



UNIVERSITY OF
DENVER

2026 Annual Security and Fire Safety Report

University Park Campus

Western Colorado Campus

Four Corners Campus

Table of Contents

Message from the DU AVC and Chief of Campus Safety	3
Reporting Crimes and Emergencies.....	5
Enforcement and Jurisdictions.....	9
Security Awareness and Crime Prevention Education Programs	11
Primary Prevention Programs and Ongoing Awareness Campaigns	18
Violence Against Women Act (“VAWA”).....	28
Procedures for Victims of Domestic Violence, Dating Violence, Sexual Assault, and Stalking (“DVSAS”) or Harassment	34
DU Discrimination and Harassment Policy	43
DU Comprehensive Discrimination and Harassment Procedures 2026-2027	56
DU Title IX Sexual Harassment Procedures 2026-2027	95
Drug and Alcohol Statement of Policies for Employees and Students	125
Hazing Violations at DU.....	127
Hazing Prevention and Awareness Programs	128
Definitions of Reportable Crimes	131
Daily Crime Log	136
2023-2025 University Park Campus Clery Crime Statistics	137
2023-2025 Western Colorado Campus Clery Crime Statistics	140
2023-2025 Four Corners Campus Clery Crime Statistics.....	142
Timely Warnings and Emergency Notifications.....	144
Emergency Response and Evacuations	149
Interim Missing Student Notification and Preliminary Wellness Assessment Policy	151
Fire Safety Report and Fire Statistics.....	155
Fire Log (Calendar Years 2023-2025).....	166
Fire Statistics – By Building (2025 University Park Campus)	167
Fire Statistics – By Building (2024 University Park Campus)	168
Fire Statistics – By Building (2023 University Park Campus).....	169
Residential Fire Control Systems – By Building.....	170

Message from the DU AVC and Chief of Campus Safety

There is no higher priority here at the University of Denver ("DU") than promoting the safety and security of our community so that our students, faculty, staff and visitors can learn, live, and work. We are fortunate to have the support and services of the best community- focused and engaged Campus Safety Department in the country looking out for all of us here.

The 2026 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 Department of Campus Safety or any of the other units listed as you take steps to protect yourself and help promote a safe, secure environment for all.

At DU, we continue to build a unique Department 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 Campus Safety Act, the University makes available a copy of this Annual Security and Fire Safety Report. This report includes crime statistics for the previous three 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 DU's Discoveries Orientation. Topics include personal safety, crime reporting, emergency procedures, respect for others, alcohol, consent and sexual assault. The Annual Security and Fire Safety Report is produced by the Department of Campus Safety in collaboration with multiple units 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.

During the 2026–2027 academic year, we will continue strengthening our relationships with students and campus partners across the University while investing in the capabilities of the Department of Campus Safety. We remain committed to providing our staff with the training, resources, and tools necessary to serve our community effectively; strengthening prevention and preparedness efforts; supporting the behavioral health needs of our community; and working closely with our campus neighbors, local businesses, and public safety partners.

We also recognize that trust is essential to effective campus safety. Our responsibility is not simply to protect this community, but to know it, listen to it, and remain responsive to its needs. We encourage students, faculty, staff, families, and community members to reach out to us with questions, concerns, feedback, and ideas.

It is a privilege to serve the University of Denver community. Thank you for doing your part to look out for one another and for helping us make DU a safer and stronger community.

Courtney Tassin
Associate Vice Chancellor and Chief of Campus Safety
University of Denver

Preparing the Report

DU values public accountability and transparency for campus safety action. Accordingly, DU complies with all applicable state and federal reporting laws, including the Jeanne Clery Campus Safety Act (“Clery Act”), which is a federal law requiring colleges and universities to disclose information about certain crimes identified in the Clery Act on and around their campuses.

This Annual Security and Fire Safety Report (“ASFSR”) highlights safety practices and resources available to the DU community. It also includes DU policies concerning campus safety, crime prevention, sexual assault, domestic violence, dating violence, stalking, alcohol and other drugs, hazing, other dangerous situations, access to the campus, and fire safety. All statements are applicable to each DU campus unless specifically stated otherwise.

The Clery Coordinator prepares this ASFSR in collaboration with the Denver Police Department, Denver Fire Department, Glenwood Springs Police Department, Durango Police Department, and DU’s Department of Campus Safety (“Campus Safety”), Office of Student Rights & Responsibilities (“SRR”), Office of Civil Rights and Equal Opportunity (“CREO”), Housing and Residential Education (“HRE”), Health and Counseling Center (“HCC”), Office of Emergency Preparedness & Fire Safety, Office of General Counsel (“OGC”), and Campus Security Authorities (“CSA”). CSAs are individuals at the University who, because of their function for the University, have an obligation under the Clery Act to notify the University of alleged Clery Act crimes that are reported to them in good faith, or alleged Clery Act crimes that they may personally witness.

Once DU has reviewed the data for accuracy for each DU campus and finalized the ASFSR, on or prior to October 1, DU notifies prospective and current students and employees of the report’s availability, the electronic and physical address at which the report can be accessed, and a brief description of the contents. DU communicates this information via current students’ and employees’ University email addresses and publicizes the availability of the report on various webpages on the University website.

The 2026 Annual Security and Fire Safety Report is posted on a [dedicated ASFSR webpage](#) on Campus Safety’s website written in HTML and a PDF file. Printed copies are available at the Campus Safety Center at 2130 S High St, Denver, CO 80208. Printed copies are also available at the Western Colorado Campus at 1101 Grand Ave, Glenwood Springs, CO 81601 and the Four Corners Campus at 701 Camino Del Rio, Durango, CO 81301.

For more information regarding campus safety or to request a hard copy of the report, contact Campus Safety at 303.871.2334, e-mail the Clery Coordinator at Mark.Derham@du.edu, or write to Campus Safety at 2130 S High St, Denver, CO, 80208.

Disclosure of Crime Statistics

Crime statistics for the previous three years are included in this report, specifically, crimes that are outlined in the Clery Act that occurred on DU’s campuses, in certain off-campus buildings or property owned and/or controlled by DU, and on public property within or immediately adjacent to and accessible from DU’s campuses.

The Clery Coordinator collects crime statistics through several methods, including Campus Safety Case Reports, reports from CSAs, and law enforcement crime records. Statistics within this report reflect the number of criminal incidents reported to DU, including reports to Campus Safety and local law enforcement where DU owns property or where DU students frequent for educational purposes.

Reporting Crimes and Emergencies

How to Report Crimes and Other Emergencies

DU community members (students, faculty and staff members), contracted employees, and guests are strongly encouraged to promptly and accurately report all criminal incidents, suspicious persons and activities, and emergency situations occurring at all DU owned or controlled facilities and property, or at noncampus locations owned or controlled by DU to the local law enforcement agency where the incident occurs. Reports of crime on the University Park Campus should be made to the Denver Police Department and Campus Safety.

Reporting these incidents to Campus Safety in a timely manner facilitates the offering of support services, performing follow-up, and allowing for proper notifications and reporting of crimes.

Reports of crime on the Western Colorado Campus should be made to the Glenwood Springs Police Department and Campus Safety. Reports of crime on the Four Corners Campus should be made to the Durango Police Department and Campus Safety.

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). DU encourages accurate and prompt reporting of all criminal offenses, including when the victim of a crime elects to, or is unable to, make such a report.

In case of an emergency, call 911 from your cell phone or landline. The emergency line for Campus Safety is 303.871.3000 (1-3000).

The City and County of Denver, Glenwood Springs Police Department and Durango Police Department all have text-to-911 capabilities. Because this method is slower, it is only recommended during those times when it is not safe for you to speak because of an immediate threat or when you have a disability that affects your speech or hearing.

Assistance Stations are fixed phones placed throughout the DU University Park Campus that provide a direct link to the Campus Safety Communications 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 may be used for assistance when an individual is in distress or needs emergency assistance or for general campus assistance.

Reporting Non-Emergency Crimes or Incidents

Non-emergency crime reports and security or public safety related matters should be reported to Campus Safety by calling the non-emergency phone line, 303.871.2334 (1-2334) and/or the Denver Police Department's non-emergency line if on the University Park Campus at 720.913.2000 (main) or 720-913-1300 (District 3).

If on the Four Corners Campus, contact the Durango Police Department at 970.385.2900.

If on the Western Colorado Campus, contact the Glenwood Springs Police Department at 970.625.8095.

Silent Witness Reporting

If you see a crime or disruptive behavior occurring on campus and you would like to report it anonymously, you may do so using [Campus Safety's Silent Witness online report form](#).

Reporting Off-Campus Crimes

Crimes or incidents occurring outside the Denver Police Department's jurisdiction should be reported to the agency having jurisdiction where the incident occurred. Campus Safety should be notified as well to aid in the collection of crime statistics for this report, as well as to allow DU to provide available support resources and services to DU students, faculty, and staff who have been impacted by a crime.

Reporting to Campus Security Authorities

It is important for the campus community to report criminal incidents directly to Campus Safety and local law enforcement. However, the University recognizes that some victims of crimes may be more inclined to report a crime to someone other than Campus Safety or the police. Another way to report is through a person designated by DU because of their position/role on campus as a Campus Security Authority ("CSA"). CSAs include student workers, employees of DU, and certain faculty members. Once a person is designated as a CSA because of their University role, they are provided training on their responsibilities as a CSA.

Under the Clery Act, a crime is "reported" when it is brought to the attention of an individual designated as a CSA. If a CSA receives the crime information and believes the information was provided in good faith, they must report the information to Campus Safety to allow Campus Safety to consider whether to send a timely warning or emergency notification and for inclusion in the annual statistical disclosure.

CSAs may report directly to the Campus Safety by calling 303.871.2334, in-person at the Campus Safety Center at 2130 South High Street or by submitting a report on [DU's online reporting tool](#).

CSAs encompass four groups of individuals and organizations associated with an institution, as follows:

1. A campus police department or a campus security department of an institution.
 - a. DU Campus Safety employees are considered CSAs.
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).
 - a. Non-Campus Safety personnel responsible for security or access control authority on DU owned or controlled property. This includes, but is not limited to, contracted security staff and student ID checkers for DU.
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.

- a. Officials with significant responsibility for student and campus activities is defined broadly to facilitate complete coverage and thorough reporting of crimes. To determine which individuals or organizations are CSAs, DU considers job functions that involve relationships with students.
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.
 - a. DU's Office of Student Rights & Responsibilities is the office designated as having the authority and duty to hear and determine student conduct cases on behalf of DU. Personnel assigned to the Office of Student Rights & Responsibilities are considered CSAs under this definition.

Some examples of CSAs at DU include, but are not limited to, the following:

- Campus Safety Officers and Campus Safety staff
- Student Rights & Responsibilities Staff
- Civil Rights and Equal Opportunity Staff
- Housing & Residential Education Staff
- Resident Mentors and Apartment Managers
- Student Affairs Staff
- Vice Chancellor for Athletics, Athletics Staff, and Athletics Coaches
- Faculty advisors to a student group
- Fraternity & Sorority Life personnel, who are University employees
- Contracted security personnel

Confidential Reporting

Campus Pastoral Counselors and Professional Counselors, when acting as such, are not considered CSAs and are not required to report crimes for inclusion into the annual disclosure of crime statistics. Counselors are defined as:

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.

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.

At the time of this report, DU does not employ or retain the services of a Pastoral Counselor. DU does employ licensed professional counselors who are 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 annual disclosure of crime statistics. However, there are no procedures or policies that require licensed professional counselors to report crimes disclosed to them.

Anonymous Reporting

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 Civil Rights and Equal Opportunity online reporting form](#)

[Student Rights & Responsibilities online incident reporting form](#)

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.

Reports of crimes made to the Center for Advocacy, Prevention and Empowerment ("CAPE") are also submitted to Campus Safety without any identifying information for inclusion in the annual crime statistics.

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

Prohibition on Retaliation

DU has an established Retaliation and Whistleblower Protection Policy that prohibits retaliation against any member of the University community for reporting, inquiring, or participating in an investigation regarding non-compliance with and/or violation of policies, laws, rules or regulations applicable to the University. This prohibition includes protections for any individual for exercising their rights or responsibilities under any provision of the Clery Act.

Enforcement and Jurisdictions

University Park Campus Facilities Security and Access

DU's University Park campus, its main campus, is located in Denver, Colorado, and is generally open to the public during business hours from 8:00 a.m. to 4:30 p.m. Mountain Time. At the time of this publication, for enhanced security, DU buildings and doors require a key or electronic access card to enter.

All University owned or operated student housing facilities always require a key or electronic card access. A valid DU ID, issued by the DU ID Card Office, is required to gain entrance. Many buildings have front desk staff at a single entry to monitor residents and escorted guests entering University owned or operated housing. Guests of students residing in these buildings must be accompanied by their host at all times.

The locking time for all buildings – including administrative buildings, libraries, and commons areas – may fluctuate at different times of the year. Some determining factors include whether DU is on a formal break, it is finals week, or the week leading up to finals week.

Building and grounds maintenance issues are generally reported to either the Department of Facilities Management and Planning or Campus Safety. Depending on the nature of the issue, it will be forwarded on to the proper campus department. Facilities Management and custodial personnel are instructed to report any suspicious situations to Campus Safety immediately

Western Colorado Campus Facilities Security and Access

DU's Western Colorado campus is located in Glenwood Springs, Colorado. The normal business hours for the Western Colorado Campus are Monday – Friday from 8:00 a.m. to 5:00 p.m. Mountain Time. During normal business hours, electronic access cards are required for entry. Access after-hours requires an electronic access card and key from the Program Director or Program Coordinator.

There are fire and lockdown alarms for the campus. Contracted security regularly patrols the campus.

Interior and exterior lights and external building access card entry points are maintained by property management.

Four Corners Campus Facilities Security and Access

DU's Four Corners campus is located in Durango, Colorado. The normal business hours for the Four Corners Campus are Monday – Thursday from 7:30 a.m. to 6:00 p.m. and Friday from 7:30 a.m. to 4:30 p.m. Mountain Time. There is no access for students to the campus after hours. During normal business hours, electronic access cards are not required for entry.

The building that houses the Four Corners Campus maintains a security alarm to include a silent alarm emergency button within the campus itself. The Durango Police Department routinely patrols the area and provides increased patrols at the request of staff on site.

Interior and exterior lights are maintained by property management. DU staff on site maintain the parking lot lights, and the time they are turned on is adjusted after daylight savings time. The external building door locks are maintained by property management.

Enforcement Authority, Jurisdiction, and Relationship with Local Law Enforcement

DU's Campus Safety is accredited by the Commission on Accreditation for Law Enforcement Agencies ("CALEA") under the Campus Security program. Campus Safety provides services 24 hours a day, 365 days a year. Campus Safety Officers ("CSOs") conduct preventative patrols on the University Park campus within DU's jurisdictional boundaries, provide building and property security, basic first responder services, and safety escorts. If DU students allegedly commit minor offenses involving DU policies, CSOs may refer the students to the Office of Student Rights & Responsibilities, so the incident can be reviewed through the SRR process, potentially resulting in a finding of responsibility and, as applicable, status and education outcomes. More information about this process can be found on [the SRR website](#).

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. All CSOs are armed with Tasers and may carry pepper spray at their discretion. CSOs do not have authority to make arrests. CSOs on the armed team have received additional training and are also authorized to carry Glock handguns. All CSOs are equipped with body-worn cameras. CSOs may detain individuals on campus properties, under specific Colorado state statutes, until the Denver Police Department ("DPD") responds.

Campus Safety maintains a professional and cooperative relationship with DPD. Members of the DU community are encouraged to immediately report suspicious circumstances and possible crimes occurring on campus to Campus Safety. In turn, Campus Safety coordinates with DPD to determine the appropriate response.

The University Park campus is wholly located within the statutory boundaries of the City and County of Denver, Colorado. DPD has primary jurisdiction and responsibility for handling police related events occurring at the University Park campus. Campus Safety and DPD have a Memorandum of Understanding ("MOU") that serves as the framework for our cooperative public safety efforts.

In cases where members of Campus Safety have detained or initiated criminal process (e.g., criminal investigation detention), they will notify the DPD of their actions in a timely fashion. Copies of all documents or reports relating to the matter are provided to the appropriate DPD representative.

Campus Safety does not have an active working relationship or MOU with Colorado state law enforcement, however, Campus Safety will cooperate with state law enforcement agencies.

Authority and Relationship with the Glenwood Springs Police Department (Western Colorado Campus)

There are no DU CSOs designated at this campus. DU University Park CSOs have no enforcement authority, jurisdiction, or the authority to make arrests on the Western Colorado campus. There is no MOU with the Glenwood Springs Police Department regarding the investigation of alleged criminal offenses. If a crime occurs on the Western Colorado campus, Campus Safety personnel and DU staff on site will cooperate with state and local law enforcement agencies.

Authority and Relationship with the Durango Police Department (Four Corners Campus)

There are no DU CSOs designated at this campus. DU University Park CSOs have no enforcement authority, jurisdiction, or the authority to make arrests on the Four Corners campus. There is no MOU

with the Durango Police Department regarding the investigation of alleged criminal offenses. If a crime occurs on the Four Corners campus, Campus Safety personnel and DU staff on site will cooperate with state and local law enforcement agencies.

Crimes Involving Student Organizations at Noncampus Locations

DU requests and reviews crime reports from the Denver Police Department and other local law enforcement agencies to learn of criminal activity at DU noncampus property. This includes, but is not limited to, off-campus student organizations, housing facilities, and athletic housing when traveling for more than one night. DU maintains a log of student organization off-campus activities through the Division of Student Affairs. Additional noncampus property information is maintained through the Department of Facilities Management and Planning. DU's Division of Athletics maintains athletic teams' travel itineraries. The data are used to request crime statistics from the appropriate authorities.

DU University Park Campus

(North) Buchtel Boulevard

(East) South Columbine Street

(South) East Harvard Avenue

(West) South Williams Street

The University has [an interactive map of the University Park campus](#).

DU Western Colorado Campus

1102 Grand Ave and 1402 Blake Ave, Glenwood Springs, CO 81601

The Western Colorado Campus classes are held within the Colorado Mountain College Campus.

DU Four Corners Campus

701 Camino Del Rio, Durango, CO 81301

Security Awareness and Crime Prevention Education Programs

During the year, DU offers programs and services from various departments 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. Programs with an asterisk are also virtually available to our Western Colorado and Four Corners Campuses. The following list is constantly being augmented by new programs created by students and by DU offices serving the student and employee populations.

