus Residential Communities will be informed of the mail and package procedures for their property during move in.

Residents will receive an email notification and may pick up the package by showing an ID at the front desk.

If you live in **Nagel**, your packages will be delivered to the Nelson front desk, but your flat mail will still be delivered to your mailbox located in Nagel.

For USPS flat mail please use the following address (collected at your mailbox in Nagel):

(Your Name)

2194 South High Street Nagel Hall Room #____ Denver, CO 80210

*All other non-USPS mail and all packages (These items are collected at the **Nelson** front desk):*

(Your Name)

2222 South High Street Nagel Hall Room #____ Denver, CO 80210

If you live in the **Apartments**, flat mail is delivered to your assigned mailbox in your apartment building.

Packages should be sent to the Apartments office:

(Your Name)

1950 S. York St., #103 Denver, CO 80210

When you receive a package, a staff member in the Apartments office will notify you via email. You will be able to pick up the package during the specified apartment office hours.

If you are missing a package, please stop by the front desk or contact the Desk Manager of your building. To better assist you, please provide the front desk staff or Desk Manager with a description of the package, who the package was addressed to, courier information, and a tracking number.

Your permanent address is the address in your PioneerWeb account. If an address change occurs, you must change your information on PioneerWeb for mail forwarding purposes

During Winter Break, all first-class mail, packages, billing statements, etc. will be held until you return in January. Please make sure you make proper arrangements before you leave campus for Winter Break. However, if you are in a building that is open during Winter Break, you will be able to pick up packages at your designated front desk during break. When you checkout at the end of the year, all first-class mail will be forwarded until the last week of August to your permanent address on file with the University. You can update your address by logging into PioneerWeb.

Personal Property Insurance Coverage

The University and HRE are not responsible for loss or damage to a student's personal belongings or those of student's guest(s), regardless of cause. The University is also not responsible for damage caused by water due to sprinkler system discharge or pipe breaks. We recommend that you consult your insurance policy to confirm that your personal belongings are covered for loss or damage due to any cause, including but not limited to accidental or intentional activation of the sprinkler system and other water damage, during your stay in University owned or

operated housing. If not, we recommend you obtain a renter's insurance policy from the company of your choice. If you experience any damaged, stolen, or lost property in University owned or operated housing, you should process any claims through your personal renters or homeowner's insurance policy.

Printers

The front desk is also home to printers available to print with your University of Denver ID card. For detailed instructions on how to connect your personal computers and how to use the DU printers, please refer to the following instructions: <https://www.du.edu/it/support/how-to/wepa>.

Recycling and Sustainability

Recycling bins are available in every student room and in the lobbies of each residential building. We have single stream recycling, which means you can put all recyclables in the same bin. For details on what can and cannot be recycled on campus, please see <http://www.du.edu/sustainability/index.html>.

Telephone Services

HRE does not provide phone lines.

Wireless Internet

Wireless networking is provided in residence rooms and is available in common areas of each residence hall (cafeterias, large lounges, etc.). To make sure your connection to the campus network works, your computer should meet the requirements posted on DU's [Website](https://www.du.edu/it/support/how-to/students/laptops) at <https://www.du.edu/it/support/how-to/students/laptops>. If you have any questions or need to request help with your computer, contact the IT help desk at 303-871-4700. HRE prohibits the installation of routers and wireless access points in the residence buildings.

Safety Resources & Procedures

Campus Safety

For your protection, [Campus Safety](#) staff members are available 24 hours a day. For non-emergencies, call 303-871-2334. For emergencies, call 303-871-3000. We recommend that all students sign up for campus safety emergency alerts through PioneerWeb: <http://www.du.edu/campussafety/>.

Keep the following safety tips in mind:

- When walking on campus at night, always travel with a friend or contact Campus Safety non-emergency line at 303-871-2334 to request an escort.
- Remember to lock your room/apartment doors and windows at all times.
- For your safety and the safety of others, do not prop open outside building doors at any time.
- Help Campus Safety keep our campus a safe place to live by reporting any suspicious behavior immediately.

Fire Evacuation

If a fire alarm sounds, residents must immediately vacate the building via the nearest stairwell and proceed at least 50 feet (15 meters) outside the building until a Campus Safety officer or first responder allows residents to re-enter the building. Residents and guests must fully cooperate in all evacuations. Failure to evacuate the building in the event of an alarm sounding may result in a referral to the Office of Student Rights & Responsibilities.

Exit the building immediately in a safe manner. If you are not in your own room, do not go back to your room to retrieve items. If you are in your room, please do the following:

- Check to see if the doorknob is hot.
- If it is hot:
 - Do not open your door,
 - Wait in plain view next to your window,
 - Open blinds and leave your lights on, and
 - Call Campus Safety at 303-871-300 or 911 to report your location if a phone is available.

- If your doorknob is **not** hot:
 - Take a dampened towel and cover your nose and mouth to prevent smoke inhalation,
 - Put on shoes,
 - Close doors behind you, and
 - Exit via the stairway closest to your room/apartment – do not use the elevator.

If the outside exit door does not open immediately, kick the emergency strike plate.
When evacuating the building:

- Leave the building immediately.
- Do not investigate the source of the emergency.
- Walk, don't run, to the nearest exit.
- Use stairs, not elevators.
- Follow instructions of the Department of Campus Safety officials or other identified emergency personnel.
- Upon exiting the building, move at least 50 feet away from the structure.

Do NOT re-enter the building until told to do so by Campus Safety officials or other first responders.

Special Considerations:

Certain evacuations may last longer than your typical fire alarm. In cases where there is an actual fire, carbon monoxide alarm, or any instance where one cannot re-enter their assigned living quarters for a prolonged period of time, please go to the following gathering points located in a building different than your living quarters:

Residents of Halls will gather at Towers main lounge.

Residents of Towers will gather at Halls main lounge.

Residents of JMAC will gather inside the Nelson cafeteria.

Residents of Nelson and Nagel will gather at the JMAC main lounge and classroom.

Residents of the Dimond Family Residential Village will gather at Halls main lounge.

Persons with disabilities:

If a person is unable to evacuate a building due to a physical disability, the following steps should be taken:

- If the building has a designated area of rescue, the person should be moved to this area.
- If the building does NOT have a designated area of rescue, the person should be moved to the closet stairwell.
- Call 911 or Campus Safety at 303-871-3000 and inform first responders of the person requiring rescue.

You are required to evacuate the building safely and quickly when a fire alarm sounds. Failure to comply with these directions may result in referral to the Office of Student Rights & Responsibilities and potential criminal action based on federal, state or city fire codes.

Campus Shuttle Service

The University of Denver has contracted with a third party to provide the Campus Shuttle Service. Users will need to download [TripShot](#). For more information regarding hours and routes of the shuttle service, please see the [Campus Shuttle website](#).

Staff Member on Duty

HRE has an extensive on-call/duty system. There are always RAs on duty in each building every night of the week and on weekends. In addition, we have Graduate Resident Directors or Resident Directors on duty 24-hours a day, every day of the year. Should you need after-hours assistance, please invoke our duty system by calling your front desk or the Division of Campus Safety.

Tornado Warning

If you learn of a tornado warning, do not go outside. During a tornado, move to an enclosed area away from glass windows and doors, such as the basement of your building, interior stairwells without glass windows on the lowest floor, or the interior bathroom area of your floor/apartment.

The City of Denver has tornado sirens. The University encourages students to sign-up to receive [emergency notifications](#).

If you are monitoring weather updates, please know that Denver is located in Denver County.