Program Name	Explanation	Audience	Frequency	Method	Awareness and Prevention Targets	Primary Sponsor
Introduction to Self Defense	In response to requests from the community, the Department of Campus Safety now offers free, 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.	Students, Faculty, Staff	Offered upon request	In-person class	Sexual assault, robbery, assault, risk reduction	Department of Campus Safety 303-871-2334 (1-2334)
Mace in Your Face	45 minutes – 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.	Students, Faculty, Staff	Offered upon request	In-person class	Sexual assault, robbery, assault, risk reduction.	Department of Campus Safety 303-871-2334 (1-2334)
Campus Safety Crime Prevention Presentations*	The Department of Campus Safety conducts in-person presentations on preventing and reporting crime. Promoted by email, regular meetings with student and community groups.	Students, Faculty, Staff	Offered upon request	In-person class	All crimes including active-shooter response; crime prevention, bystander intervention, risk reduction.	Department of Campus Safety 303-871-2334 (1-2334)
Campus Safety Security Escorts	On request, Campus Safety Officer escorts for anyone on campus, from and to any campus location, provided by Campus Safety with a call to the Campus Safety Communications Center. Promoted through student and parent orientations, online, and printed materials.	Students, Faculty, Staff	As requested, year-round, 24-hours per day	In-person safety escort	Sexual assault, robbery, assault, risk reduction	Department of Campus Safety 303-871-2334 (1-2334)
Campus Safety Anonymous Crime Tip Line*	A 24-hour hotline, 303-871-3130 (1-3130) from the Department of Campus Safety, provides an avenue for the campus community to report information about a crime or suspected crime in a confidential manner. Promoted through orientations and website.	Students, Faculty, Staff, Campus Community Members	Ongoing	Phone resource	All interpersonal violence and sex-related crimes; all other persons and property crimes; bystander intervention, risk reduction, crime reporting.	Department of Campus Safety 303-871-2334 (1-2334)

Program Name	Explanation	Audience	Frequency	Method	Awareness and Prevention Targets	Primary Sponsor
The Department of Campus Safety Website*	The Campus Safety website contains 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.	Students, Faculty, Staff, Campus Community	Ongoing	Web-based resource	All crimes; crime reporting, risk reduction	Department of Campus Safety 303-871-2334 (1-2334)
DU Alert*	Email and text emergency notification system. Promoted through orientations, media, print and online marketing.	Students, Faculty, Staff	Periodic, as incidents indicate	Emails and texts to all subscribed DU accounts	Emergency notification, including fires, bomb threats, active shooter or dangerous person, gas leaks, hazardous weather	Department of Campus Safety 303-871-2334 (1-2334)
Campus Crime Alerts*	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.	Students, Faculty Staff	Periodic, as indicated by incidents	Emailed direct to all DU addresses, web, X and Facebook	Clery crimes, risk reduction, bystander intervention, crime reporting	Department of Campus Safety 303-871-2334 (1-2334)
DU Campus Safety / Community Security Advisories*	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.	Students, Faculty, Staff	Periodic, as needed	Email to all DU accounts, web, X, Facebook	Sexual assault, robbery, assault, burglary, theft, drug/alcohol crimes, bystander intervention, risk	Department of Campus Safety 303-871-2334 (1-2334)
Active Shooter Response Training (Are You Prepared)*	1 hour - Participants will learn concerning behaviors exhibited by potential shooters, a brief history, what to do during an active shooter incident, and what DU and City response will be.	Students, Faculty, Staff, Campus Community	Offered upon request	In-person class and virtual online. In addition to in person trainings, employees are required to watch the Run, Hide, Fight Video on Canvas	Safety and security, crime reporting, murder, assault, harassment, bystander intervention, risk reduction	Department of Campus Safety 303-871-2334 (1-2334)

Program Name	Explanation	Audience	Frequency	Method	Awareness and Prevention Targets	Primary Sponsor
Emergency Response Team Training and Certification	This is a volunteer program open to all DU 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.	Students, Faculty, Staff	At least once per academic term, and as requested by groups	In-person class	Safety and security, crime reporting	Department of Campus Safety 303-871-2334 (1-2334)
Safety / Risk Assessments	The Department of Campus Safety's Manager of Emergency Preparedness and Fire Safety conducts physical and office site security assessments for all DU department's workplace environments. Assessment includes information on best practices and industry standards in the area of workplace safety and response to emergency situations.	Students, Faculty, Staff	Offered upon request	In-person assessment	Lockdown, evacuation, and shelter in place procedures, Safety and Security	Department of Campus Safety 303-871-2334 (1-2334)
Standard Response Protocol (Ricks and Fisher)	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).	K-12 Students and Staff	Once a year for each facility	In-person training	Safety and Security	Department of Campus Safety 303-871-2334 (1-2334)
First Aid / CPR / AED Training	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.	Students, Faculty, Staff	Offered upon request	In-person class	Life safety	Department of Campus Safety 303-871-2334 (1-2334)
New Employee Orientation*	HR delivers a new employee orientation and provides an overview of the services the Department of Campus Safety offers.	New Faculty and Staff	The first and third Monday of each month	In-person meeting or virtual online	Overview of the Department of Campus Safety functions	Human Resources & Inclusive Communities and Department of Campus Safety, 303-871-2334 (1-2334)
4D Peer Mentors and HRE Student Staff – Responding to Crime and Interpersonal Violence	In-person training for HRE student workers and 4D Peer Mentors ("Responsible Employees") designed to identify discrimination, harassment, and gender-based violence (sexual assault, domestic/dating violence and stalking). This course defines Prohibited Conduct under DU's Discrimination and Harassment Policy, teaches 4D Peer Mentors and HRE student workers about their obligation to report incidents, and information about how to respond and support students who have experienced these behaviors.	4D Peer Mentors, RMs, Apartment Managers, Community Assistants, and Desk Assistants	Annual	In-Person interactive training	Discrimination, harassment, gender-based violence, mandatory reporting	Office of Civil Rights and Equal Opportunity and Health and Well-being Promotion

Program Name	Explanation	Audience	Frequency	Method	Awareness and Prevention Targets	Primary Sponsor
Coordinated Climate Team*	DU's Coordinated Climate Team (or "CCT") is a newly approved (fall 2026) internal working group tasked to provide support and guidance for climate assessments, trainings, and pattern and trend analysis. CCT does not investigate, adjudicate or otherwise participate in judicial/legal processes, but provides support to individuals and populations affected by such incidents.	Students, Faculty, Staff	As requested	In-person meeting and electronic communication recommending programming and responses as necessary	Safety and security	Office of Civil Rights and Equal Opportunity, 303-871-7016
Civil Rights and Equal Opportunity ("CREO") Policies and Procedures*	This required course identifies discrimination, harassment, and gender-based violence (sexual assault, domestic/dating violence and stalking) as Prohibited Conduct under DU's Discrimination and Harassment Policy, defines what behavior constitutes sex-based violence and harassment and discrimination on a protected status under federal law, describes students' options for supportive measures and reporting Prohibited Conduct under CREO procedures.	Students	As requested	In person meeting or virtual online	Title VI and Sexual violence prevention and adjudication	Office of Civil Rights and Equal Opportunity, 303-871-7016
Good Neighbor Community Meetings	Meetings are open to community neighbors outside of the DU community. The meeting addresses safety concerns and new construction projects that are happening at DU. This also is an open forum to discuss any concerns the community may have pertaining to DU.	Community neighbors outside of the DU Community	Quarterly	Held in person and virtually if needed	Safety and security, drug and alcohol crimes, crime reporting, risk reduction	Office of Government Relations and Community Affairs
Crisis Assessment Risk Evaluation Behavioral Intervention Team ("CARE")*	The CARE Team strives to promote a safe and secure environment for our campus community and to maintain the safety, health, and well-being of the campus community through proactive, supportive, and collaborative approaches. 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 or pose a risk of harm. The CARE Team is founded on the principles of early intervention and proactive engagement to prevent violence and provide supportive interventions and services.	Students	Weekly team meetings, assessments as needed / requested	In-person meeting to determine mandated actions of intervention and support and electronic communication recommending programming as necessary	Safety and security, health and wellness, holistic support, and violence prevention	Dean of Students Office, 303-871-4261

Program Name	Explanation	Audience	Frequency	Method	Awareness and Prevention Targets	Primary Sponsor
Residence Hall Mandatory Floor Meetings	Housing & Residential Education (“HRE”) professional staff develop a facilitation guide and provide training for Resident Mentors. For students living on campus, mandatory floor meetings are scheduled on the day of move-in with residence hall staff and covers critical safety and security practices and expectations for living within a residential community.	Students living in a residential community	Once, fall quarter on the day of move-in	In-person meeting	Incident and crime reporting and responsibilities; increasing awareness of potential safety or security concerns and critical incidents including, but not limited to, sexual assault, interpersonal violence, robbery, assault, drug/alcohol crimes, burglary, theft	Housing and Residential Education (“HRE”)
HRE Student Staff Fall Training	Housing & Residential Education (“HRE”) professional staff develops comprehensive training for all residence hall and apartments community student staff (Resident Mentors, Apartment Managers, Community Assistants, and Desk Assistants) that covers critical safety and security practices and expectations of student leaders living within a residential community. This training occurs prior to the arrival as residential students and covers incident and crime reporting responsibilities including, but not limited to, critical safety and security practices, and expectations for residence hall and apartments communities’ student staff, expectations for students living within a residential community, and mandatory (responsible) employee responsibilities.	Resident Mentors, Apartment Managers, Community Assistants, and Desk Assistants	Annually, prior to the beginning of the fall quarter; individually as off-cycle staff are onboarded	In-person training	Incident and crime reporting and responsibilities; potential safety or security concerns including, but not limited to, sexual assault, interpersonal violence, robbery, assault, drug/alcohol crimes, burglary, theft, crime and risk mitigation; mandatory reporting responsibilities	Housing and Residential Education (“HRE”)
DU Campus Shuttle	On-Demand van service operating 7:00am- 7:00pm Monday - Friday during the academic year with various stops on and around campus. Free to students and employees. Shuttle locations are viewable in real time online on the Parking & Mobility Services Shuttle website .	Students, Faculty, Staff	Year round	Direct intervention ride service	Drug/alcohol crimes, sexual assault, robbery, assault, crime prevention, risk reduction	Parking and Mobility Services, 303-871-3210

Program Name	Explanation	Audience	Frequency	Method	Awareness and Prevention Targets	Primary Sponsor
International Student Orientation	During orientation, representatives from 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	Incoming international students	One large orientation at the start of the Fall term and three smaller orientation at the start of each quarter	A mix of in person presentation, online Canvas course, and pre-arrival information	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	ISSS
International Program Student Pre-Departure Orientation*	Experts from DU have developed an online training, via Canvas, to present to students on short-term study abroad programs focused on health safety and security issues. For more information, see the International Travel Pre-Departure Orientations Website .	DU Students participating on short-term academic trips abroad	Prior to departure on a short-term international program. Typically, once or twice during tenure as a DU student	Online via Canvas and in person as needed to supplement	Health, safety and security, sexual assault, drug and alcohol use, emergency planning, risk reduction, using travel insurance	Enterprise Risk Management
International Program Leaders Orientation*	Experts from DU have developed an online training, via Canvas, in order to present to staff and faculty overseeing students on short term trips abroad on health, safety and security issues and crime prevention. For more information, see the International Travel Pre-Departure Orientations Website .	DU Staff and Faculty working as Program Leaders with students during short term academic trips abroad	Periodically throughout the year, and at least every calendar year in which the Program Leader takes students abroad	Online via Canvas and in person as needed to supplement	Health, safety and security, sexual assault, drug and alcohol crimes, robbery, assault, burglary, theft, risk reduction, working with students in distress	Enterprise Risk Management
Bicycle Registration*	Optional bike registration for all bikes on DU campus through Parking and Mobility Services and theft prevention tips. Promoted by print, online marketing and orientations.	Students, Faculty, Staff	Ongoing	Registration program and marketing outreach	Theft, crime prevention, crime reporting	Parking and Mobility Services, 303-871-3210

Primary Prevention Programs and Ongoing Awareness Campaigns

DU engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking (“DVSAS”) that:

- Are culturally relevant, inclusive, 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:

- Include a statement that DU prohibits the crimes of sexual assault, dating violence, domestic violence and stalking as those terms are defined for purposes of the Clery Act;
- Define sexual assault, dating violence, domestic violence and stalking as those terms are defined under state law;
- Define what behavior and actions constitute consent to sexual activity under state law and the University’s Discrimination and Harassment Policy;
- Describe safe and positive options for bystander intervention;
- Provide information on risk reduction; and
- Include information regarding:
 - Procedures victims should follow if a crime of domestic violence, dating violence, sexual assault, or stalking occurs;
 - How DU will protect the confidentiality of victims and other necessary parties;
 - Existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available within DU and in the community;
 - Options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures; and
 - Procedures for addressing complaints of alleged dating violence, domestic violence, sexual assault, or stalking.

Health and Well-being Promotion

Health and Well-being Promotion conducts training about DVSAS, referred to as gender-based violence within the training, consent, healthy relationships, and bystander intervention strategies. Civil Rights and Equal Opportunity and Campus Safety often collaborate to provide awareness materials and group education presentations for DU programs, University owned or operated housing, Greek houses, classes and any other student and employee groups.

DU’s Office of Civil Rights and Equal Opportunity

All DU faculty and staff are required to complete Title VI and Title IX training that addresses DU’s prohibition against discrimination, harassment, and DVSAS, and their requirements as Responsible Employees. This training for faculty and staff is introduced in new employee orientation meetings and is facilitated during either live or online training sessions. This training encourages employees to connect those reporting discrimination, harassment, DVSAS and other forms of misconduct with the

appropriate campus resources. This training is also available to be facilitated on request by the Office of Civil Rights and Equal Opportunity.

Faculty and staff also receive training consistent with the Clery Act, as amended by the Violence Against Women Act (“VAWA”), and all DU employees responsible for the intake, investigation and facilitation of hearing processes associated with an incident of DVSAS receive training. This includes but is not limited to designated personnel in the Office of Civil Rights and Equal Opportunity, the Office of Student Rights & Responsibilities, Outcome Council members, and appellate officers.

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. Programs with an asterisk are also available virtually to our Western Colorado and Four Corners Campuses.

Offered to DU Students

Program Name	Explanation	Audience	Frequency	Method	Awareness and Prevention Targets	Primary Sponsor
Sexual Assault Prevention Undergraduates; Sexual Assault Prevention Graduate Students*	Mandatory online training for all new students. This required course identifies discrimination, harassment, and gender-based violence (all forms of sexual assault, dating violence, domestic violence, and stalking) as Prohibited Conduct under DU's Discrimination and Harassment Policy, defines what behavior constitutes interpersonal violence under federal law, defines what behavior and actions constitute consent to sexual activity under DU's Discrimination and Harassment Policy and pursuant to Office of Civil Rights and Equal Opportunity ("CREO") Comprehensive Discrimination and Harassment Procedures and Title IX Sexual Harassment Procedures, and provides information on safe and positive options and strategies for bystander intervention and risk reduction.	Students	Upon Enrollment	Online interactive training and test	Ongoing training that emphasizes healthy relationship skills, tactics for bystander intervention among close friends, and survivor empathy	Office of Civil Rights and Equal Opportunity; Health and Well-being Promotion
Student Staff Development: Responding to Crime and Interpersonal Violence	In-person training for HRE student workers designed to identify the correct reporting protocols when there is a disclosure of discrimination and harassment, including gender-based violence (all forms of sexual assault, dating violence, domestic violence, and stalking). This course defines Prohibited Conduct under DU's Discrimination & Harassment Policy, teaches HRE student workers about their obligation to report incidents, and information about how to respond and support students who have experienced these behaviors	HRE student workers	Annual	In-person interactive scenario-based training	Prohibited Conduct under discrimination, harassment, gender-based violence, and reporting policy/protocol (responsible or confidential employee)	Office of Civil Rights and Equal Opportunity; Campus Safety; Health and Well-being Promotion

Program Name	Explanation	Audience	Frequency	Method	Awareness and Prevention Targets	Primary Sponsor
Red Zone Campaign*	The Red Zone campaign utilizes various modes of exposure (yard signs, printed material, digital media via social media accounts, informational/resource tabling, in-person presentations, 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 six (6) weeks of the Fall term, when new students are at a heightened risk for being targeted by perpetrators of sexual assault. The Red Zone campaign focuses on providing resource information to incoming students on topics related to gender-based violence (specifically sexual assault and sexual harassment).	Students	First six weeks of the Fall term	In-person presentation, informational tabling, digital media via social media accounts, printed materials	Interpersonal violence (specifically sexual assault and sexual harassment), consent, bystander intervention, risk reduction, alcohol and other drug awareness	Health and Well-being Promotion
Intervene: DU Active Bystander Intervention Workshop*	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, and interpersonal violence. This workshop is required for all incoming students to attend and is an introduction to active bystander intervention	First-year and transfer students	Ongoing; Offered daily in Autumn Quarter multiple times a week. Deadline for all new students in the Autumn Quarter is October 30 th .	In-person training	Interpersonal violence (specifically sexual assault and sexual harassment), consent, bystander intervention, risk reduction, alcohol and other drug awareness.	Health and Well-being Promotion
Open Workshop - "Swipe Right: Introduction to Healthy Relationships"**	This workshop uses a fictional relationship as it develops between two people to explore topics such as: relationship red/green flags, conflict resolution, consent, and interpersonal violence (including sexual harassment, sexual assault, dating violence, and stalking). Students will be introduced to violence prevention strategies as well as resources that support those who may have experienced harm.	Students	Ongoing; periodic throughout the year	In-person training	Interpersonal violence (including sexual assault, dating/domestic violence, sexual harassment, and stalking), bystander intervention, risk reduction.	Health and Well-being Promotion

Program Name	Explanation	Audience	Frequency	Method	Awareness and Prevention Targets	Primary Sponsor
Interpersonal Violence Prevention and Outreach Programs	Custom workshops, presentations, and other outreach efforts to students and the DU Community regarding topics that relate to interpersonal violence	Students	Ongoing; periodic throughout the year	In-person workshops, presentations, informational/resource tabling, etc.	Interpersonal violence (including sexual assault, dating/domestic violence, sexual harassment, and stalking), consent, bystander intervention, risk reduction	Health and Well-being Promotion
Thrive Peer Educators	The Thrive Peer Educators are a select group of undergraduate students who educate the DU community on health and well-being topics, such as interpersonal violence prevention, active bystander skills, sexual health, , mental health, alcohol and other drugs, and holistic well-being through awareness tables, pop-up events, and other Health and Well-being Promotion programs and training	Students	Ongoing; periodic throughout the year	In-person workshops, informational/resource tabling, awareness campaigns, and events	Interpersonal violence (including sexual assault, dating/domestic violence, sexual harassment, and stalking), consent, bystander intervention, risk reduction, alcohol and other drug awareness	Health and Well-being Promotion
FSL New Member Orientation	This workshop is designed to support new members of Fraternity and Sorority Life (FSL) as they explore topics such as alcohol and other drug education, consent and violence prevention, social scripts, and accountability.	All new members of fraternities and sororities	Autumn Quarter	In-person training	Interpersonal violence prevention, hazing, bystander intervention, risk reduction.	Health and Well-being Promotion & Fraternity and Sorority Life ("FSL")

Program Name	Explanation	Audience	Frequency	Method	Awareness and Prevention Targets	Primary Sponsor
NCAA Title IX Compliance Training – “Swipe Right: Introduction to Healthy Relationships”	This workshop uses a fictional relationship as it develops between two people to explore topics such as: relationship red/green flags, conflict resolution, consent, and interpersonal violence (including sexual harassment, sexual assault, dating violence, and stalking). Students will be introduced to violence prevention strategies as well as resources that support those who may have experienced harm	First-Year and Transfer Student Athletes	Autumn Quarter (extending into Winter Quarter as needed)	In-person training	Interpersonal violence (including sexual assault, dating/domestic violence, sexual harassment, and stalking), bystander intervention, risk reduction.	Health and Well-being Promotion and The Office of Civil Rights and Equal Opportunity (“CREO”)
NCAA Title IX Compliance Training – “Choose Your Own Adventure: Healthy Relationships Edition”	This workshop helps students: 1.) discuss the impact that substances can have on consent – including ways to navigate consent when substances are involved, 2.) identify strategies for intervening on friends’ harmful behavior and holding them accountable, 3.) review the cycle of relationship abuse, and 4.) explore how to cope with rejection and break-ups in healthier ways – including how to support others.	Second-Year Student Athletes	Autumn Quarter (extending into Winter Quarter as needed)	In-person training	Interpersonal violence (including sexual assault, dating/domestic violence, sexual harassment, and stalking), bystander intervention, risk reduction.	Health and Well-being Promotion and The Office of Civil Rights and Equal Opportunity (“CREO”)

Offered to DU Students, Faculty, and Staff

Program Name	Explanation	Audience	Frequency	Method	Awareness and Prevention Targets	Primary Sponsor
Support a Survivor Workshop*	This workshop provides information on how to respond to disclosures of interpersonal violence in a trauma-informed way and how to connect survivors and those impacted by interpersonal violence with resources.	Students, Faculty, and Staff	Ongoing; periodic throughout the year (as requested)	In-person or online training	Trauma-informed care, interpersonal violence services	CAPE
Introduction to Self Defense	In response to requests from the community, the Department of Campus Safety now offers free, basic self-defense classes for students, staff and faculty of all genders. These courses go over basic self-defense and risk- avoidance techniques. The class is perfect for community members who want to feel prepared to defend themselves if necessary.	Students, Faculty, and Staff	Offered upon request	In-person class	Sexual assault, robbery, assault, risk reduction	Department of Campus Safety, 303-871-2334 (1-2334)
Mace in Your Face	45 min – Participants will learn about the legal aspects and medical considerations for carrying and using pepper spray for their own personal safety. The course includes practical skill exercises using inert pepper spray canisters.	Students, Faculty, and Staff	Offered upon request	In-person class	Sexual assault, robbery, assault, risk reduction	Department of Campus Safety, 303-871-2334 (1-2334)
Campus Safety Security Escorts	On request, Campus Safety Officer escort for anyone on campus, from and to any campus location, provided by the Department of Campus Safety with a call to the Campus Safety Communications Center. Promoted through student and parent orientations, online and printed materials.	Students, Faculty, and Staff	As requested, year round, 24-hours per day	In-person safety escort	Sexual assault, robbery, assault, risk reduction	Department of Campus Safety, 303-871-2334 (1-2334)
Domestic Violence Awareness Month (“DVAM”) Events	During DVAM, we host a series of awareness events for the entire DU Community taking place in October each year. Health and Well-being Promotion partners with other DU campus offices and student organizations to put on programs during this month to raise awareness of dating/ domestic violence among college students and to provide prevention programs.	Students, Faculty, and Staff	Annually in October	In-person workshops, informational/ resource tabling, awareness campaigns, and events	Interpersonal violence (specifically dating/domestic violence), bystander intervention, risk reduction	Health and Well-being Promotion

Program Name	Explanation	Audience	Frequency	Method	Awareness and Prevention Targets	Primary Sponsor
Stalking Awareness Month (“STAM”) Events	During STAM, we host a series of awareness events for the entire DU Community taking place in January each year. Health and Well-being Promotion partners with other DU campus offices and student organizations to put on programs during this month to raise awareness of stalking among college students and provide prevention programs.	Students, Faculty, and Staff	Annually in January	In-person workshops, informational/resource tabling, awareness campaigns, and events	Interpersonal violence (specifically stalking), bystander intervention, risk reduction.	Health and Well-being Promotion
Love + Sex + Health Week	During Love + Sex + Health Week, we host a series of events for the entire DU Community taking place in February each year. Health and Well-being Promotion partners with other DU campus offices and student organizations to put on programs during this week to increase education and promote healthy behaviors related to sexual health and interpersonal relationships.	Students, Faculty, and Staff	Annually for one week in February	In-person workshops, informational/resource tabling, awareness campaigns, and events	Interpersonal violence (specifically sexual assault), consent, risk reduction	Health and Well-being Promotion
Sexual Assault Awareness Month (“SAAM”) Events	During SAAM, we host a series of awareness events for the entire DU Community taking place in April each year. Health and Well-being 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.	Students, Faculty, and Staff	Annually in April	In-person workshops, informational/resource tabling, awareness campaigns, and events	Interpersonal violence (specifically sexual assault and sexual harassment) consent, bystander intervention, risk reduction	Health and Well-being Promotion
Trauma-Informed Leadership Training*	This program trains individuals in higher education how to support students who identify as trauma survivors and how to increase the inclusivity and efficiency of on-campus programs, and offices.	Staff, Student Affairs Graduate Assistants, DU Student Workers	Ongoing; periodic throughout the year (as requested)	In-person training	Trauma-informed care, interpersonal violence services	CAPE

Program Name	Explanation	Audience	Frequency	Method	Awareness and Prevention Targets	Primary Sponsor
NCAA Sexual Violence Prevention Education	Online and/or in person training for all student-athletes, coaches, and athletic division staff members. This course is required by the NCAA, the principles of which are Intercollegiate athletics departments (coaches, staff, and student-athletes) should be informed on and integrated in overall DU policy and to DU's Comprehensive Discrimination and Harassment Procedures, Title IX Sexual Harassment Procedures, and processes addressing sexual violence prevention and acts of sexual violence, particularly those related to adjudication and resolution of matters related to sexual violence.	Student-athletes, coaches, athletic department staff	Annual	Online and in person interactive training	Sexual violence prevention and adjudication	Office of Civil Rights and Equal Opportunity, Health and Counseling Center, and the Department of Athletics & Recreation
CREO Training and Responsible Employees*	Online and in person training for all faculty, staff, and student workers that are designated as responsible employees under DU policy. This required course identifies discrimination, harassment, and gender-based violence (sexual assault, domestic/dating violence and stalking) as Prohibited Conduct under DU's Discrimination & Harassment Policy, and their obligation on how to report incidents pursuant to DU policy.	Employees	Upon hire, as changes to the law require and upon request by departments or colleges	Online and in person interactive training	Harassment, discrimination, gender-based violence, mandatory reporting	Office of Civil Rights and Equal Opportunity
Harassment and Discrimination Prevention for Non-Supervisors*	Online training for all faculty, staff, and student workers that are designated as responsible employees under VAWA and Title IX. This required Vector Solutions course identifies discrimination, harassment, and gender-based violence (domestic/dating violence and Stalking) as Prohibited Conduct under DU's Discrimination & Harassment Policy, and their obligation on how to report incidents pursuant to DU policy.	Employees	Upon hire and as law updates require	Online interactive training	Harassment, discrimination, gender-based violence, mandatory reporting	Office of Civil Rights and Equal Opportunity and Human Resources & Inclusive Community

Program Name	Explanation	Audience	Frequency	Method	Awareness and Prevention Targets	Primary Sponsor
Discrimination and Harassment Prevention for Supervisors*	Online training for all faculty, staff, and student workers that are designated as responsible employees under VAWA and Title IX. This required Vector Solutions course identifies discrimination, harassment, and gender-based violence as Prohibited Conduct under DU's Discrimination & Harassment Policy, and their obligation on how to report incidents pursuant to DU policy. Additionally, this course defines a supervisor's responsibilities when harassment and/or discrimination is reported to them	Supervisors	Upon hire and as law updates require	Online interactive training	Harassment, discrimination, gender-based violence, Reporting policy (Responsible employee)	Office of Civil Rights and Equal Opportunity and Human Resources & Inclusive Community
Understanding Title VI	Online training for all faculty and staff that are designated as responsible employees. This required Vector Solutions course called "Understanding Title VI" is a comprehensive course designed to educate participants about Title VI of the Civil Rights Act of 1964, its application in educational settings, and the obligations of both institutions and individuals. This course examines the legal framework that prohibits discrimination based on race, color, or national origin in programs and activities receiving federal financial assistance. Through real-world scenarios and personal narratives, participants will learn to identify various forms of discrimination, understand the differences between intentional discrimination and disparate impact, analyze examples of discrimination in academic environments, and develop pro-social strategies for perspective-taking and bystander intervention	Employees	Upon hire and offered as an annual training, as determined by CREO	Online interactive training	Harassment, discrimination, and mandatory reporting	Office of Civil Rights and Equal Opportunity

Violence Against Women Act (“VAWA”)

Disclosure to Alleged Victims of Violence or Non-Forcible Sex Offenses

DU will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in 18 U.S.C. § 16.), or a non-forcible sex offense (Incest or Statutory Rape), the report on the results of any disciplinary proceeding conducted by DU 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.

Prohibition on Sexual Harassment

DU prohibits all forms of sexual harassment and sexual violence, which include, but are not limited to, the offenses of domestic violence, dating violence, sexual assault, and stalking (“DVSAS”). DU officials respond swiftly to all reports of these incidents to provide support services for those who have experienced DVSAS; protect the rights of all students, employees, and campus visitors under DU’s Title IX and Clery obligations; apply the DU Discrimination and Harassment Policy and the Honor Code, and other applicable policies and procedures; and cooperate fully with law enforcement officials.

DVSAS are reportable crimes under the 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 Honor Code and the DU Discrimination and Harassment Policy, which applies to DU students, employees, and visitors.

Violence Against Women Act (“VAWA”) Definitions

Federal definitions and terminology for the offenses of sexual assault, dating violence, domestic violence, and stalking are included in this report under the definitions of reportable crimes. State law and DU 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.

Domestic Violence (State of Colorado Definition)

State Definition (C.R.S. 18-6-800.3): 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” means 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

Dating Violence (State of Colorado Definition)

State Definition: The State of Colorado does not have a state statute/definition for “dating violence.”

Stalking (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, contacts, 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
- Makes 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 purposes 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 distress.

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

Sexual contact (C.R.S. 18-3-401) - 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. The knowing emission or ejaculation of seminal fluid onto any body part of the victim or the clothing covering any body part of the victim. Knowingly causing semen, blood, urine, feces, or a bodily substance to contact any body part of the victim or the clothing covering any body part of the victim if that contact with semen, blood, urine, feces, or a bodily substance is for the purpose of sexual arousal, gratification, or abuse.

Sexual intrusion (C.R.S. 18-3-401) - 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 (C.R.S. 18-3-401) - sexual intercourse, cunnilingus, fellatio, anilingus, 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.

C.R.S. § 18-3-402 Sexual Assault (Includes Statutory Rape)

Any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if:

- The actor causes sexual intrusion or sexual penetration knowing the victim does not consent; or
- The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or
- The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or
- 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

- 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
- 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
- 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
- The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented.

C.R.S. § 18-3-404 Unlawful Sexual Contact

Any actor who knowingly subjects a victim to any sexual contact commits unlawful sexual contact if:

- The actor knows that the victim does not consent; or
- The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or
- The victim is physically helpless and the actor knows that the victim is physically helpless and the victim has not consented; or
- 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
- Repealed.
- 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
- 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.

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.

C.R.S. § 18-6-301 Incest

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.

C.R.S. § 18-6-302 Aggravated Incest

A person commits aggravated incest when he or she knowingly:

- 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.

- 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.

Statutory Rape

Statutory rape is prosecuted under Colorado’s sexual assault law described above.

Consent (State of Colorado Definition)

C.R.S. § 18-3-401 Definitions

“Consent” means 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 under the provisions of this part 4. Submission under the influence of fear shall not constitute consent. Nothing in this definition shall be construed to affect the admissibility of evidence or the burden of proof in regard to the issue of consent under this part 4.

Consent as Defined in DU’s Discrimination and Harassment Policy

For all forms of Sexual Assault set forth in the Discrimination and Harassment Policy, Consent is (1) mutually understandable, clear, knowing and voluntary affirmative permission (2) given through clear words or actions (3) regarding the willingness to engage in and the conditions for sexual activity.

Consent cannot be obtained by:

- Incapacitation, which means that a person 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.
 - A person who is incapacitated is unable, temporarily or permanently, to give Consent because of mental or physical helplessness, sleep, unconsciousness, or lack of awareness that the sexual activity is taking place.
 - A person may be incapacitated as a result of the consumption of alcohol or other drugs or due to a temporary or permanent physical or mental health condition.
 - Consent cannot be gained by taking advantage of the incapacitation of another, where the person initiating sexual activity knew or reasonably should have known that the other was incapacitated.
 - A person may also lack capacity because of their age.
- Force, which means physical violence involving a person exerting control over another person through the use of physical force. Examples of physical violence include hitting, punching, slapping, kicking, restraining, strangling, and brandishing or using any weapon.
- Threats, which are words or actions that would compel a reasonable person to engage in unwanted sexual activity. Examples include threats to harm a person physically, to reveal private information to harm a person’s reputation, or to cause a person academic or economic harm.
- Coercion, which is the use of an unreasonable amount of pressure to induce participation in sexual activity. Coercion is more than an effort to persuade, entice, or attract another person to have sex. When a person makes clear a decision not to participate in a particular form of sexual contact or sexual intercourse, a decision to stop, or a decision not to go beyond a certain sexual interaction, continued pressure can be coercive. In evaluating whether coercion was used, the University will consider:
 - the frequency of the application of the pressure,

- the intensity of the pressure,
 - the degree of isolation of the person being pressured, and
 - the duration of the pressure.
- Abuse of Power, which 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 (e.g., grading, performance evaluation).

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, Office of Civil Rights and Equal Opportunity, 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.

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 would 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 survivor. Even if you do/did none of these things, you do not deserve to experience sexual assault. These are tips meant to empower a person.

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 and 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 their mind after saying yes
 - Being pressured or coerced to say 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, they really do 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.

Procedures for Victims of Domestic Violence, Dating Violence, Sexual Assault, and Stalking (“DVSAS”) or Harassment

DU is committed to providing support and assistance to all members of our DU community who are impacted by discrimination, harassment, and DVSAS. DU prohibits all forms of discrimination, harassment (including sexual harassment) and DVSAS.

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, provides free and 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 DVSAS 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 a 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 Forensic Exam (“MFE”), also known as a Sexual Assault Nurse Examiner (“SANE”) forensic exam, may be completed up to seven 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 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. More information about [MFEs is available on the HCC website](#).
- **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 because 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 is available. Trained medical staff may also assist you in collecting and preserving evidence and connecting you to victim advocacy support or to law enforcement. You do not need to report to law enforcement to access medical care.

- DU 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 MFE. Choosing to have a MFE does not require an individual to formally report or participate in a law enforcement investigation.
- A MFE is performed by a specially trained registered nurse. The exam is tailored to provide victims of sexual assault with trauma-informed medical treatment, and to collect forensic evidence in the event a victim 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

In partnership with Denver Health, the Health and Counseling Center at DU is able to offer a MFE on campus, Monday-Friday between the hours of 8:00 am - 2:00 pm.

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 MFE process and help arrange for transportation to the hospital or accompany the victim to the HCC. 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 [the CAPE website](#).

Amnesty for Personal Use of Drugs or Alcohol: DU recognizes that students may be reluctant to seek assistance from a University official or emergency services after experiencing Prohibited Conduct (as defined under the University's Discrimination and Harassment Policy) or may be reluctant to seek assistance for themselves or others who may have experienced Prohibited Conduct because they fear being held responsible under the Honor Code for alcohol or drug violations related to the incident. DU generally will not initiate a formal conduct process under the Honor Code **if** a student makes a good faith report to a DU official, contacts emergency services, or participates as a Party or Witness in **any resolution** 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. However, DU does not extend this amnesty to (1) the distribution or sale of alcohol or other drugs; or (2) the provision of alcohol or other drugs to another individual for the purposes of inducing incapacitation as defined in the Policy. When granting amnesty for the personal use of drugs or alcohol, DU may, however, refer the student for an evaluation related to their health status or substance use; engage with the student in an assessment

or educational discussion or pursue other non-disciplinary options regarding alcohol or other drug use. DU also provides Medical Amnesty Process 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 protection 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 (University Park Campus) is located at:

Denver County Court
1437 Bannock Street, Courtroom 159, Denver
Phone: 720.865.7285
<https://www.denvergov.org/files/assets/public/v/1/city-attorneys-office/documents/protection-and-restraining-orders.pdf/>

The Protection Order Courtroom in Garfield County (Western Colorado Campus) is located at:

Garfield County Courthouse
109 8th Street, Suite 104, Glenwood Springs
Phone: 970.928.3065

The Protection Order Courtroom in La Plata County (Four Corners Campus) is located at:

La Plata County Courthouse
1060 E 2nd Ave, Suite 106, Durango
Phone: 970.247.2304

CAPE can provide support to any DU community member and help navigate the process of obtaining a civil protection order.

If a protection order is issued, you may elect to provide Campus Safety with a copy of the order, so the information is on file in case the order is violated on any DU owned or controlled property.

If the violation is in progress, call 9-1-1 and the appropriate law enforcement authority will respond. Campus Safety can contact the Denver Police Department to respond to violations of court issued protection orders that occur on the University Park 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 protection 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 have made an allegation of DVSAS may request a Mutual No Contact Order and/or Location Restriction Order, if the other party is affiliated with DU.

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 DU deems appropriate under the circumstances.

A Location Restriction Order is a written directive for one or more identified parties not to enter a designated portion of University Premises. 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 can be requested through the following DU departments:

- Department of Campus Safety (303.871.2334)
- Office of Student Rights and Responsibilities (303.871.2455)
- Office of Civil Rights and Equal Opportunity (303.871.7016)
- CAPE (303.871.3853)
- Or by completing the [No Contact Order Request form](#):

Additional information can be found on the [SRR No Contact & Location Restriction Orders website](#).

DU Department of Campus Safety - Trespass Order: If an allegation of DVSAS is against a person not affiliated with DU, and the violation was committed against a DU community member or on campus or other DU controlled building or property, Campus Safety may be able to issue a Trespass Notification, banning the accused from all University Premises. If the Trespass Notification is violated, victims should report the violation to Campus Safety. Campus Safety will notify local law enforcement authorities.

Consider options for assistance, support, resources and on- and off-campus services. As a student, faculty, or staff victim of DVSAS, requests may be made to DU for supportive measures such as accommodations, and/or other reasonable assistance. After an incident of DVSAS, DU works with students, 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.

For more information, contact the following:

- 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 [the CAPE website](#).
- Title IX Coordinator at 303.871.7016. Additional contact methods include: CREO@du.edu; or at [the CREO website](#).
- Department of Campus Safety at 303.871.2334. Additional information on resources can be obtained on the [Campus Safety website](#).

It is important that victims of DVSAS know they are not alone, and DU hopes victims feel comfortable reaching out for the support they need. There are many options for seeking support, including: Campus Safety, CAPE, a Resident Mentor or Apartment Manager, a Resident Services Coordinator

or Incident Response Coordinator, the police, a friend, a rape crisis center, a hospital, a counselor, the Office of Civil Rights and Equal Opportunity 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.**

Reporting Options

DU encourages all individuals to seek assistance from a medical provider, as needed, and/or law enforcement immediately after an incident of DVSAS, whether or not the individual plans to pursue criminal action. Preserving any physical evidence is helpful for successful investigation, arrest, and prosecution of the perpetrator(s) and may be helpful in obtaining a protective order. A victim of DVSAS has many reporting options. DU students, faculty, and staff members may, as a victim of DVSAS, elect, or decline, to notify Campus Safety or local law enforcement. If the victim chooses to file a police report, DU can assist with the process. A victim may also choose to report the incident to the appropriate DU 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 DVSAS or harassment is encouraged to report the incident as soon as possible to the local police department. If the incident occurred at properties owned or controlled by DU outside of the Denver Police Department's jurisdiction, DU can assist in determining the jurisdictional boundary as well as with contact information for the appropriate law enforcement agency if requested. As a DU student or employee, it is your right and decision to choose to report or decline to report the incident to law enforcement authorities.

To make a report with the Denver Police Department for crimes that occur at the University Park Campus, you may call them at 720-913-1300 or visit the police department at their District 3 Facility at 1625 S University Blvd, Denver, CO 80210. To make a report with the Glenwood Springs Police Department for crimes that occur at the Western Colorado Campus, you may call them at 970-384-6500 or visit the police department at 101 W 8th St, Glenwood Springs, CO 81601. To make a report with the Durango Police Department for crimes that occur at the Four Corners Campus, you may call them at 970-385-2900 or visit the police department at 990 E 2nd Ave, Durango, CO 81301. 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 additional information on each police department, you may visit their websites listed below.

- [Denver Police Department Website](#)
- [Glenwood Springs Police Department Website](#)
- [Durango Police Department Website](#)

If you choose to report to the police, the DU offices below can assist with the process if you choose to request assistance.

- The Office of Civil Rights and Equal Opportunity ("CREO") at 303.871.7016.
- CAPE at 303.871.3853
- The Department of Campus Safety at 303.871.3000 (emergency) or 303.871.2334 (non-emergency)

When DVSAS or harassment is committed, the first concern is your safety and well-being. DU recognizes the sensitive nature of these crimes and respects your right to privacy and choice.

University of Denver Department of Campus Safety

Campus Safety maintains the privacy of individuals who report crimes to the Department in accordance with state and federal law. However, if a report of DVSAS is reported to Campus Safety, even if the victim does not want action taken by the Department, 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 and the [University's Reporting By University Employees of Disclosures Relating to the University's Discrimination and Harassment](#) policy.

A Campus Safety report is considered a law enforcement record exempt from restrictions under the Family Educational Rights and Privacy Act of 1974 ("FERPA"). Because the University of Denver is a private university, the University is not subject to the Freedom of Information Act and corresponding state laws. DU treats all records as confidential and complies with all applicable laws.

The Daily Crime Log maintained by Campus Safety does not disclose any personally identifying information that may identify a victim or disclose the location of a victim, in accordance with [Title 34 USC § 12291](#), 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 license number, passport number, or student identification number; and
- any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual."

Reporting to the University (All Students, Faculty, or Staff)

Additional University reporting options, include, but are not limited to:

- DU's Office of Civil Rights and Equal Opportunity ("CREO") (303.871.7016 or 1-7016)
- DU's Center for Advocacy, Prevention and Empowerment ("CAPE") (303.871.3853 or 1-3853). This is a confidential resource.
- The Counselor on Call (After normal business hours at 303.871.2205 or 1-2205)
- Any Campus Security Authority at DU

Use one of the online reporting options on the [DU Report It website](#).

Resources and Institutional Assistance

DU has procedures in place that strive to be sensitive to those who report DVSAS and gender-based discrimination or harassment. DU provides victims of DVSAS and gender-based discrimination or harassment written notification of their rights and options.

This includes informing victims, in writing, about their right to file criminal charges, as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, 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 that pertains to supportive measures DU will provide to prevent contact between them and a respondent.

DU endeavors to accommodate a student's reasonable request for a living and/or academic situation change following DVSAS. Supportive measures are provided regardless of whether the victim 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.

Protecting Victim Confidentiality

DU recognizes the sensitive nature of DVSAS. 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 confidentiality to victims. DU will protect the confidentiality of victims of DVSAS and other harassment in accordance with federal and state laws.

- Reports made to designated confidential on-campus resources: The confidential resource may talk to victims without revealing any identifying information about them to anyone else at DU, including CREO 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 confidential counselors and advocates without triggering a DU or police investigation.
- Reports made to law enforcement: A victim who reports to the Denver Police Department or other law enforcement 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.
- Reports made to CREO: CREO seeks to protect the privacy of all individuals throughout all phases of the complaint resolution process. While CREO 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.
- Supportive Measures: DU will maintain as confidential any supportive measures to the extent that maintaining such confidentiality would not impair the ability of the University to provide the supportive measures.
- 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 Campus Safety does not publish the name of crime victims as part of its mandated Clery Act reporting, nor does Campus Safety keep identifiable information regarding victims in the daily crime log or fire log.

Title IX Procedures for Reported Dating Violence, Domestic Violence, Sexual Assault, and Stalking ("DVSAS")

DU officials respond swiftly to all reports of DVSAS to provide supportive measures (also called protective measures under the Clery Act) for those who have experienced DVSAS; protect the rights of all DU students, faculty, and staff members and campus visitors consistent with DU's Title IX and Clery Act obligations; apply applicable policies and procedures to DU students and employees; and cooperate fully with law enforcement officials to the extent of the law.

Complaints of DVSAS and other forms of harassment may be resolved pursuant to DU's Discrimination and Harassment Policy and applicable CREO procedures. The procedures seek to encourage faculty, staff, and students to report and address incidents of DVSAS and harassment.

Investigations pursuant to the applicable CREO procedures are conducted by CREO investigators or external investigators appointed by CREO who do not have a conflict of interest or bias for or against the complainant or the respondent and receive annual specialized training on issues related to DVSAS.

A copy of DU's Discrimination and Harassment Policy, Comprehensive Discrimination and Harassment Procedures, and Title IX Sexual Harassment Procedures are included in this report. The policy and procedures describe:

- Each type of proceeding used by the University; the steps, anticipated timelines, and decision-making process for each type of disciplinary proceeding; and how the University determines which type of proceeding to use based on the circumstances of an allegation of DVSAS.
- The standard of evidence that will be used during the University's disciplinary proceeding arising from an allegation of DVSAS.
- Possible disciplinary action or outcome that the University may impose following the results of any University disciplinary proceeding for an allegation of DVSAS.
- The range of supportive measures the University may offer following an allegation of DVSAS.
- A prompt and equitable process – from the initial notice to the final result.
- The ability for accusers (“complainants” in the University’s policy and procedures) and the accused (“respondent” in the University’s policy and procedures) to receive the same opportunities to have others present during any University disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice.
- Not limiting the choice of advisor or presence for either the complainant or the respondent in any meeting or University disciplinary proceeding, however, the University does impose restrictions on the advisor’s participation in the proceedings.
- The simultaneous written notification to the complainant and respondent of:
 - the results of any University disciplinary proceeding that arise from an allegation of DVSAS,
 - the University’s procedures for the respondent and the complainant to appeal the result of the University disciplinary proceeding,
 - any changes to the results, and
 - when such results become final.

A complete copy of DU's policies and procedures governing DVSAS (sexual misconduct) can also be reviewed and downloaded on the [CREO website](#).

The Campus Sex Crimes Prevention Act

The federal Campus Sex Crimes Prevention Act (“CSCPA”) 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 DU, as noted above, should be directed to:

Denver Police Department – Administration Building
1331 Cherokee Street Denver, CO
In-Person: Monday – Friday 8:00am to 4:00pm, 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](#)
- [Colorado Public Sexual Offender Tracking and Registration](#)
- [Colorado Bureau of Investigation](#)
- [National Sex Offender Public Website](#)

DU Discrimination and Harassment Policy

I. INTRODUCTION

The University is an institution of higher learning dedicated to open inquiry and the exchange of ideas where community members are curious, speak and listen open-mindedly, and learn from the past in order to shape the future. The University has a long history of supporting academic freedom and freedom of expression and providing a forum where competing ideas and perspectives can co-exist.

The University is also committed to creating and maintaining a safe, welcoming, and inclusive learning, living and working environment in which community members are treated with dignity, decency, and respect. The accomplishment of this goal is essential to the academic mission of the University.

This Policy is consistent with the University's deep commitments to both protecting individuals and groups from identity-based discrimination and harassment and preserving freedom of thought and expression. Discrimination, harassment, gender-based violence, and retaliation against members of the University community in violation of this Policy do not constitute protected expression or the proper exercise of academic freedom.

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's Office of Civil Rights and Equal Opportunity ("CREO") is responsible for enforcing this Policy pursuant to the University's Comprehensive Discrimination and Harassment Procedures and Title IX Sexual Harassment Procedures (collectively, the "Procedures"), which offer options for informal and formal resolution.

This Policy and the Procedures are intended to comply with the prohibitions of all applicable federal, state, and local non-discrimination laws.

II. POLICY OVERVIEW

A. Title IX

Consistent with federal laws and regulations, the University does not discriminate, nor does the University permit discrimination on the basis of sex in its Education Programs and Activities, including sexual misconduct, pay discrimination based on sex, discriminatory pay practices based on sex, and sex discrimination affecting compensation. The University has adopted the Title IX Sexual Harassment Procedures to implement this Policy, which provide for the prompt and equitable resolution of complaints alleging any action which would be prohibited by this Policy or by Title IX of the Education Amendment Act of 1972 ("Title IX"), which provides:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Discrimination on the basis of sex is also prohibited by Title VII of the Civil Rights Act of 1964 and state law.

B. Equal Opportunity/Title VI

The University also provides equal opportunity in employment, education activities, and other programs to all Employees, Students, and applicants. As required by federal, state, and/or local laws or regulations, the University prohibits discrimination in any condition of employment or opportunity because of, and does not discriminate based on, an individual's actual or perceived race, color, national origin (including shared ancestry or ethnic characteristics),¹ ancestry, age, religion, creed, disability, sex, sexual orientation, gender identity, gender expression, marital status, pregnancy, childbirth and related medical conditions,² genetic information,³ citizenship or immigration status,⁴ military enlistment, or veteran status (each a "Protected Status").

C. Federal Pay Transparency

Employees are not prohibited from discussing their salaries and/or compensation with other employees and non-employees. Consistent with the University's obligations under federal pay transparency regulations, 41 C.F.R. 60-1.35(c), the University will not discharge 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 University, or (c) consistent with the University's legal duty to furnish information.

D. Equal Pay Act, Colorado Equal Pay for Equal Work Act, and Pay Equity

The Equal Pay Act of 1963 and the Colorado Equal Pay for Equal Work Act prohibit discrimination on the basis of sex in the wage rate paid to members of a different sex performing substantially similar work, taking into account the skill, effort, and responsibility of the work.

The University is also committed to the principle of pay equity and expressly prohibits disparate pay on the basis of an employee's Protected Status. The University also prohibits pay discrimination based on sex, discriminatory pay practices based on sex, and sex discrimination affecting compensation.

¹ Consistent with the U.S. Department of Education's Office for Civil Rights' ("OCR") interpretation of higher education institutions' obligations under Title VI of the Civil Rights Act of 1964, the University will interpret national origin to include, among other categories, shared Jewish, Palestinian, Arab, Muslim, and/or South Asian ancestry or ethnic characteristics. The University will respond to reports of discrimination and harassment involving antisemitism, Islamophobia, or other unlawful discrimination based on actual or perceived shared ancestry or ethnic characteristics or citizenship or residency in a country with a dominant religion or distinct religious identity consistent with this Policy and the applicable Procedures.

² The University complies with prohibitions under federal and state law, as well as applicable ordinances, against discrimination on the basis of pregnancy, childbirth and related medical conditions in employment.

³ The University complies with prohibitions under federal law against employers harassing or discriminating against employees or applicants on the basis of genetic information in any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoffs, training, fringe benefits, or any other term or condition of employment.

⁴ The University complies with prohibitions under federal law against employers discriminating with respect to hiring, firing, or recruitment or referral for a fee, based on an individual's citizenship or immigration status.

E. Application

This Policy applies to Prohibited Conduct that allegedly occurred on or after the Effective Date of the Policy. For Prohibited Conduct that allegedly occurred prior to the Effective Date of the Policy, the Associate Vice Chancellor for Civil Rights and Equal Opportunity/Title IX Coordinator/Title VI Coordinator has the discretion to determine which version of the University's Discrimination and Harassment Policy will apply.

The Comprehensive Discrimination and Harassment Procedures and Title IX Sexual Harassment Procedures in effect at the time of the Complaint apply regardless of when the alleged Prohibited Conduct is said to have occurred.

This Policy applies to Students, Employees, and Third Parties and extends to all University activities, both on and off-campus.

For purposes of this Policy and the Procedures, Students are defined as any individual registered for or auditing classes at the University; admitted to or 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 ("Students"). An individual is also considered a Student under this definition 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 have been previously enrolled, but are on a leave of absence or otherwise have a continuing relationship with the University.

University employees are defined under this Policy and the Procedures as all full-time and part-time faculty, University staff, student workers, temporary employees, professional research staff, and post- doctoral fellows (collectively "Employees").

Third parties are defined under this Policy and the Procedures as consisting of contractors, vendors, visitors, guests, prospective students, applicants for employment, alumni or other third parties ("Third Parties").

F. Scope and Jurisdiction

For Title IX Prohibited Conduct, this Policy applies to conduct that occurs within the University's Education Program or Activity. The University's Education Program or Activity means those locations, events, and circumstances where the University exercises substantial control over both the Respondent and the context in which the conduct occurs, including any University on-campus premises and any building owned or controlled by a student organization that is officially recognized by the University.

For purposes of Discrimination/Harassment Prohibited Conduct, this Policy also applies to conduct that occurs outside of the University's Education Program or Activity but that poses a reasonable risk of harm to, has (or could reasonably be expected to have) a continuing adverse effect on, or creates a Hostile Environment based on a Protected Status for Students, Employees, or Third Parties while on campus or other property owned or controlled by the University or in any University Program or Activity.

For Students, this Policy applies to conduct that takes place from the date on which an individual meets the definition of a Student and until the Student withdraws, graduates, or is expelled. For Employees, this Policy applies to conduct that takes place from the date on which the

individual accepts an offer of employment with the University until their employment ceases. If a Student graduates, withdraws, or is expelled, or if an Employee voluntarily resigns or is terminated prior to final resolution of any matter, CREO has the discretion to retain jurisdiction in order to address the matter as necessary to fulfill the University's obligations under applicable laws and regulations. Third Parties are both protected from and subject to the restrictions on Prohibited Conduct in this Policy.

III. PROHIBITED CONDUCT UNDER THIS POLICY

The following conduct, collectively referred to as "Prohibited Conduct," is prohibited under this Policy:

A. Title IX Prohibited Conduct

Title IX Prohibited Conduct includes the following specifically defined forms of alleged conduct where the conduct occurred in the United States and in the University's Education Program or Activity. The Title IX Sexual Harassment Procedures apply to reports of Title IX Prohibited Conduct.

Title IX Prohibited Conduct is conduct on the basis of sex that satisfies one or more of the following:

1. Quid Pro Quo Harassment

Quid Pro Quo Harassment is conduct where an Employee of the University conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct.

Quid Pro Quo Harassment can occur regardless of whether the condition proposed by the Employee is communicated expressly or impliedly.

2. Sexual Harassment

Sexual Harassment is 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. Such conduct includes unwelcome conduct of a sexual nature and may include unwelcome conduct on the basis of sex.

The term "effectively denies" does not require a Complainant to be entirely physically excluded from educational opportunities and may be established when the conduct so undermines and detracts from the individual's educational experience.

3. Sexual Assault⁵

Sexual Assault is defined as any sexual act directed against another person, without the Consent of the victim, including instances where the other person is incapable of giving Consent. Sexual Assault includes the following:

⁵ The definitions in Section III.A.3.a through d and Section III.A.4 through 6 use the wording set forth in the offense definitions developed for the Federal Bureau of Investigation's Uniform Crime Reporting Program's National Incident-Based Reporting System ("NIBRS"). The University recognizes that Sexual Assault, including Rape, can occur between

a. Rape

Rape is 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 (Criminal Sexual Contact)

Fondling (Criminal Sexual Contact) is (1) the intentional touching of the clothed or unclothed body parts without the Consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation; or (2) the forced touching by the victim of the actor's clothed or unclothed body parts, without the Consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation. This offense includes instances where the victim is incapable of giving Consent because of age or incapacity due to temporary or permanent mental or physical impairment or intoxication for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

c. Incest

Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

d. Statutory Rape

Statutory Rape is sexual intercourse with a person who is under the statutory age of consent.

e. Consent

For all forms of Sexual Assault set forth above under this Policy, Consent is (1) mutually understandable, clear, knowing and voluntary affirmative permission (2) given through clear words or actions (3) regarding the willingness to engage in and the conditions for sexual activity.

Consent cannot be obtained by:

- i.** Incapacitation, which means that a person 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.
 - a.** A person who is incapacitated is unable, temporarily or permanently, to give Consent because of mental or physical helplessness, sleep, unconsciousness, or lack of awareness that the sexual activity is taking place.

individuals of the same or different sexes and/or gender identities. Because the University is using the language from the NIBRS offense definitions without alteration, these definitions use gendered pronouns.

- b. A person may be incapacitated as a result of the consumption of alcohol or other drugs or due to a temporary or permanent physical or mental health condition.
 - c. Consent cannot be gained by taking advantage of the incapacitation of another, where the person initiating sexual activity knew or reasonably should have known that the other was incapacitated.
 - d. A person may also lack capacity because of their age.
- ii. Force, which means physical violence involving a person exerting control over another person through the use of physical force. Examples of physical violence include hitting, punching, slapping, kicking, restraining, strangling, and brandishing or using any weapon.
- iii. Threats, which are words or actions that would compel a reasonable person to engage in unwanted sexual activity. Examples include threats to harm a person physically, to reveal private information to harm a person's reputation, or to cause a person academic or economic harm.
- iv. Coercion, which is the use of an unreasonable amount of pressure to induce participation in sexual activity. Coercion is more than an effort to persuade, entice, or attract another person to have sex. When a person makes clear a decision not to participate in a particular form of sexual contact or sexual intercourse, a decision to stop, or a decision not to go beyond a certain sexual interaction, continued pressure can be coercive. In evaluating whether coercion was used, the University will consider:
 - a. the frequency of the application of the pressure,
 - b. the intensity of the pressure,
 - c. the degree of isolation of the person being pressured, and
 - d. the duration of the pressure.
- v. Abuse of Power, which 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 (e.g., grading, performance evaluation).

4. Dating Violence

Dating violence is 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.

5. Domestic Violence

Domestic Violence is a felony or misdemeanor crime of violence committed:

- a. By a current or former spouse or intimate partner of the victim;
- b. By a person with whom the individual shares a child in common;
- c. By a person who is cohabiting with, or has cohabited with, the victim as a spouse or intimate partner;

- d. By a person similarly situated to a spouse of the individual under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- e. 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.

6. Stalking

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress.

For purposes of this definition,

- a. 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 another person, or interferes with a person's property.
- b. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- c. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

B. Discrimination/Harassment Prohibited Conduct

Discrimination/Harassment Prohibited Conduct includes the following specifically defined forms of alleged conduct when such conduct does not meet the definition of Title IX Prohibited Conduct.

The Comprehensive Discrimination and Harassment Procedures apply to reports of Discrimination/Harassment Prohibited Conduct. Discrimination/Harassment Prohibited Conduct is conduct that satisfies one or more of the following:

1. Discrimination

Discrimination on the basis of a Protected Status is an adverse action with respect to an individual's employment or participation in an education program or activity based, in whole or in part, upon the person's actual or perceived Protected Status.

Discrimination also includes an allegation of a failure to provide reasonable accommodations as required by law, such as for disability, religion, or creed.

2. Discrimination under the Equal Pay Act and/or Colorado Equal Pay for Equal Work Act

Discrimination under the Equal Pay Act and/or Colorado Equal Pay for Equal Work Act occurs when employees of one sex are paid wages at a rate less than the rate at which employees of a different sex are paid for substantially similar work (considering skill, effort including consideration of shift work, and responsibility), 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, (iv) the geographic location where the work is performed; (v) relevant education, training or experience; or (iv) travel, if the

travel is a regular and necessary condition of the work performed. For purposes of this provision wage means: (a) for hourly employees, the hourly compensation paid to the employee plus the value per hour of all other compensation and benefits received by the employee from the University; and (b) for salaried employees, the total of all compensation and benefits received by the employee from the University.

3. Harassment

Harassment is a form of discrimination based, in whole or in part, upon the person's actual or perceived Protected Status and includes Quid Pro Quo Harassment and Hostile Environment Harassment.

- a.** Quid Pro Quo Harassment is unwelcome, unwanted conduct when 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.
- b.** Hostile Environment Harassment is unwelcome conduct, based on the totality of the circumstances, that is subjectively and objectively offensive, and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the University's education program or activity.
 - i.** "Totality of the circumstances" may include the context, nature, scope, frequency, duration, and location of the alleged conduct, as well as the identity, number, and relationships of the persons involved.
 - ii.** "Objectively offensive" is based on how a reasonable person of the same Protected Status, under the same circumstances, would perceive the alleged conduct.
 - iii.** To create a hostile environment, the alleged conduct need not be targeted at the Complainant; rather the alleged conduct may be directed at any person, and the alleged conduct may also be based on their association with persons of one or more Protected Statuses.

4. Harassment under the POWR Act

- a.** For purposes of the University's compliance with the Colorado Protecting Opportunities and Workers' Rights ("POWR") Act, for an allegation by a University employee of harassment, the University defines harassment under the POWR Act as any unwelcome physical or verbal conduct or any written, pictorial, or visual communication directed at an individual or group of individuals because of that individual's or group's membership in, or perceived membership in, a protected class listed in the POWR Act (disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, religion, age, national origin, or ancestry), which conduct or communication is:
 - i.** Subjectively offensive to the individual alleging harassment; and
 - ii.** Objectively offensive to a reasonable individual who is a member of the same protected class.
- b.** The conduct or communication need not be severe or pervasive to constitute a discriminatory act or unfair employment practice under the POWR Act if:

- i. Submission to the conduct or communication is explicitly or implicitly made a term or condition of the individual's employment;
 - ii. Submission to, or objection to, or rejection of the conduct or communication is used as a basis for employment decisions affecting the individual; or
 - iii. The conduct or communication has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment.
- c. The nature of the work or the frequency with which harassment in the workplace occurred in the past is not relevant to whether the conduct or communication is a discriminatory or an unfair employment practice under the POWR Act.
- d. Petty slights, minor annoyances, and lack of good manners do not constitute harassment unless the slights, annoyances, or lack of manners, when taken individually or in combination and under the totality of the circumstances, meet the standards set forth in Section 4.a above.
- e. Because the scope of the POWR Act is limited to allegations by a University employee of harassment, the standard set forth above does not apply to allegations by a student of harassment outside of the context of their employment by the University.

5. Non-Consensual Sexual Contact

Non-Consensual Sexual Contact is (1) any intentional (not incidental or accidental), (2) sexual touching of the breasts, buttocks, groin, or genitals, (3) however slight, (4) with any object or body part, and (5) performed by a person upon another such person, without Consent.

Non-Consensual Sexual Contact may include (a) intentional touching of the breasts, buttocks, groin, or genitals, whether clothed or unclothed, or intentionally touching another with any of these body parts; and (b) making another person touch you or themselves with or on any of these body parts.

Nonconsensual Sexual Contact includes Sexual Assault that does not otherwise meet the definition of Title IX Prohibited Conduct.

6. Non-Consensual Sexual Intercourse

Non-Consensual Sexual Intercourse is (1) any penetration, (2) however, slight (3) with any object or body part (as described below) (4) performed by a person upon another person, (5) without Consent.

Examples of Non-Consensual Sexual Intercourse include (a) vaginal penetration by a penis, object, tongue, or finger; (b) anal penetration by a penis, object, tongue, or finger; and (c) any contact, no matter how slight, between the mouth of one person and the genitalia of another person.

Non-Consensual Sexual Intercourse includes Sexual Assault that does not occur in the University's Education Program or Activity.

7. 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, when that conduct does not otherwise constitute Prohibited Conduct under this Policy. Examples of Sexual Exploitation include, but are not limited to:

- a. Prostituting another person;
- b. Recording or photographing private sexual activity and/or a person's private parts (genitalia, breasts, or buttocks) without knowledge and agreement of the other party;
- c. Disseminating or posting images of private sexual activity and/or a person's private parts (genitalia, breasts, or buttocks) without knowledge and agreement of the other party;
- d. Allowing third parties to observe private sexual activity, such as from a hidden location (e.g., closet) or through electronic means (e.g., video feed, video calling or livestreaming images) without knowledge and agreement of the participant(s);
- e. Engaging in voyeurism (e.g., watching private sexual activity without the knowledge and agreement of the participant(s) or viewing another person's private parts (including genitalia, breasts, or buttocks) in a place where that person would have a reasonable expectation of privacy);
- f. Endangering the health and safety of another without the knowledge and agreement of the other party (such as knowingly exposing another individual to a sexually-transmitted infection);
- g. Exposing one's private parts (genitalia, breasts, or buttocks) in a non-consensual circumstance or inducing another to expose such private parts;
- h. Causing the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give Consent to sexual activity; or
- i. Using a fake or stolen identity for an online persona to deceive or manipulate another person into a romantic or sexual relationship (i.e., catfishing).

8. Intimate Partner Violence

Intimate Partner Violence includes any act of violence or threatened act of violence that occurs between individuals who are involved or have been involved in a sexual, dating, spousal, domestic, or other intimate relationship. Intimate Partner Violence includes Dating Violence and Domestic Violence that does not occur in the University's Education Program or Activity or in the United States. The existence of such a relationship is determined based on consideration of the (1) length of the relationship, (2) type of relationship, and (3) frequency of interaction between the persons involved in the relationship.

9. Stalking

Stalking is engaging in 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.

For purposes of this definition,

- a. 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 actions, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person's property.
- b. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

- c. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Stalking includes Stalking that does not occur in the University's Education Program or Activity.

10. Physical Misconduct Based on a Protected Status

Physical Misconduct Based on a Protected Status means any intentional (not incidental or accidental) act causing or likely to cause bodily harm to any person when the act was motivated, in whole or in part, by the actual or perceived Protected Status of that person.

11. 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 what an individual reasonably believes to be Prohibited Conduct; an individual's or group's participation, including serving as a witness, administering, or assisting in an investigation and/or resolution of a report under this Policy, or otherwise exercising authority under this Policy.

- a. Individuals are also protected from Retaliation for making good faith requests for accommodations on the basis of religion or disability or for employees making requests for reasonable modifications on the basis of pregnancy, childbirth, or related medical conditions.
- b. To be a violation of this Policy, the challenged actions or treatment must be sufficient to discourage a reasonable person from further reporting, participation, or opposition.
- c. Alleging that an individual violated this Policy by submitting a Bad Faith Report or Complaint or False Evidence or Information (as defined below) during any proceeding under the Procedures does not constitute Retaliation prohibited under this Policy.
- d. The exercise of rights protected under the First Amendment also does not constitute Retaliation under this Policy.
- e. The University will treat Retaliation of a separate incident of Prohibited Conduct under this Policy.

12. Obstruction

Obstruction means when any person, on their own behalf or on behalf of another person, intentionally deters, interferes, or hinders:

- a. The University's ability to conduct an investigation (e.g., the destruction or request to destroy relevant evidence after notice of the University's investigation);
- b. Another person from reporting allegations of Prohibited Conduct; or
- c. Another person from participating in any process under this Policy or the Procedures.

13. Bad Faith Report or Complaint and False Evidence or Information

- a. Bad Faith Report or Complaint means when an individual submits, or encourages another individual to submit, a Report or Complaint pursuant to the Procedures that is knowingly false, contains materially false allegations, and/or is made with malicious intent.

- b. False Evidence means when an individual, during any proceeding initiated pursuant to the Procedures:
 - i. Provides or submits evidence or information with knowledge that such evidence or information is fabricated, altered, false, or materially misleading; or
 - ii. Knowingly makes false statements or intentionally misrepresents material facts.
- c. The University encourages all members of the University community to report concerns regarding potential violations of this Policy. A finding that a Complaint made in good faith is later determined to be unsubstantiated, unsupported by sufficient evidence, or a finding that a Respondent is not responsible for violating this Policy is not, by itself, sufficient to establish that an individual made the Complaint in bad faith or provided false evidence or information.
- d. Members of the University community are expected to provide truthful information in connection with proceedings initiated pursuant to the Procedures.

IV. RECORDS

- A. Consistent with its obligations under Title IX, the University will maintain records for a period of at least seven (7) years of:
 - 1. Each Sexual Harassment investigation, including any determination regarding responsibility and any audio or audiovisual recording or transcript of any hearing pursuant to the Procedures, the resulting outcomes for the Respondent, and any remedies provided to the Complainant;
 - 2. Any appeal pursuant to the Procedures and the results of such appeal;
 - 3. Any informal resolution and the results of such informal resolution;
 - 4. All materials used to train Title IX Coordinators, investigators, decision-makers, and individuals who facilitate informal resolution processes; and
 - 5. For each notification received by the Title IX Coordinator of information about conduct that reasonably may constitute sex-based discrimination, records documenting the actions the University took to meet its obligations under applicable law. Including any supportive measures provided.
- B. Consistent with its obligations under the POWR Act, the University will preserve any personnel or employment records made, received, or kept for at least five (5) years after the later of:
 - 1. The date the University made or received the record; or
 - 2. The date of the personnel action about which the record pertains or the final disposition of a charge of discrimination or related action, as applicable.

The University will maintain an accurate repository of all written or oral complaints of discriminatory or unfair employment practices under the POWR Act, including

the date of the complaint, the identity of the complaining party (if the complaint was not made anonymously), the identity of the alleged perpetrator, and the substance of the complaint.

- C. The University will maintain records related to the reporting, review, investigation, and resolution of other alleged Prohibited Conduct reported pursuant to this Policy consistent with the applicable federal and/or state laws and regulations.

V. PROCESS OVERVIEW

The Associate Vice Chancellor for Civil Rights and Equal Opportunity/Title IX Coordinator/Title VI Coordinator develops and publishes procedures that describe the rights and obligations under the Policy as well as clarify definitions and scope within this Policy. The Associate Vice Chancellor for Civil Rights and Equal Opportunity/Title IX Coordinator/Title IV Coordinator submits recommendations for substantive changes to the Senior Vice Chancellor for Business & Financial Affairs and to the Provost and Executive Vice Chancellor for their review and approval.

VI. DEFINITIONS

“Complainant” means an individual who is alleged to have experienced conduct that if true, would constitute Prohibited Conduct as defined in this Policy. In the event a Complaint is brought by the University under the Procedures, the individual alleged to have experienced the alleged Prohibited Conduct that is the subject of the Complaint remains the Complainant; the University does not become the Complainant. However, the University reserves the right to initiate a complaint and act as a Complainant when AVC for CREO determines, in its sole discretion, based on a review of prior reports, that concerning patterns or trends require the University to proceed with a Complaint with the University as Complainant.

“Respondent” means an individual who is alleged to have engaged in conduct that, if true, would constitute Prohibited Conduct as defined in this Policy.

“United States” means the physical geography of the United States of America and its territories.

DU Comprehensive Discrimination and Harassment Procedures 2026-2027

1. Purpose

Consistent with the University's Non-Discrimination Statement and the [University's Discrimination and Harassment Policy \(the "Policy"\)](#), the University has adopted these Procedures¹ to take prompt and effective action through its Office of Civil Rights and Equal Opportunity ("CREO") to address and resolve Reports of Prohibited Conduct, as defined by the Policy, within the University's Education Program and Activity.

The University has designated the Associate Vice Chancellor for Civil Rights and Equal Opportunity/Title IX Coordinator/Title VI Coordinator ("AVC for CREO") to coordinate the University's compliance with all federal, state, and local laws within the scope of the Policy.² The University's AVC for CREO is:

Michael D. Todd, JD
Associate Vice Chancellor of Civil Rights and Equal Opportunity/
Title IX Coordinator/Title VI Coordinator
University of Denver
Office of Civil Rights and Equal Opportunity
Driscoll Center South, Suite 30
2050 E. Evans Ave.
Denver, CO 80208
303-871-7016
<https://www.du.edu/equalopportunity/index.html>
CREO@du.edu or Michael.Todd@du.edu

The University complies with all federal and state laws that protect individuals with disabilities from discrimination based on their disability or perceived disability status. As such, the University makes available reasonable accommodations and auxiliary aids and services to individuals with disabilities when such modifications and services are necessary to access the University's programs and services.

The University's ADA/504 Coordinator is:

Joshua Kaufman/Melissa Katt (Interim)
ADA Coordinator
Office of Civil Rights and Equal Opportunity
Driscoll Center South, Suite 30
2050 E. Evans Avenue
Denver, CO 80208
(303) 871-3941
<https://www.du.edu/equalopportunity/index.html>
ADA.Coordinator@du.edu

¹ These Procedures should be read in conjunction with the Policy. Capitalized terms used and not otherwise defined in these Procedures are defined in the Policy.

² The AVC for CREO may, in their discretion, designate responsibilities to the Deputy Title IX Coordinator, Deputy Equal Opportunity & Deputy Title VI Coordinator, Director of Investigations and Resolution Services, or other appropriately trained personnel within the University. In these Procedures, when the term "AVC for CREO" is used, it should be understood to include any of the AVC for CREO's designees.

The ADA Coordinator oversees the provision of reasonable accommodations for University Employees, applicants for employment or admission, visitors, and guests. The University has designated [Student Disability Services \(“SDS”\)](#) to manage the process for granting reasonable accommodations to qualified students with documented disabilities to facilitate equal opportunity and full participation in University programs for undergraduate and graduate students. SDS is the only office on campus authorized to review a student’s self-disclosure of a disability, medical, and/or mental health condition and determine the student’s eligibility for requested accommodations.

Inquiries about the University’s prohibitions against discrimination and harassment and related retaliation under the Policy may be directed to the AVC for CREO (for all forms of discrimination or harassment based on Protected Status) or the ADA/504 Coordinator (for disability-related questions or requests for reasonable accommodations from University Employees, applicants for employment or admission, visitors, and guests).

An individual who believes that they have been subjected to Prohibited Conduct 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”), identified below. In addition, any individual who is dissatisfied with the University’s internal procedures for handling complaints or with the result of an Informal Resolution or Formal Resolution or the Outcomes and/or Disciplinary Action imposed pursuant to these Procedures may seek redress through these means to the extent allowed by law.

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

**Equal Employment Opportunity
Commission**

Denver Field Office
950 17th St., Suite 300
Denver, CO 80202
Telephone: (800) 669-4000
FAX: 303-866-1085
TTY: (800) 669-6820
ASL Video: 844-234-5144

Colorado Civil Rights Division

1560 Broadway, Suite 825
Denver, CO 80202
Telephone: 303-894-2997
Fax: 303-894-7830
TTD: 711
DORA_CCRD@State.co.us

Any person who believes the University as a federal contractor has violated applicable nondiscrimination obligations may contact the Office of Federal Contract Compliance Programs (“OFCCP”) at:

OFCCP

U.S. Department of Labor
200 Constitution Ave., NW

Washington, D.C. 20210
www.dol.gov
Telephone: (800) 397-6251
TTY: (202) 693-133

2. Application

As stated in Section II.E of the Policy, these Procedures apply to Discrimination/Harassment Prohibited Conduct as defined in Section III.B of the Policy regardless of when that alleged Discrimination/Harassment Prohibited Conduct is reported to have occurred.

The AVC for CREO, in their sole discretion, shall determine whether these Procedures or the Title IX Procedures, or both, apply to the Prohibited Conduct. The University may apply a different policy or procedures under certain circumstances where required by a change in the law, regulation, or federal agency guidance.

All members of the University of Denver community are subject to these Procedures, including Students, Employees, and Third Parties, subject to the following limitations. Third Parties may initiate a Report or, consistent with Section 4 of these Procedures, a Complaint that a member of the University community engaged in Prohibited Conduct committed against them, but Third Parties alleged to have themselves engaged in Prohibited Conduct are limited in their rights pursuant to these Procedures at the discretion of the AVC for CREO. For example, the University may trespass (restrict campus access to) Third Parties who have been alleged to have engaged in Discrimination/Harassment Prohibited Conduct without any rights to the resolution processes described in these Procedures.

3. Definitions

A. Associate Vice Chancellor

The Associate Vice Chancellor of Civil Rights and Equal Opportunity/Title IX Coordinator/Title VI Coordinator or their designee ("AVC for CREO").

B. Business Days

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. For example, University holidays are not Business Days.

C. Complainant

Pursuant to Section VI of the Policy, an individual who is alleged to have experienced conduct that, if true, would constitute Discrimination/Harassment Prohibited Conduct. Where groups of individuals initiate Complaints pursuant to these Procedures, the AVC for CREO has the discretion to determine the proper course of action whether to file a Complaint on behalf of the University or the individual Complainants. However, the University reserves the right to initiate a Complaint and act as a Complainant when CREO determines, in its sole discretion, based on a review of prior Reports, that concerning patterns or trends require the University to proceed with a complaint with the University as Complainant.

D. Complaint

An oral or written request made to the University that objectively can be understood as a request for the University to investigate and make a determination about alleged Prohibited Conduct pursuant to these Procedures.

E. Disciplinary Action

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

F. Employee(s)

As stated in Section II.E of the Policy, all full-time and part-time faculty, University staff, student workers, temporary employees, professional research staff, and post-doctoral fellows.

G. Investigator

The individual or individuals designated by the AVC for CREO to be responsible for gathering evidence, including interviewing Parties and Witnesses, and/or drafting investigation reports.

H. Outcomes

The required 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 and impose Outcomes after a Respondent who is a Student has been found responsible for Prohibited Conduct under these Procedures.

J. Party/Parties

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

Conduct prohibited by the University as set forth in Section III.B of the Policy.

M. Protected Status

The statuses identified in Section II.B of the Policy.

N. Reasonable person

A reasonable person under similar circumstances and with similar identities to the Complainant or Respondent.

O. Relevant

Related to the allegations of Prohibited Conduct under investigation as part of a process under these Procedures. Information is relevant if it may aid a decisionmaker in showing whether the alleged conduct occurred, in determining whether the alleged Prohibited Conduct occurred, and in determining the credibility of Parties or Witnesses. As described in Section 15 below, certain evidence will not be considered as Relevant.

P. Remedies

The measures provided, as appropriate, to a Complainant or any other person that CREO identifies as having had their equal access to a University Education Program or Activity limited or denied, after CREO determines, pursuant to these Procedures, that Prohibited Conduct has occurred or that there exists or existed a hostile environment.

Q. Report

One or more allegations of Prohibited Conduct made to the Office of Civil Rights and Equal Opportunity pursuant to these Procedures.

R. Reporting Party or Reporter

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

S. Respondent

As stated in Section VI of the Policy, an individual who is alleged to have engaged in conduct that, if true, would constitute Prohibited Conduct. For purposes of these Procedures, a Respondent may also be a group who is alleged to have engaged in conduct that, if true, would constitute Discrimination/Harassment Prohibited Conduct.

T. Responsible Employee

All individuals who have the obligation to report alleged Prohibited Conduct to the Office of Civil Rights and Equal Opportunity pursuant to the University's Reporting by University Employees of Disclosures Relating to the University's Discrimination and Harassment Policy.

U. Student(s)

As stated in Section II.E of the Policy, any individual registered for or auditing classes at the University; admitted to or 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. An individual is also considered a Student under this definition 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 have previously been enrolled but are on a leave of absence or otherwise have a continuing relationship with the University.

V. Supportive Measures

Non-disciplinary, non-punitive individualized services offered, as appropriate and reasonably available, without fee or charge to the Complainant or Respondent to restore or preserve that Party's access to the University's Education Program or Activity, without unreasonably burdening the other Party, including measures that are designed to protect the safety of all Parties or of the University's educational or employment environment; or provide support during any resolution process under these Procedures.

W. Third Party/Third Parties

As stated in Section II.E of the Policy, contractors, vendors, visitors, guests, prospective students, applicants for employment, alumni, or other third parties.

X. 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.

Y. Witness(es)

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

Z. Written Notice

Notice in writing and delivered (1) via electronic mail to the Party's or Witness's University email address or other email address reported to CREO; (2) in person; or (3) by other means to a Party's or Witness's permanent mailing address, as reported by the individual to CREO.

4. Reporting and Filing of Complaints

Reporting concerns of potential Prohibited Conduct is critical to the University's ability to respond to potential Prohibited Conduct, to provide appropriate support and resources to individuals who may have been impacted, and to monitor campus trends and provide appropriate training and prevention education to the University community. The University encourages all individuals 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.

Under these Procedures, a Report provides notice to the University about an allegation of or concern about Prohibited Conduct. A Report may be made in person, by telephone, in writing, by email or other electronic submission to the Office of Civil Rights and Equal Opportunity, or by any other means that results in the AVC for CREO receiving notice of the concern. Reporting allows the University to reach out to the Complainant or Reporting Party to provide information about their rights and options and the availability of Supportive Measures or other community resources. Any individual may make a Report of alleged Prohibited Conduct under these Procedures; however, only the Complainant, or in limited circumstances the AVC for CREO may file a Complaint and request the University initiate a resolution process under these Procedures. The University's process for assessing Complaints is addressed in Section 7 below.

Making a Report under these Procedures means telling someone in authority what happened, in person, by telephone, in writing, or by email. For any individual who has been impacted by conduct that may constitute Prohibited Conduct under the Policy, 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 will give considerable weight to an individual's preference 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 by following these Procedures and will 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. In appropriate cases, the AVC for CREO may initiate an emergency removal or administrative leave process, as described in Section 10 below.

In addition to the emergency removal and administrative leave processes, if a Report of Prohibited Conduct discloses a serious and immediate threat to the University community, the University's Department of Campus Safety will determine whether the Jeanne Clery Campus Safety Act (the "Clery Act") requires that the University issue a timely notification to protect the health or safety of the community. The notification will not include the Complainant's name. Pursuant to the Clery Act and the Violence Against Women Act ("VAWA"), the Office of Civil Rights and Equal Opportunity will provide information regarding reported criminal incidents to the University's Clery and Compliance Coordinator 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 Prohibited Conduct to the University

The University encourages Complainants to report incidents of Prohibited Conduct directly to the Office of

Civil Rights and Equal Opportunity. Reports may be made [online](#), by email to CREO@du.edu, in person at Driscoll Center South, Suite 30, 2050 E. Evans Avenue, Denver, CO 80208, by phone (303) 871-7016, or by contacting the AVC for CREO or a Deputy Coordinator:

Michael D. Todd, JD
Associate Vice Chancellor of Civil Rights and Equal Opportunity/Title IX Coordinator/Title VI Coordinator
Office of Civil Rights and Equal Opportunity
University of Denver
Driscoll Center South, Suite 30
2050 E. Evans Avenue
Denver, CO 80208
[\(303\) 871-7016](tel:(303)871-7016)
[Civil Rights and Equal Opportunity website](#)
Michael.Todd@du.edu
CREO@du.edu

Molly Hooker
Deputy Title IX Coordinator
Office of Civil Rights and Equal Opportunity
University of Denver
Driscoll Center South, Suite 30
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[Civil Rights and Equal Opportunity website](#)
Jessica.Howard2@du.edu
CREO@du.edu

B. Responsible Employee Reporting

In order to facilitate the University's ability to respond to Prohibited Conduct and to meet the University's obligations under state and federal law, the University requires employees who have witnessed, have been informed of, or may otherwise have information that reasonably may constitute Prohibited Conduct to report such conduct to the University, unless such employees qualify as Confidential Employees as defined in the University's Reporting by University Employees of Disclosures Relating to the University's Discrimination and Harassment Policy. If a Responsible Employee fails to timely report incidents of alleged Prohibited Conduct to the Office of Civil Rights and Equal Opportunity, that employee may be referred to the Division of Human Resources & Inclusive Community or to the Vice Provost for Faculty Success, as

applicable, for appropriate corrective action.

Individuals may report Prohibited Conduct by submitting a Report through the [Office of Civil Rights and Equal Opportunity online reporting form](#). Individuals may also report Prohibited Conduct to other units identified below, each of which must promptly inform the Office of Civil Rights and Equal Opportunity:

Department 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
[Department of Campus Safety website](#)

Office of Student Rights & Responsibilities (“SRR”)
University of Denver
Community Commons
2055 E. Evans Avenue, Suite 3001
Denver, CO 80208
303-871-5724
SRR@du.edu
[Office of Student Rights & Responsibilities website](#)

Student Outreach & Support (“SOS”)
University of Denver
Community Commons
2055 E. Evans Avenue, Suite 3100
Denver, CO 80208
SOS@du.edu
SOS Referral [Online Report Form](#)

Housing and Residential Education (“HRE”)
HRE staff (including Resident Mentors (“RMs”), Graduate Resident Director (“GRDs”))
Dimond Family Residential Village
2020 S. High Street, #P112
Denver, CO 80208
Phone: 303-871-2246
HRE@du.edu
[Housing and Residential Education \(HRE\) website](#)

Human Resources & Inclusive Community (“HRIC”)
Mary Reed Building, Room 403
2199 S. University Boulevard
Denver, CO 80208
AskHRPartners@du.edu
[Human Resources & Inclusive Excellence website](#)

Upon receiving a Report of alleged Prohibited Conduct, the AVC for CREO must take action to promptly and effectively end any Prohibited Conduct, prevent its recurrence, and remedy its effects. The AVC for CREO will notify the Complainant of the University’s resolution processes under these Procedures. The

AVC for CREO will also offer and coordinate Supportive Measures, as provided in Section 9 below

C. 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 applicable state or federal criminal statutes. At the Complainant's request, the University will assist a Complainant 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.

D. 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. The University will review all anonymous reports, and where there is sufficient information, include applicable information in Clery Act reporting, as well as in annual reporting statistics compiled by Office of Civil Rights and Equal Opportunity.

E. 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, as soon as reasonably possible after the event(s) occurred. Delays in reporting can prevent the University from gathering evidence sufficient to initiate an investigation or reach a determination of responsibility as to the allegations and may result in a dismissal of a Complaint. 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 employment or an Education Program or Activity of the University, or that has continuing adverse effects on University Premises or on an off-campus University employment or Education Program or Activity, so that the University may address under these Procedures or other University policies and procedures, as applicable.

F. Amnesty for Personal Use of Drugs or Alcohol

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 themselves or others who may have experienced Prohibited Conduct because they fear being held responsible under the University Honor Code for alcohol or drug violations related to the incident.

The Office of Student Rights & Responsibilities (“SRR”) will not initiate a formal conduct process under the Honor Code if a Student makes a good faith Report to an University official, contacts emergency services or participates as a Party or Witness in any resolution 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. However, the University does not extend this amnesty to (1) the distribution or sale of alcohol or other drugs; or (2) the provision of alcohol or other drugs to another individual for the purposes of inducing incapacitation as defined in the Policy.

When granting amnesty for the personal use of drugs or alcohol, SRR may, however, refer the Student for an evaluation related to their health status or substance use; engage with the Student in an assessment or educational discussion; or pursue other non-disciplinary options regarding alcohol or other drug use.

The University also provides the Medical Amnesty Process as set forth in the [Honor Code](#).

5. Requests for Accommodations and/or Language Assistance

All Students must comply with University Policies, including but not limited to, the Honor Code and the University’s Discrimination and Harassment Policy. Student Disability Services (“SDS”) provides reasonable accommodations to allow students with disabilities meaningful and equitable access to University processes; however, such accommodations do not waive or exempt Students from the substantive requirements of the applicable policy. At any point during the grievance process, Parties or Witnesses may request disability-related accommodations by contacting SDS or the ADA Coordinator, as appropriate. Employees or Third Parties should contact the [ADA Coordinator](#) at ADA.Coordinator@du.edu. Students with disabilities who seek accommodations to access these Procedures should promptly contact SDS at sds@du.edu to submit a request for such accommodations. Also, at any point during the grievance process, Parties or Witnesses may request language assistance by contacting the AVC for CREO.

6. Privacy & Confidentiality

The Office of Civil Rights and Equal Opportunity is not a confidential resource. For any Report of Prohibited Conduct, 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.

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 or 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 Educational Rights and Privacy Act of 1974 (“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. The University has identified on the CREO website where Students may access the services of Confidential Employees, including the University’s Health & Counseling Center (“HCC”) and Center for Advocacy, Prevention, and Empowerment (“CAPE”).

7. Initial Assessment, Intake, and Consolidation

A. Initial Assessment

When the Office of Civil Rights and Equal Opportunity receives a Report of Prohibited Conduct or a Complaint, the AVC for CREO will conduct an initial assessment of the reported information to facilitate an integrated and coordinated response to Reports of Prohibited Conduct under these Procedures. The initial assessment may include, as applicable:

1. An evaluation of any immediate health or safety concerns regarding the alleged conduct, in consultation with the Department of Campus Safety, to determine if the Clery Act requires the Department 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. A determination whether the University has jurisdiction over the alleged conduct, as defined in the Policy and these Procedures;
3. A determination whether the alleged conduct, if true, would constitute Prohibited Conduct;
4. Consideration whether the Complainant has expressed a preferred method of resolution;
5. A determination whether any Supportive Measures are appropriate to address the Complainant's safety, well-being, and continued access to educational and employment opportunities; and
6. An evaluation of which resolution process may be appropriate for the Report or Complaint.

In addition, CREO will assess whether the alleged Prohibited Conduct, alone or in combination with other Reports and Complaints, constitutes a hostile environment and will evaluate what measures the University may take to redress the effects of the hostile environment on the University community. CREO will undertake this assessment regardless of whether the Reporting Party or Complainant responds to outreach from CREO.

If the AVC for CREO concludes that the allegations contained in the Report or Complaint, as initially reported, do not fall within the scope of Prohibited Conduct under the Policy, the AVC for CREO, may, as appropriate, take one or more of the following actions:

1. Refer the matter to the applicable administrator or University unit;
2. Provide the Complainant and/or Reporting Party with resources;
3. Offer the Early Intervention process;
4. Dismiss the Report or Complaint.

Prior to dismissing a Report or Complaint based on an initial assessment, the University will make reasonable efforts to clarify the allegations in the Report or Complaint with the Complainant.

B. Intake

If, after the initial assessment, the AVC for CREO determines that the allegations in the Report or Complaint may reasonably constitute Prohibited Conduct, the AVC for CREO may request an intake meeting with the Complainant to discuss the Complainant's options for resolution under the Policy and Procedures. The AVC for CREO may also request an intake meeting with the Complainant if more information or clarification is needed to make an initial assessment whether the allegations may reasonably constitute Prohibited Conduct. The University may use information gathered during the intake process in any future resolution process.

As part of intake meeting, the AVC for CREO may:

1. Review the Policy and these Procedures, discuss the options, 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 alleged conduct may also constitute a crime(s) under applicable state or federal 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;
5. Provide an explanation of the procedural options, including Informal Resolution, Formal Resolution, and the possibility of Disciplinary Action (for Employees) and/or Outcomes (for Students);
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 Complainant's right to be assisted by an advisor of their choice and a support person and the role of the advisor/support person in the resolution process.

C. Evaluation

The AVC for CREO 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.

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 if the Complainant 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 CREO has received multiple Reports or identifies a pattern of concerning conduct, the AVC for CREO may, in their discretion, proceed with a resolution process in which the University is the Complainant or offer the Parties an opportunity to participate in the Early Intervention process. When making this decision, the AVC for CREO will balance the autonomy of the Complainant with the University's responsibility to investigate and consider the factors set forth in the paragraph above. When the University is the Complainant, the individual who is alleged to have experienced the conduct 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 an individual to persuade them to participate in the investigation.

In the absence of a Complaint filed by a Complainant, or when the Complainant withdraws any or all of the allegations in a Complaint, the AVC for CREO will consider whether to initiate a Complaint alleging Prohibited Conduct after considering, at a minimum:

1. The Complainant's request not to proceed with initiation of a Complaint;

2. The Complainant's reasonable safety concerns regarding initiation of a Complaint;
3. The risk that additional Prohibited Conduct would occur if a Complaint is not initiated;
4. The severity of the alleged Prohibited Conduct, including whether the alleged Prohibited Conduct, if true, would require the removal of a Respondent from University Premises or imposition of another Outcome/Disciplinary Action to end the Discrimination and prevent its recurrence;
5. The age and relationship of the Parties, including whether the Respondent is an Employee;
6. The scope of the alleged Prohibited Conduct, including information suggesting a pattern of Prohibited Conduct, ongoing Prohibited Conduct or Prohibited Conduct alleged to have impacted multiple individuals;
7. The availability of evidence to assist a decisionmaker in determining whether Prohibited Conduct occurred; and
8. Whether the University could end the alleged Prohibited Conduct and prevent its recurrence without initiating a formal resolution process.

If, after considering these and other relevant factors, the AVC for CREO determines that the alleged Prohibited Conduct presents an imminent and serious threat to the health or safety of the Complainant or another person, or that the alleged Prohibited Conduct prevents the University from providing equal access to its education program or activity, the AVC for CREO may initiate a Complaint.

When the AVC for CREO determines that the University's obligation to promote a safe and non-discriminatory environment requires initiating a Complaint, the AVC for CREO will notify the Complainant prior to doing so and appropriately address any reasonable concerns about the Complainant's safety or the safety of others, including by providing Supportive Measures consistent with these Procedures.

Regardless of whether the University or a Complainant initiates a Complaint, or if the Complainant participates in resolution process under these Procedures, the AVC for CREO will take other appropriate prompt and effective steps to end the Prohibited Conduct and prevent its recurrence within the University's Education Program or Activity.

If the AVC for CREO determines that the allegations, if true, would not constitute Prohibited Conduct by any individual Respondent but would contribute to a hostile environment, the AVC for CREO will address the concerns raised by the Complainant to determine whether the Early Intervention process, Supportive Measures and/or Remedies are appropriate.

In the event that a Complaint alleges that a University policy or practice discriminates on the basis of Protected Status, the University is not considered a Respondent. In such cases, the University will follow this Policy, including the Formal Resolution process, although the University will, necessarily, not be entitled to certain procedural rights and steps afforded to individual Respondents. In the event a Complaint against an individual Respondent is based on actions the Respondent took in accordance with a University policy or practice, the Complaint may, in the University's sole discretion, be amended to substitute the University as Respondent. This determination will be made after a consideration of factors including, but not limited to, whether the individual was, in fact, following the University policy or practice; what actions the individual took; and whether the individual could be subject to Disciplinary Action or Outcomes.

D. Dismissal of a Report or Complaint

At any time during the Resolution process, the AVC for CREO may, in their discretion, dismiss a Report or Complaint, for any of the following reasons:

1. The University is unable to identify the Respondent after taking reasonable steps to do so;

2. The Respondent is no longer enrolled or employed by the University;
3. The Complainant notifies the AVC for CREO in writing of the Complainant's wish to voluntarily withdraw any or all of the allegations in the Complaint, and the AVC for CREO declines to initiate a Complaint under this section;
4. The University determines that the conduct alleged, on its face or after reasonable efforts by CREO to clarify the alleged conduct, if true, would not constitute Prohibited Conduct;
5. The University determines that the alleged conduct, on its face or after reasonable efforts to clarify, is so speculative that the University cannot determine that Prohibited Conduct may have occurred or may be occurring;
6. The University obtains credible information indicating that the alleged conduct has been resolved and therefore is no longer appropriate for further action by CREO pursuant to these Procedures;
7. The University determines that its ability to complete review and processing of a Report or Complaint is substantially impaired by:
 - a. The Complainant's refusal to provide information that is reasonably available to the Complainant and CREO determines that the information is necessary for processing of the Report or Complaint; or,
 - b. CREO's inability to contact the Complainant, after reasonable efforts, in order to obtain information that CREO determines is necessary for processing of the Report or Complaint.
 - c. The University determines that, based on developments that have occurred since the Report or Complaint was filed, the alleged conduct is no longer appropriate for further action by CREO pursuant to these Procedures.

Upon dismissal of the Complaint or any allegations therein, the AVC for CREO will promptly provide Written Notice of and the basis for the dismissal to the Complainant, including documentation of efforts to contact the Complainant, if applicable. If the dismissal is based on Section 7.D.7 above, CREO will inform the Complainant that, if they respond and provide the necessary information, CREO will reevaluate the allegations consistent with these Procedures. If the dismissal of the Complaint occurs after CREO has notified the Respondent of the allegations, the AVC for CREO will also provide Written Notice to the Respondent of and the basis for the dismissal.

E. Consolidation

When the allegations of Prohibited Conduct are temporally or logically connected, the AVC for CREO may consolidate into one investigation Reports or Complaints by one or more Complainants against one or more Respondents, by one Complainant against multiple Respondents, or by one Party against another Party.

1. The AVC for CREO may, in consultation with other University administrators, elect to consolidate the investigation of Complaints of Prohibited Conduct 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 (e.g., Honor Code).
2. 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.

3. The AVC for CREO will communicate the chosen course of action to the Parties.
4. The AVC for CREO exercising their discretion to consolidate is not subject to appeal.

8. 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. Although the University does not limit a Party's choice of advisor or support person, the University will only communicate with a Party directly and not through an advisor or support person.

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 the 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.

CREO will not consider or accept submissions and information from an advisor or support person. If an advisor or support person attempts to present information or submit documents to CREO on behalf of any Party, CREO will notify the Party and provide the Party a reasonable amount of time to submit the information or documents directly to CREO; however CREO will not extend procedural deadlines for this reason. If the Party elects not to submit the information or documents directly, CREO will not consider such information in the investigation or any resolution process under these Procedures.

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 resolution process under these Procedures, the Party must execute a release pursuant to the Family Education Rights Privacy Act of 1974 ("FERPA") permitting the University to allow 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, provided that this occurs in a manner 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.

9. Supportive Measures

- A. Supportive Measures are available to a Complainant regardless of whether the matter is reported to the University for purposes of initiating a resolution process (i.e., regardless of whether a Complaint is filed). A Complainant who submits a Report solely to request Supportive Measures retains the right to file a Complaint either at the time the Supportive Measure is requested or at a later date. A Complainant may request Supportive Measures at any time during the CREO process even if the

Complainant has declined Supportive Measures at an earlier stage.

- B. Supportive Measures may vary depending on what the University determines to be reasonably available.
- C. Supportive Measures may include, but are not limited to:
 - 1. Assistance in seeking academic adjustments, including modified class schedules (including transfer to another section), permission to withdraw from and/or retake a class or attend a class via alternative means, and extension of assignment deadlines or other course-related adjustments
 - 2. Assistance in modifying University employment arrangements, including changes in work schedules, job assignments, work locations, and/or assigned parking
 - 3. Campus escort services and safety planning through Campus Safety
 - 4. Mutual restrictions on contact between the Parties
 - 5. Assistance in requesting leaves of absence
 - 6. Modifications to University housing arrangements, including immediate temporary relocation to alternative living quarters and/or permanent reassignment of University housing
 - 7. Assistance in arranging a meeting with law enforcement to discuss reporting or safety planning
 - 8. Assistance in modifying assigned parking
 - 9. Increased security and monitoring of certain areas of the campus
 - 10. Trainings and educational programs
 - 11. Other changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative
 - 12. Any other mechanism which can be tailored to the involved individuals to achieve the goals of these Procedures.
- D. The AVC for CREO will offer and coordinate Supportive Measures and may consult with other relevant University administrators to determine whether a particular Supportive Measure is appropriate, not unreasonably burdensome, and reasonably available in a particular matter. The AVC for CREO is responsible for coordinating the effective implementation of Supportive Measures and will serve as the point of contact for any individual requesting Supportive Measures pursuant to these Procedures.
- E. The AVC for CREO 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 AVC for CREO will consult with the Vice Chancellor for Human Resources, the Vice Chancellor for Student Affairs or their designee, or appropriate faculty and/or administrators, as applicable. The AVC for CREO will notify the leadership of the relevant unit to implement the Supportive Measures. The AVC for CREO 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 and circumstances of each case.

- H. Supportive Measures do not include Disciplinary Action or Outcomes. The University shall not impose Disciplinary Action or Outcomes on a Respondent unless and until a determination regarding responsibility for Prohibited Conduct is made at the conclusion of a resolution process under these Procedures or if the Respondent signs an Admission of Responsibility as set forth in Section 14 below.

10. Emergency Removal, Administrative Leave, and Trespass

A. Emergency Removal

The University may remove a Student Respondent from all or part of the University's 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 health or safety of the Parties or any other Student or other individual arising from the allegations of Prohibited Conduct justifies removal; and
3. Provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

In making the individual safety and risk analysis, the University will consider the following risk factors:

1. Whether the Respondent has prior arrests, is the subject of prior Reports and/or Complaints related to any form of Prohibited Conduct, or has any history of violent behavior;
2. Whether the Respondent has a history of failing to comply with any University No Contact Order, other University protective measures, and/or any judicial protective order;
3. Whether Respondent has threatened to commit violence or any form of Prohibited Conduct;
4. Whether the Prohibited Conduct involved multiple Complainants and/or Respondents;
5. Whether the Prohibited Conduct involved physical violence. Physical violence means exerting control over another person through the use of physical force. Examples of physical violence including hitting, punching, slapping, kicking, restraining, strangling, and brandishing or using any weapon;
6. Whether the Report reveals a pattern of Prohibited Conduct (e.g., by the Respondent, by a particular group or organization, around a particular recurring event or activity, or at a particular location);
7. Whether the Prohibited Conduct was facilitated through the use of "date-rape" or similar drugs or intoxicants;
8. Whether the Complainant is (or was at the time of the Prohibited Conduct) a minor (under 18); and
9. Whether any other aggravating circumstances or signs of predatory behavior are present.

B. Administrative Leave

The University may place an Employee Respondent on administrative leave from their employment responsibilities during the pendency of a resolution process under these Procedures. The University, in its discretion and based on the totality of the circumstances, will determine whether any administrative leave imposed is to be imposed with or without pay or benefits.

C. Trespass Notices

The University may trespass Third Parties who have been alleged to have engaged in Prohibited Conduct without any rights to the resolution processes described in these Procedures. Members of the University community who host Third Parties may be held accountable for the misconduct of their Third Parties pursuant to applicable University policies.

11. Resolution Processes

The University provides multiple resolution processes for CREO to resolve Reports or Complaints. With consideration of the Parties' preferences and in consultation with other University administrators as appropriate, the AVC for CREO will determine, based on the circumstances of each Report or Complaint and the factors set forth above, which processes are available and appropriate. The University may resolve Reports or Complaints in one of the following manners:

1. Early Intervention Process
2. Informal Resolution
3. Agreed Admission of Responsibility
4. Formal Resolution

For any resolution process, at any time during that process, any Party may request an informational meeting to review these Procedures, discuss their rights and responsibilities, review the resources available throughout the resolution process, and answer any questions that the Party may have.

12. Early Intervention Process

The AVC for CREO may determine that the most prompt and effective way to address a Report or Complaint is through an Early Intervention process that seeks to resolve the needs of Parties in peer-to-peer situations (e.g., student to student, faculty to faculty, staff to staff), and the needs of the University community. One of the purposes of this process is to provide a collaborative approach to address concerns that do not appear to be, as initially reported, Prohibited Conduct as defined in Section III.B of the Policy, but if the behavior persisted, could potentially meet the definition of Prohibited Conduct. If the Report or Complaint may meet the definition of Prohibited Conduct, the AVC for CREO, may also request that a Complainant engage in the Early Intervention Process as a prerequisite to CREO initiating other resolution processes under these Procedures. The Early Intervention process is not available to resolve allegations that may be subject to the Title IX Procedures.

The AVC for CREO has the discretion to determine whether it is appropriate to permit an Early Intervention process, in a particular matter, to promote a safe and non-discriminatory environment for the involved Parties.

For situations that the AVC determines are appropriate, CREO may do one or more of the following:

1. Request that the involved Parties engage in a University resolution process, as appropriate, based on the specific facts or circumstances of the Report or Complaint.
2. Provide short or long-term Supportive Measures to the Parties.
3. Provide education to Parties about Prohibited Conduct under the Policy, identify and discuss appropriate future conduct and how to avoid behavior that could be interpreted as retaliatory.
4. Offer the Parties to engage in additional education or prevention programs as set forth under Section 22 below.

Refer the matter to an appropriate University administrator for handling, consistent with relevant University policies and procedures.

When offering an Early Intervention process under these Procedures, the AVC for CREO may also take other appropriate prompt and effective steps to prevent Prohibited Conduct from occurring within the University's Education Program or Activity. The AVC for CREO has the discretion to terminate an Early Intervention process any time.

A. Conclusion of Early Intervention Process

After the Parties have engaged in an Early Intervention process, both Parties have agreed to terms in writing, and the AVC for CREO has accepted the result of that process, a Party's failure to comply with the agreed terms as set forth in an Early Intervention process may result in CREO commencing a different process and/or referring the Party, who is a Student, to the Office of Student Rights & Responsibilities for consideration of action under the Honor Code, or referring the Party, who is an Employee, to the Division of Human Resources & Inclusive Community or to the Vice Provost for Faculty Success, as applicable, for consideration of appropriate corrective action.

B. Timeframe for Early Intervention Process

The University will make a good faith effort to complete the Early Intervention process within thirty (30) calendar days of initiation of the Early Intervention process. If the Parties remain cooperative throughout the process and a resolution is not reached, the AVC for CREO has the discretion to extend or terminate the Early Intervention process and continue the evaluation of the Report or Complaint consistent with the Procedures.

13. Informal Resolution

Informal resolution is an alternative resolution process that does not include an investigation. Informal resolution seeks to identify and meet the needs of the Parties, to address and repair the harm (to the extent possible) experienced by the Complainant and/or other University community members.

A. Availability of Informal Resolution Process:

1. The University will not require the Parties to participate in an Informal Resolution process nor require the Parties to waive their rights to a Formal Resolution process or the determination of a Complaint as a condition of enrollment, continuing enrollment, employment, or continuing employment, or exercise of any other right. All Parties must voluntarily consent, in writing, to the Informal Resolution process.
2. If, during the course of a Formal Resolution process, either Party requests Informal Resolution, the Formal Resolution may be paused or terminated to initiate Informal Resolution instead.
3. At any time after receiving a Report of alleged Prohibited Conduct or a Complaint, and prior to a determination of responsibility for Prohibited Conduct, the Parties may agree to pursue an Informal Resolution process to the Parties, so long as such a process does not conflict with federal, state, or local law, and the University agrees that it is appropriate.
4. The AVC for CREO has the discretion to determine whether it is appropriate to permit an Informal Resolution process is appropriate in any particular matter and may decline to permit Informal Resolution despite one or more of the Parties' wishes. Circumstances when the AVC for CREO may decline to allow Informal Resolution include but are not limited to when the AVC for CREO determines that the alleged Prohibited Conduct would present a

future risk of harm to the Complainant or others in the University community. When offering an Informal Resolution Process under these Procedures, the AVC for CREO will also take other appropriate prompt and effective steps to confirm that Prohibited Conduct does not continue to recur within the University's Education Program or Activity.

5. 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.

B. Notice Prior to Commencing Informal Resolution

Before initiating an Informal Resolution process, the AVC for CREO will issue Written Notice to the Parties disclosing:

1. The nature of the allegations in the Report.
2. The requirements of the Informal Resolution process, including the circumstances under which the process precludes the Parties from initiating or resuming a Formal Resolution process arising from the same allegations.
3. The Informal Resolution process is only available if the Parties voluntarily consent in writing. If the Parties voluntarily consent, the University may initiate an Informal Resolution process any time prior to reaching a determination regarding responsibility.
4. That either Party may withdraw from the Informal Resolution process prior to agreeing to an Informal Resolution agreement and may initiate or resume the Formal Resolution process.
5. The potential terms that may be requested or offered in an Informal Resolution agreement, including but not limited to:
 - a. Restrictions on contact;
 - b. Restrictions on the Respondent's participation in one or more of the University's programs or activities or attendance at specific events; and/or
 - c. Restrictions that the University could have imposed as Remedies. Outcomes, or Disciplinary Action had Respondent been found to be responsible for Prohibited Conduct pursuant to these Procedures.
 - d. That an Informal Resolution agreement is binding only on the Parties.
 - e. What information the University will maintain and whether and how the University could disclose or use such information in an alternate Resolution Process, if initiated or resumed pursuant to these Procedures.

C. Requirements for the Facilitator of Informal Resolution

The facilitator for the Informal Resolution will:

1. not be the same person as the Investigator or Decisionmaker in the Formal Resolution process;
2. be free from conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent; or
3. be trained by the University as set forth in Section 22 below.

D. Conclusion and Finality of Informal Resolution Process

At any time prior to executing an Informal Resolution agreement, the Parties have the right to withdraw from the Informal Resolution process and CREO will resume processing the Report or Complaint consistent

with these Procedures. The AVC for CREO has the discretion to terminate an Informal Resolution process if, at any time, the AVC for CREO determines that Informal Resolution is not appropriate to resolve a Complaint or to stop Prohibited Conduct, remedy its impact, or prevent its recurrence.

After the Parties have engaged in an Informal Resolution process, reached a resolution, and both Parties have signed (electronic or handwritten) an Informal Resolution agreement, and the AVC for CREO has accepted the result of that process, the resolution is binding, and the Parties generally are precluded from resuming or restarting an alternate Resolution Process related to the Complaint. No Party can appeal a binding resolution reached through the Informal Resolution process. However, a Party's failure to complete the agreed terms as set forth in of an Informal Resolution may result in CREO commencing or resuming a formal investigation and/or referral of that Party to the Office of Student Rights & Responsibilities for consideration of action under the Honor Code, if the Party is a Student, or the Division of Human Resources & Inclusive Community to determine appropriate corrective action, if the Party is an Employee.

E. For Student Respondents

Informal Resolution will not result in Outcomes through the Outcome Council, but rather terms in an Informal Resolution agreement may include education, coaching, mentoring, voluntary withdrawal, or other action steps that the AVC for CREO 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 agreement must inform CREO that such 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 AVC for CREO deems appropriate, in consultation with the Employee's supervisor, the Division of Human Resources & Inclusive Community, and other University administrators as needed. For Informal Resolutions involving mandatory requirements for University Employees, the Employee or the Employee's supervisor, as applicable, must inform CREO the Employee has completed the required action.

G. Timeframe for Informal Resolution

The University will make a good faith effort to complete the Informal Resolution process within sixty (60) calendar days of the Parties' mutual agreement to enter into Informal Resolution, without jeopardizing the rights of a Party.

14. Agreed Admission of Responsibility

The University may resolve certain Reports or Complaints through an Agreed Admission of Responsibility ("Agreed Admission") process. The Agreed Admission process is intended to provide a prompt and effective resolution to a Report or Complaint in which the Respondent voluntarily admits responsibility for violating University policy and the University may offer Remedies, impose Disciplinary Action, and/or impose Outcomes, as applicable, without CREO completing any other resolution process under these Procedures.

A. Availability of Agreed Admission Process

1. At any stage prior to the determination of responsibility under these Procedures, the AVC for CREO may, in their sole discretion, offer the Agreed Admission process for a Report or Complaint.

- a. The AVC for CREO is not required to offer an Agreed Admission process for any Report or Complaint.
 - b. The AVC for CREO may determine that the nature, severity, or circumstances of the alleged conduct warrants initiation and/or continuation of an alternate resolution process under these Procedures.
2. The University determines that sufficient information exists to establish a Policy violation without a Formal Resolution process.

B. Process

The following process applies to the resolution of a Report or Complaint through the Agreed Admission process:

1. The Respondent must request a meeting with the AVC for CREO to discuss the availability of the Agreed Admission process.
2. The AVC for CREO will inform the Respondent whether the Agreed Admission process is available for the Report or Complaint, and if so will schedule a meeting with the Respondent.
3. After the AVC for CREO and the Respondent meet, the Respondent may submit a formal request to engage in the Admission of Responsibility process.
4. The AVC for CREO will provide the Respondent with a draft resolution agreement for review, which will include:
 - a. The proposed finding of responsibility, including the applicable violations of the Policy or other University policies.
 - b. The proposed Disciplinary Action or Outcomes, as applicable, based on consultation with the appropriate University officials as set forth below.
 - i. In determining appropriate Disciplinary Action or Outcomes, the AVC for CREO and appropriate University officials may consider the impact of the Prohibited Conduct on the Complainant and the University community, the written admission provided by the Respondent, and any additional written or verbal statements provided by the Respondent.
 - ii. For Employee Respondents who are staff, the AVC for CREO will consult with the Respondent's supervisor or other responsible administrator, in consultation with HRIC, as needed.
 - iii. For Employee Respondents who are faculty, the AVC for CREO will consult with the Vice Provost for Faculty Success, in consultation with the dean of the applicable college or school.
 - c. For Student Respondents, the AVC for CREO will consult with the Director for Student Rights and Responsibilities consistent with the University's Honor Code.
 - a. An acknowledgment by the Respondent that:
 - i. The admission of responsibility is knowing and voluntary;
 - ii. There is a factual basis for the finding of Prohibited Conduct or violation of other University policy; and
 - iii. The conduct violates University policy.
1. The Respondent has five (5) Business Days from issuance of the draft resolution agreement to review the terms and notify the AVC for CREO via email whether the Respondent will agree to execute the Agreed Admission resolution agreement.
2. If the Respondent agrees to execute the Agreed Admission resolution agreement, the AVC for CREO will send the Respondent the final version of the Agreed Admission resolution agreement for execution. The Respondent must sign the final version within two (2) Business Day from issuance of the final version.
3. If the Respondent does not sign the final Agreed Admission resolution agreement within the above

timeframe, or if the Respondent notifies the AVC for CREO that the Respondent will not agree to execute the agreement, CREO will resume processing the Report or Complaint consistent with these Procedures.

C. Notice to the Complainant

1. After the Respondent has executed the final Agreed Admission resolution agreement, CREO will provide the Complainant with a Written Notice of Agreed Resolution that includes:
 - a. A summary of the steps taken in the Agreed Admission process;
 - b. The finding of responsibility, including the applicable violations of the Policy or other University policies; and
 - c. A summary of the Disciplinary Action or Outcomes, as applicable, set forth in the resolution agreement.
 - d. A summary of any Remedies for the Complainant..
2. The AVC for CREO has discretion to provide the Complainant access to final Agreed Admission resolution agreement.

D. Conclusion and Finality

1. If, prior to the Respondent's execution of the Agreed Admission resolution agreement, the AVC for CREO determines in their sole discretion that the Agreed Admission process is no longer appropriate, CREO may resume or restart an alternate resolution process set forth in these Procedures, including a Formal Investigation, and may include the written admission as evidence in that process.
2. After the Respondent has executed the Agreed Admission resolution agreement, the resolution is binding and constitutes a final institutional resolution of the Report or Complaint, and the Parties generally are precluded from resuming or restarting an alternate Resolution Process related to the Complaint.
3. However, if the Respondent fails to comply with the terms of the Agreed Admission resolution document, including but not limited to the Disciplinary Action or Outcomes, CREO will refer:
 - a. A Respondent who is a Student to the Office of Student Rights and Responsibilities for consideration of action under the Honor Code;
 - b. A Respondent who is an Employee to the Division of Human Resources and Inclusive Community or to the Vice Provost for Faculty Success, as applicable, for appropriate corrective action.
4. The University division, department, unit, or office responsible for taking action pursuant to the Agreed Admission agreement must inform CREO that such action has been taken.
5. A Respondent cannot appeal a binding resolution reached through the Agreed Admission process.
6. The Complainant may appeal the resolution reached through the Agreed Admission process pursuant to Section 18.

15. Formal Resolution Processes

A. Time Frames for Formal Resolution

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 Parties, 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. The University will make a good faith effort to address and resolve Complaints, exclusive of any appeals, within one hundred and twenty (120) calendar days, without jeopardizing the rights of a Party. The

University will strive to complete the Formal Resolution process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness. The University will provide regular updates to the Parties of the status of the Formal Resolution.

The Parties have the right to determine whether, and to what extent, they will participate in the Formal Resolution process. However, the Formal Resolution process will move forward to the next stage regardless of whether a Party or Witness completes the identified component within the applicable time frame.

Based on extenuating circumstances, a Party may seek an extension of time by submitting a written request to the AVC for CREO or Investigator showing good cause. The AVC for CREO will notify the Parties of any extension granted and the reason for the extension. Where a time frame applies to both Parties, the extension will be given to both Parties.

The University's failure to meet any of the time frames set forth 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 a determination, impose Outcomes or Disciplinary Action, as applicable, or otherwise limit the University's ability to take any other required administrative action under these Procedures.

At the request of law enforcement, the University may agree to temporarily defer all or part 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 or Activity.

B. Types of Formal Resolution

The University provides the following mechanisms for the formal resolution of Complaints under these Procedures:

1. Administrative Inquiry
2. Inquiry for the POWR Act
3. Formal Investigation

Where a Complaint alleges only harassment under the POWR Act, the University will resolve the Complaint through the Administrative Inquiry process.

For all other Complaints, the AVC for CREO will determine in their sole discretion the appropriate Formal Resolution Process. The AVC for CREO's determination of the appropriate manner of resolution is not subject to appeal.

If, through a Formal Resolution process, CREO finds that alleged Prohibited Conduct has otherwise contributed to a climate of systemic discrimination or finds a hostile environment that impacts the educational or employment environment of an individual or group based on a Protected Status, the AVC for CREO may consult with other University administrators to determine appropriate actions needed to address the situation.

C. Administrative Inquiry

1. Purpose

The AVC for CREO may initiate an Administrative Inquiry to gather information and attempt to resolve a Report or Complaint at the earliest stage. An Administrative Inquiry may be used to:

- a. conduct a compliance review of applicable University policies or procedures, division, academic unit, or departmental policies and procedures to determine whether such policies or procedures are consistent with the Policy;
- b. address allegations of Hostile Environment Harassment based on a Protected Status that may be impacting the educational or employment environment of an individual or group within the University community; and,
- c. determine whether sufficient evidence exists to open a Formal Investigation or initiate an alternative resolution process under these Procedures.

2. Initiation and Notice

Upon the initiation of an Administrative Inquiry, the AVC for CREO will provide Written Notice of the initiation and the scope of the Administrative Inquiry (Scope):

- a. Where a Complainant(s) and a Respondent have been identified, to the Parties;
- b. Where a Complainant(s) are identified, but no individual Respondent is identified, to the Complainant(s) and to the leader of the involved/impacted unit, as applicable.
- c. Where there are allegations of Hostile Environment Harassment, to the leader(s) of the involved/impacted unit, who will be named as the representative of the Respondent for purposes of notification;
- d. Where a Respondent has been identified and the University community may be impacted by the alleged conduct, to the Respondent and to the leader of the involved/impacted unit, as applicable.

The Scope will set forth the threshold issues that the AVC for CREO intends to investigate during the Administrative Inquiry. The Investigator may make recommendations addressing conduct within or beyond the Scope when sufficient evidence is identified during the course of the inquiry.

3. Process and Determination

As part of an Administrative Inquiry, to determine whether evidence indicating that Prohibited Conduct may have occurred and whether identifiable individuals or groups are responsible for Prohibited Conduct, the AVC for CREO or an Investigator may interview any Parties and/or Witnesses, gather relevant evidence from the Parties, Witnesses, or other University administrators, and/or review University records. Through the Administrative Inquiry, CREO may establish one or more of the following elements:

- a. CREO has evidence that supports opening Formal Investigation(s) where Prohibited Conduct may have occurred and an individual Respondent has been identified;
- b. Prohibited Conduct has or has not occurred and an individual Respondent has not been identified;
- c. Identified individual(s) or group(s) is/are responsible for Prohibited Conduct;
- d. The allegations in the Complaint do not meet the definition of Prohibited Conduct but may have impacted the University's educational program or activity of an individual or group that share a Protected Status;
- e. No identified individual(s) or group(s) is/are responsible for Prohibited Conduct.

4. Conclusion, Referral, and Remedies

- a. At the conclusion of an Administrative Inquiry, the AVC for CREO may:

- i. Refer the matter to an appropriate University administrator/unit for appropriate handling, consistent with applicable relevant University policies and procedures;
 - a. to implement Remedies, including connecting impacted community members to available resources; and/or
 - ii. Offer awareness and education programs and trainings to the campus community, including programs addressing the presence and effects of bias on campus.
- b. CREO will provide any identified Complainant(s) and Respondent(s) with a Written Notice of conclusion that includes a summary of the steps taken in the Administrative Inquiry, the applicable findings, and any recommendations, referrals, and/or Remedies.

Unlike in a Formal Investigation, the Complainant and Respondent do not have the right to review all information gathered through the course of an Administrative Inquiry. The AVC for CREO 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 AVC for CREO determines necessary or appropriate.

- c. If the AVC for CREO determines that an Administrative Inquiry is insufficient to address and resolve the Complaint or that the information gathered indicates that a Formal Investigation is warranted, the AVC for CREO may initiate an alternate Resolution Process set forth in these Procedures, including a Formal Investigation. Information gathered as part of an Administrative Inquiry may be included as evidence in a Formal Investigation.

The determinations of the Administrative Inquiry are final and not subject to appeal.

D. Inquiry for the POWR Act

- 1. If the alleged Prohibited Conduct in the Complaint involves solely allegation(s) of Harassment under the POWR Act but does not meet the definition of Title IX Sexual Harassment, the AVC for CREO will initiate an Administrative Inquiry to address the Complaint.
- 2. When conducting an Administrative Inquiry into allegation of Harassment under the POWR Act, the AVC for CREO will consider the following factors to determine the totality of the circumstances, including:
 - i. The frequency of the conduct or communication, recognizing that a single incident may rise to the level of harassment under the POWR Act;
 - ii. The number of individuals engaged in the conduct or communication;
 - iii. The type or nature of the conduct or communication, recognizing that conduct or communication that, at one time, was or is welcome between two or more individuals may become unwelcome to one or more of those individuals;
 - iv. The duration of the conduct or communication;
 - v. The location where the conduct or communication occurred;
 - vi. Whether the conduct or communication is threatening;
 - vii. Whether any power differential exists between the individual alleged to have engaged in harassment and the individual alleging the harassment;
 - viii. Any use of epithets, slurs, or other conduct or communication that is humiliating or degrading; and
 - ix. Whether the conduct or communication reflects stereotypes about an individual

or group or individuals in a protected class.

3. If the Administrative Inquiry determines that a Respondent is responsible for Harassment under the POWR Act, the AVC for CREO may consult with other University administrators to determine appropriate Disciplinary Action and Remedies and will refer the matter to the appropriate University official to implement Disciplinary Actions and Remedies. For identified Respondents who are Employees to the Division of Human Resources and Inclusive Community or to the Vice Provost for Faculty Success, as applicable, for Disciplinary Action.
4. CREO will provide the Complainant and Respondent with a Written Notice of conclusion that includes a summary of the steps taken in the Administrative Inquiry, the applicable findings, and any recommendations, referrals, and/or Remedies.

The determinations of the Inquiry for the POWR Act are final and not subject to appeal.

E. Formal Investigation

If the AVC for CREO determines to resolve a Complaint through a Formal Investigation, the AVC for CREO will designate one or more Investigators from CREO and/or an external investigator(s) to conduct a prompt and equitable investigation. Any Investigator chosen to conduct the investigation must be free of any conflict of interest or bias for or against Complainants or Respondents generally, or for or against a specific Complainant or Respondent.

The Parties will have two (2) Business Days from receipt of the name(s) of the Investigator(s) to raise any objection to the Investigator(s) based upon conflict of interest or bias. The Party must object in writing, specifically describe the purported conflict of interest or bias, and provide evidence to support this concern. The AVC for CREO will assess the circumstances and determine whether to assign a different Investigator to the matter.

1. Notice of Investigation

After the AVC for CREO decides to move forward with a Formal Investigation, CREO will notify all Parties (Complainant(s) and Respondent(s)) in writing that CREO has initiated an investigation.

The notice letter will:

- a. Identify the Complainant(s) and Respondent(s);
- b. Provide a concise summary of the of the alleged Prohibited Conduct (including when and where it occurred, if known) and specify the date, time (if known), location and nature of the alleged Prohibited Conduct and any other relevant conduct;
- c. Notify the Parties that an investigation has been initiated against the Respondent(s);
- d. Identify the applicable Procedures;
- e. Identify the assigned Investigator(s);
- f. Inform the Parties how to challenge participation by the Investigator(s) on the basis of conflict of interest or bias;
- g. Identify the potential Prohibited Conduct violations and other potential University policy violations consolidated into the investigation (if any);
- h. Invite the Parties to attend an informational meeting;
- i. State that Retaliation is prohibited;
- j. Inform the Parties of the right to inspect and review evidence;
- k. Instruct the Parties to preserve any potentially relevant evidence in any format;

- l. Include 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; and
- m. Describe the Parties' right to an advisor and support person of their choice.

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. If during the course of an investigation, the University decides to investigate additional allegations which are consolidated with the ongoing investigation, 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.

2. Informational Meeting

In the Written Notice, the AVC for CREO will invite each Party to an informational meeting to review these Procedures, discuss the rights and responsibilities of a Party, review the resources available to Parties throughout the investigation process, and answer any questions that the Party may have. Each Party may request an Informational Meeting at any time throughout the course of investigation. To allow the Parties an opportunity to request and complete the informational meeting, the Investigator will wait five (5) Business Days after issuance of the Written Notice before contacting the Parties or Witnesses for interviews.

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

At any time during the investigation, a Party may request an additional informational meeting to review these Procedures and answer any questions that the Party may have about the Procedures.

3. Participation and Interviews of Parties and Witnesses

CREO will provide each Party with written notice of the date, time, location, participants, and purpose of all meetings or proceedings in the Formal Investigation with sufficient time for the Party to prepare to participate. No Party or Witness is required to participate in the Formal Investigation; a Party's decision not to participate in the investigation, in whole or in part, will be documented in the investigative report. However, if either Party declines to participate or limits the extent of their participation, such decision may limit the ability of the University to thoroughly investigate and resolve the Complaint.

4. Investigation Procedure

The University, and not the Complainant or the Respondent, has the burden of gathering evidence sufficient to reach a determination regarding responsibility. The University will take reasonable steps to protect the privacy of the Parties and Witnesses during the investigation. However, in doing so, the University will not restrict the ability of either Party to obtain and present evidence; identify and speak to Witnesses; consult with family members, confidential resources, their advisor; or otherwise prepare for or participate in the investigation or hearing, if any. The University will take reasonable steps to prevent and address the Parties' and their advisors' unauthorized disclosure of information and evidence obtained solely through the investigation.

During the investigation, each Party has an equal opportunity to present fact Witnesses and submit other inculpatory and exculpatory evidence (such as documents, communications, photographs, or other

information) that are Relevant. The Investigator may ask a Party or Witness to describe the relevance of the information submitted or to provide a description of what Relevant evidence a proposed Witness is expected to provide. The Investigator has the discretion to determine the appropriate scope of the investigation.

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 has discretion to determine the necessity of interviewing potential Witnesses.

The Investigator will record and transcribe (or arrange for transcription of) all interviews.

5. Evidence

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.

- a. A Complainant's sexual interests or prior sexual history is generally not Relevant, unless:
 - i. such evidence is offered to prove that someone other than the Respondent committed the alleged Prohibited Conduct; and
 - ii. evidence concerning specific incidents of the Complainant's prior sexual behavior with Respondent, when offered to prove Consent.
- b. A Party's or Witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the Party or Witness are excluded as Relevant evidence unless the University obtains that Party's or Witness's voluntary, written consent to use those records in the Formal Resolution process.
- c. Personnel records are generally confidential; however, the Investigator may review Relevant personnel records.
- d. If Relevant, the Investigator will summarize the information from the confidential records in the preliminary investigative report for the 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.
- e. The Investigator may seek Relevant information from other University offices, such as course evaluations, course syllabi and schedules, course materials, housing records, swipe card data, parking data, campus video records, as appropriate for the investigation. The Investigator may visit Relevant sites or locations and record observations through written, photographic, or other means.
- f. Evidence that is protected under a privilege as recognized by federal or state law or evidence provided to a confidential employee is inadmissible, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality.
- g. The Investigator may interview experts who have no connection to the reported incident when expertise on a specific issue or submitted evidence is needed, for example, to gain a fuller understanding of the issue or of the relevance or value of the evidence. In instances where the Investigator plans to interview an expert, prior to such interview, the Investigator will share the expert's identity with all Parties. The Parties have two (2) Business Days from receipt of the name of the expert to raise any objection to the expert based upon conflict of interest or bias. The AVC for CREO will assess the circumstances and determine whether to consult a different expert to the matter. The Party must object in writing, specifically describe the purported conflict of interest or

- bias, and provide any evidence to support this concern.
- h. 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 prohibition does not apply to external investigators or experts hired or consulted by the University pursuant to these Procedures.
 - i. 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:
 - i. The previous allegation or incident was substantially similar to the present allegation;
 - ii. The information indicates a pattern of behavior and substantial conformity with that pattern by the Respondent; or
 - iii. 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.

6. Preliminary Investigative Report

After each Party has been provided the opportunity to be interviewed and to identify potential Witnesses and other information, and the Investigator has completed Witness interviews and the gathering of evidence, the Investigator will prepare a preliminary investigative report. The preliminary investigative report will include, as applicable, the transcript or interview statement for Complainant, Respondent, and any Witnesses, and either a copy or written summary of any other information the Investigator in their discretion deems relevant.

The AVC for CREO will concurrently provide the Complainant and Respondent with access to review the preliminary investigative report via the University's chosen cloud storage platform. The University prohibits the Parties and their advisors/support persons from downloading, photographing, copying or otherwise duplicating, sharing, or transmitting the material provided; any use contrary to this prohibition constitutes unauthorized disclosure. If a Party and/or their advisor makes an unauthorized disclosure, the AVC for CREO will refer such conduct to the Office of Student Rights & Responsibilities (if the Party is a Student) or the Division of Human Resources & Inclusive Community or the Vice Provost for Faculty Success (as applicable, if the Party is an Employee), and/or CREO will assess whether the unauthorized disclosure constitutes potential Prohibited Conduct under the Policy.

The Complainant and Respondent have ten (10) Business Days from the time they are given access to the preliminary investigative report to submit any comments, feedback, additional documents, evidence, requests for additional investigation, names of additional potential 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.

The AVC for CREO may grant the Parties on a case-by-case basis an extension of the time to review and respond to the investigative report, upon written request by either Party and a showing of good cause for the extension, with Written Notice to the Parties that includes the reason for the extension, and recognizing that such an extension may cause resolution process to exceed the timeframes specified in these Procedures.

If the Investigator receives information from a Party in response to the preliminary investigative report that

warrants further substantive investigation or review, the Investigator, in consultation with the AVC for CREO, 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 investigative report, and provide the Complainant and Respondent access to such report for review and comment for at least five (5) Business Days.

7. 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 investigative report, any response to the preliminary investigative 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 whether there is sufficient evidence to support a finding of responsibility for a violation of the Policy (and, where applicable, any other relevant policies). 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 AVC for CREO will review and approve the final investigative report before the final investigative report is issued to the Parties. The AVC for CREO will concurrently provide the Complainant and Respondent with access, via the University's chosen cloud storage platform, to review the final investigative report and all attached materials, including information submitted by the Parties in response to the preliminary investigative report and all information and materials gathered as additional investigative steps, for a minimum of five (5) Business Days or for the duration of the appeal process, when applicable. At the same time, the AVC for CREO will communicate to all Parties and necessary administrators and supervisors whether or not a Respondent was found responsible for Prohibited Conduct and the assigned Outcomes or Disciplinary Action, as applicable.

After issuing the final investigative report and if the Respondent has been found responsible, the AVC for CREO will provide the Parties with the identities of the Outcome Council members (for Student Respondents) or the Decision-Maker for Disciplinary Action (for Employee Respondents) who will make determinations about Outcomes or Disciplinary Action, as applicable. The Parties have two (2) Business Days from receipt of this information to raise any objection based upon conflict of interest or bias. The Party must object in writing, specifically describe the purported conflict of interest or bias, and provide evidence to support this concern. The AVC for CREO will assess the circumstances and determine whether to assign a different Outcome Council member or Decision-Maker for Disciplinary Action, as applicable, to the matter.

After issuing the final investigative report and if the Respondent has been found responsible, the AVC for CREO will provide the Outcome Council (for Student Respondents) or the Decision-Maker for Disciplinary Action (for Employee Respondents) with the determination of responsibility for purposes of determining Outcomes or Disciplinary Action, respectively, as described in Sections 17.A and 17.B below. The Outcome Council or Decision-Maker for Disciplinary Action will determine and communicate Outcomes or Disciplinary Action to the AVC for CREO in writing for inclusion in a determination correspondence prepared by the AVC for CREO and provided to the Parties.

The AVC for CREO may, as necessary, also send a copy of the final investigative report and/or the determination correspondence to necessary administrators and supervisors.

CREO may refer the final investigative report and/or the determination correspondence to University administrators for action pursuant to other applicable University policies and procedures, if appropriate.

16. Remedies

Remedies are the measures provided, as appropriate, to a Complainant or any other person that CREO identifies as having had their equal access to a University education program or activity limited or denied, after CREO has determined, pursuant to these Procedures, that Prohibited Conduct has occurred or that there exists or existed a hostile environment. The AVC for CREO may determine appropriate Remedies as set forth below.

1. Remedies are designed to restore or preserve equal access to employment and/or 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. The AVC for CREO, in consultation with other University officials, as appropriate, has the discretion to determine the applicable Remedies.
6. The AVC for CREO will communicate any applicable Remedies to the Parties when providing a determination correspondence.

17. Disciplinary Action/Outcomes

If a Respondent is found responsible for Prohibited Conduct or for violation of any other University policy(ies) pursuant to these Procedures, the University will determine appropriate Outcomes (for Student Respondents) or Disciplinary Action (for Employee Respondents) as set forth below.

A. Disciplinary Action

1. The Decision-Maker for Disciplinary Action for Employees is as follows:
 - a. For Employees who are staff, promptly after the AVC for CREO provides the determination of responsibility, the Respondent's supervisor or other administrator in the applicable unit will determine the appropriate Disciplinary Action, in consultation with the Division of Human Resources & Inclusive Community and the AVC for CREO.
 - b. For Employees who are faculty, promptly after the AVC for CREO provides the determination of responsibility, the Vice Provost for Faculty Success will determine the appropriate Disciplinary Action, in consultation with the dean of the applicable college or school and the AVC for CREO. 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 for Disciplinary Action has the following objectives:
 - a. Promoting safety and protecting the University community;
 - b. Assigning sanctions to Respondents 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. The Decision-Maker for Disciplinary Action will also consider other factors including, but not limited to:
 - a. The nature of the Prohibited Conduct at issue;
 - b. The degree of physical violence (if any) associated with the Prohibited Conduct;
 - c. The impact of the Prohibited Conduct on the Complainant or University community;
 - d. The Respondent's prior disciplinary history and/or relevant or related criminal convictions (if known);
 - e. Whether the Respondent has accepted responsibility for the Prohibited Conduct;
 - f. Previous University response to similar conduct;
 - g. The maintenance of a safe, nondiscriminatory, and respectful living, learning, and working environment; and
 - h. Any other mitigating, aggravating, or compelling factors.
 4. 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).
 5. 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. Informal or formal coaching;
 - c. Training or education;
 - d. A letter of reprimand placed in a Respondent's personnel file;
 - e. Restrictions on a Respondent's access to University programs or facilities;
 - f. Limitations on merit pay or other salary increases for a specific period; or Demotion, suspension, or expulsion /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.
 6. The Decision-Maker for Disciplinary Action will promptly notify the AVC for CREO in writing of the Disciplinary Action imposed for inclusion in a determination correspondence.

B. Outcomes

1. The AVC for CREO will notify the Chair of the Outcome Council in writing when a finding of responsibility requires convening of the Outcome Council. The AVC for CREO will provide the Outcome Council with access to the Relevant evidence related to the matter, including final investigation report and all related materials.
2. The Outcome Council will convene promptly after the AVC for CREO provides the determination of responsibility and will determine the appropriate Outcomes for the Respondent. 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 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.
4. The Outcome Council considers the following criteria in determining Outcomes to meet those objectives:
 - a. Nature and severity of the Prohibited Conduct;
 - b. The degree of physical violence (if any) associated with the Prohibited Conduct;
 - c. Number of Complainants;
 - d. Number of impacted individuals;
 - e. Prior Student Rights & Responsibilities history or relevant or related criminal convictions (if known) of the Respondent;
 - f. Whether the Respondent has accepted responsibility;
 - g. The impact the Prohibited Conduct has had on the Complainant(s), University community, community members, University and community safety, and University environment;
 - h. The maintenance of a safe, nondiscriminatory, and respectful living, learning, and working environment; and
 - i. Any other mitigating, aggravating, or compelling factors.
 5. The range of Outcomes includes:
 - a. Status Outcomes, including but not limited to Educational Letter; Written Warning; Student Conduct Probation; Elevated Probation; Suspension; and Expulsion;
 - b. Educational Outcomes, including but not limited to Reflective Activities; Programs & Activities; Interventions; Restrictions; Referrals; and Restitution.
 6. The Outcome Council will notify the AVC for CREO in writing of the Outcomes determined to be appropriate by the Outcome Council.

18. Appeal

The AVC for CREO will provide the Parties with information on their right to appeal pursuant to these Procedures. In any appeal, the burden of proof lies with the Party requesting the appeal. The appellate process shall not re-hear a matter in part or in its entirety.

A. Ineligible Actions/Decisions/Determinations

The following are not eligible for appeal pursuant to these Procedures:

1. The University's exercise of its discretion to consolidate pursuant to Section 7.E.
2. The University's failure to meet any of the time frames set forth within these Procedures or to provide Written Notice of the extension of these time frames.
3. The AVC for CREO's determination of the appropriate manner of resolution.
4. A binding resolution reached through the Early Intervention process or Informal Resolution process.
5. A Respondent cannot appeal a binding agreement reached through the Agreed Admission process.
6. The determinations regarding Prohibited Conduct, Remedies, Disciplinary Action or Outcomes, as applicable, resulting from an Administrative Inquiry.
7. The findings, Remedies, Disciplinary Action or Outcomes, as applicable, resulting from an Inquiry for the POWR Act.

B. Eligible Actions/Decisions/Determinations

The following are eligible for appeal pursuant to these Procedures:

1. Dismissal of a Complaint: A Party who has been notified of the dismissal of a Complaint can appeal that decision.
2. Agreed Admission: A Complainant can appeal a binding agreement reached through the Agreed Admission process.
3. Formal Investigation: Any party can appeal a determination regarding responsibility and Outcomes following a Formal Investigation.

C. Bases for Appeal

1. Except as expressly stated below, a Party may only appeal on one or more of the following bases:
 - a. Procedural irregularity that affected the outcome of the matter;
 - b. New evidence that affected the outcome and that was not reasonably available at the time the determination regarding responsibility was made;
 - c. 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.
 - d. The AVC for CREO, Investigator, Decision-Maker for Disciplinary Action, or Outcome Council member(s), as applicable, 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.
 - e. Where the Respondent is a Student, the Outcomes imposed are substantially disproportionate to the severity of the violation.
2. Dismissal of Complaint: A Party who has been notified of the dismissal of a Complaint can appeal that decision on the bases identified in Section 18.C.1.a or c above.
3. Agreed Upon Resolution: A Complainant may only appeal a binding agreement reached through the Agreed Admission process on the bases identified above in Section 18.C.1.c. or d.
4. Formal Investigation: Any Party may appeal a determination regarding responsibility and Outcomes resulting from a Formal Investigation on all bases identified above in Section 18.C.1.a-e.
5. Ineligible basis for appeal: Mere disagreement with the decision is not a basis for appeal under these Procedures.

D. Requirements for Filing an Appeal

1. If a Party wishes to file an appeal, the Party must submit the appeal directly to the AVC for CREO in writing no later than five (5) Business Days after
 - a. The notification of dismissal of the Complaint is issued to the Parties
 - b. The Written Notice of resolution by Agreed Admission is issued to the Complainant
 - c. The final investigative report and determination correspondence are issued to the Parties.
2. The AVC for CREO may grant the Parties on a case-by-case basis an extension of the time to file an appeal, upon written request by either Party and a showing of good cause for the extension, with Written Notice to the Parties that includes the reason for the extension.

3. The written appeal must state with specificity:
 - a. The issues being appealed;
 - b. The bases for the appeal; and
 - c. If Section 18.C.1.b is identified and is an eligible bases for appeal, the Party submitting the appeal must describe with specificity the new evidence and how it could affect the outcome of the matter.

E. Time Frame for Completion of Appeal

1. The University will make a good faith effort to complete the appeal within fifteen (15) Business Days from the date the appeal and any response is provided to the Appellate Officer.
2. The AVC for CREO may extend the timeframe for completion of appeal for good cause on a case-by-case basis following a written request. If the timeframe for completion of the appeal is extended, the AVC for CREO will notify both Parties in writing of the delay or extension and the reasons for the delay or extension.

F. Appeal Procedure

1. After receiving a timely written appeal, the AVC for CREO 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:
 - i. Review the appeal statement of the other Party; and
 - ii. Submit a written statement in support of or challenging the issues being appealed within five (5) Business 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), or the AVC for CREO, any member of the Outcome Council or the Decision-Maker for Disciplinary Action, as applicable.
 - a. The Appellate Officers are as follows:
 - i. If the Respondent is a Student, the Vice Chancellor for Student Affairs or designee;
 - ii. If the Respondent is an Employee who is staff, the Vice Chancellor for Human Resources or designee; and
 - iii. If the Respondent is an Employee who is a faculty member, the Provost and Executive Vice Chancellor or designee.
 - b. The University will notify all Parties of the identity of the Appellate Officer, and the Parties will have two (2) Business Days from receipt of the name to raise any objection to the participation of the Appellate Officer based on conflict of interest or bias. The Party must object in writing, specifically describe the purported conflict of interest or bias and provide evidence to support this concern. The AVC for CREO will assess the circumstances and determine whether to assign a different Appellate Officer to the matter.
3. The Appellate Officer will consider the appeal, including any written statements submitted by the Parties. The Appellate Officer may also consider the materials provided to the Parties in connection with the applicable resolution process, but the Appellate Officer may not engage in independent fact finding such as interviewing the Parties or other Witnesses.
 - a. The Appellate Officer may take the following actions:
 - i. Deny the appeal in whole or in part based on not satisfying the Appeal Criteria and uphold the applicable written determination,
 - ii. Accept the appeal in whole or in part based on satisfying the Appeal Criteria and:

1. Send the matter back for supplemental investigation or to take other appropriate remedial actions;
2. If the defect cannot be cured through supplemental investigation or other appropriate remedial actions, then the Appellate Officer may order a new investigation; or
3. If the Respondent is a Student, and the Appellate Officer determines that the Outcomes imposed are disproportionate to the violation, the Appellate Officer may return the matter to the Outcome Council with or without recommendations.
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 AVC for CREO. The AVC for CREO will provide the written determination of appeal concurrently to the Parties.
5. The result of the appeal is final.

G. Grievance of Disciplinary Action for Employees

In addition to the appellate rights set forth in Section 18, Employees may file a grievance with respect to the Disciplinary Action imposed pursuant to Section 17.A 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, where applicable, or pursue a grievance pursuant to the Faculty Grievance Policy and Procedures;
2. Staff may pursue a grievance pursuant to the Staff Employee Grievance Policy and Procedures; and
3. Employees who are subject to a collective bargaining agreement must pursue their grievance rights pursuant to that agreement.

19. Recordkeeping and Recordings

As set forth in Section IV of the [Policy](#), the University maintains records related to the reporting, review, investigation and resolution of alleged Prohibited Conduct by the Office of Civil Rights and Equal Opportunity consistent with applicable federal, state, and local laws and regulations and applicable University policies.

The University has the right to record any meeting, interview, or other proceeding under these Procedures. Parties, Witnesses, advisors, and support persons are prohibited from recording of any meeting, interview, or other proceeding under these Procedures.

20. 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 the schedule of an advisor or support person.

4. Provide the University with accurate address and other contact information so that notifications are not unduly delayed.
5. Promptly open and read any communication from the Office of Civil Rights and Equal Opportunity, 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.

21. Bias, Training, and Presumptions

- A. Any individual designated as a Title IX Coordinator, Title VI Coordinator, Deputy Title VI Coordinator, Deputy Equal Opportunity Coordinator, Deputy Title IX Coordinator, Director of Investigations, Investigator, 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.
- B. The University will provide training to the Title VI Coordinator, Deputy Title VI Coordinator, Deputy Equal Opportunity Coordinator, Director of Investigations, Investigators, Decision-Makers for Disciplinary Action, Outcome Council Members, Appellate Officers, and any person who facilitates the Informal Resolution Process.
- C. The University will provide training to all Investigators and the staff of the Office of Civil Rights and Equal Opportunity on the following:
 - a. The definitions in the Policy;
 - b. These Procedures, including but not limited to the presumption that a Respondent is not responsible and issues of relevance;
 - c. How to conduct an investigation;
 - d. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and
 - e. Options for involving law enforcement.
- D. The University will provide training to Decision-Makers for Disciplinary Action and Outcome Council Members on the following:
 - a. The Policy;
 - b. These Procedures, including but not limited to the presumption that a Respondent is not responsible and issues of relevance;
 - c. How to conduct an investigation;
 - d. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
 - e. Options for involving law enforcement.

- E. The University will provide training to Appellate Officers on the following:
 - a. The definitions in the Policy;
 - b. These Procedures, including but not limited to the presumption that a Respondent is not responsible and issues of relevance;
 - c. How to conduct an investigation;
 - d. Issues of relevance; and
 - e. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.
- F. All Complaints are presumed to be made in good faith and all Complainants have the right to be taken seriously.
- G. A Respondent is presumed not responsible for alleged conduct unless and until a determination regarding responsibility for Prohibited Conduct is made through a resolution process under these Procedures or if the Respondent signs an Admission of Responsibility as set forth in Section 14 above.

22. Education and Prevention Programs

The University is committed to offering educational programs to promote awareness of the University's obligations to comply with all applicable federal, state, and local non-discrimination laws. Educational programs include:

1. an overview of the University's policies and procedures;
2. relevant definitions, including Prohibited Conduct;
3. how to report allegations of Prohibited Conduct;
4. discussion of the impact of alcohol and illegal drug use; Consent; safe and positive options for bystander intervention;
5. review of resources and reporting options available for Students, faculty and staff; and
6. information about risk reduction.

All incoming Students receive training on the University's policies and procedures, as well as prevention and awareness programming.

Employees are required to undertake training on the University's policies and procedures, as well as prevention and awareness programming.

23. Revisions

Pursuant to the [Policy](#), the University may, in its sole discretion, update these Procedures at any time for any reason, including as necessary to comply with applicable local, state, and federal laws and regulations and/or directives from relevant government agencies. Where these Procedures are silent on a procedural issue, and no other applicable policy governs the issue, the AVC for CREO has discretion to adopt sound practices.

The University will make such updates subject to review and approval by the Provost and Executive Vice Chancellor and Senior Vice Chancellor for Business & Financial Affairs (or designee). The updated Procedures will be effective upon publication to the University community.

DU Title IX Sexual Harassment Procedures 2026-2027

I. Purpose

- A. Consistent with the University's Non-Discrimination Statement and the University's Discrimination and Harassment Policy (the "Policy"), the University has adopted these Procedures¹ to take prompt and effective action through the Office of Civil Rights and Equal Opportunity ("CREO"), to address and resolve complaints by individuals participating in or attempting to participate in the University's Education Program or Activity alleging Title IX Prohibited Conduct as defined by the Policy.
- B. The Policy and these Procedures are intended to comply with the requirements of Title IX, the Jeanne Clery Campus Safety 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.
- C. The University has designated the Associate Vice Chancellor for Civil Rights and Equal Opportunity / Title IX Coordinator/Title VI Coordinator ("AVC for CREO") to coordinate the University's compliance with all federal, state, and local laws within the scope of the Policy.² The University's Title IX Coordinator is:

Michael D. Todd, JD
Associate Vice Chancellor for Civil Rights and Equal Opportunity / Title IX
Coordinator/Title VI Coordinator
Driscoll Center South, Suite 30
2050 E. Evans Avenue
Denver CO 80208
[\(303\) 871-7016](tel:(303)871-7016)
<https://www.du.edu/equalopportunity/index.html>
CREO@du.edu or Michael.Todd@du.edu

Molly Hooker
Deputy Title IX Coordinator
Office of Civil Rights and Equal Opportunity
Driscoll Center South, Suite 30
2050 E. Evans Avenue
Denver CO 80208
[\(303\) 871-7016](tel:(303)871-7016)
<https://www.du.edu/equalopportunity/index.html>
CREO@du.edu or Molly.Hooker@du.edu

- D. CREO is responsible for administering the Procedures. CREO 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 Title IX Prohibited Conduct, prevent its

¹ These Procedures should be read in conjunction with the Policy. Capitalized terms used and not otherwise defined in these Procedures are defined in the Policy.

² The AVC for CREO may, in their discretion, designate responsibilities to the Deputy Title IX Coordinator, Deputy Equal Opportunity Coordinator & Deputy Title VI Coordinator, Director of Investigations and Resolution Services or other appropriately trained personnel within the University. In these Procedures, when the term "AVC for CREO" is used, it should be understood to include any of the AVC for CREO's designees.

recurrence, and address its effects.

- E. An individual who believes that they have been subjected to Title IX Prohibited Conduct 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”), identified below. In addition, any person who is dissatisfied with the University’s internal procedures for handling complaints or with the result of an Informal Resolution or Formal Resolution or the Outcomes and/or Disciplinary Action imposed pursuant to these Procedures may seek redress through these means to the extent allowed by law.

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

Colorado Civil Rights Division
1560 Broadway, Suite 825
Denver, CO 80202
Telephone: [303-894-2997](tel:303-894-2997)
Fax: [303-894-7830](tel:303-894-7830)
TTD: [711](tel:711)
DORA_CCRD@State.co.us

Equal Employment Opportunity Commission
Denver Field Office
950 17th St., Suite 300
Denver, CO 80202
Telephone: [\(800\) 669-4000](tel:800-669-4000)
FAX: [303-866-1085](tel:303-866-1085)
TTY: [\(800\) 669-6820](tel:800-669-6820)
ASL Video: [844-234-5144](tel:844-234-5144)

Any person who believes the University as a federal contractor has violated applicable nondiscrimination obligations may contact the Office of Federal Contract Compliance Programs (“OFCCP”) at

OFCCP
U.S. Department of Labor
200 Constitution Ave., NW
Washington, D.C. 20210
www.dol.gov
Telephone: [\(800\) 397-6251](tel:800-397-6251) or [\(202\) 693-0103](tel:202-693-0103)
TTY: [\(877\) 889-5627](tel:877-889-5627) or [\(202\) 693-133](tel:202-693-133)

II. Application

- A. As stated in Section II.E of the Policy, these Procedures apply to all reported instances of alleged Title IX Prohibited Conduct as defined in Section III.A of the Policy regardless of when that alleged Title IX Prohibited Conduct is reported to have occurred where the following conditions are met:

1. The Title IX Prohibited Conduct is alleged to have been perpetrated against a person in the United States;
 2. The Title IX Prohibited Conduct is alleged to have taken place within the University's Education Program or Activity; 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 Program or Activity.
- B. The University may address alleged incidents of discrimination, harassment, or other misconduct on the basis of Protected Status that are not covered by these Procedures using other University policies and procedures, including but not limited to:
1. Office of Civil Rights and Equal Opportunity Comprehensive Discrimination and Harassment Procedures
 2. Honor Code
- C. These Procedures supersede any conflicting information in any other University policy with respect to the procedures applicable to alleged Title IX Prohibited Conduct. The University may apply a different policy or procedures under certain circumstances where required by a change in the law, regulation, or federal agency guidance.
- D. The AVC for CREO and the Title IX Coordinator, in their sole discretion, shall determine whether these Procedures or the Comprehensive Discrimination and Harassment Procedures, or both, apply to the Title IX Prohibited Conduct.
- E. All members of the University of Denver community, including Students, Employees, and Third Parties, are subject to these Procedures as described in Section II.E of the Policy.
- F. Third Parties may initiate a report or, consistent with Section IV of these Procedures, a Complaint that a member of the University community engaged in Prohibited Conduct committed against them by members of the University community, but Third Parties alleged to have themselves engaged in Prohibited Conduct are limited in their rights pursuant to these Procedures at the discretion of the Title IX Coordinator. The University can trespass (restrict campus access to) Third Parties who have been alleged to have engaged in Title IX Prohibited Conduct without any rights to the resolution processes described in these Procedures.

III. Definitions

1. Business Days

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. For example, University holidays are not Business Days.

2. Complainant

Pursuant to Section VI of the Policy, an individual who is alleged to have experienced conduct that if true would constitute Title IX Prohibited Conduct as defined in the Policy, and, for purposes of a Formal Complaint, who is participating or attempting to participate in a University Education Program or Activity. The person is considered a Complainant regardless of whether they choose to file a Formal Complaint.

3. Disciplinary Action

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

4. Education Program or Activity

As stated in Section II.F of the Policy, those locations, events, and circumstances where the University exercises substantial control over both the Respondent and the context in which the Title IX Prohibited Conduct occurs, including any University on-campus premises and any building owned or controlled by a student organization that is officially recognized by the University.

5. Employee(s)

As stated in Section II.E of the Policy, all full-time and part-time faculty, University staff, student workers, temporary employees, professional research staff, and post-doctoral fellows.

6. Formal Complaint

A document filed by a Complainant or signed by the Title IX Coordinator alleging Title IX Prohibited Conduct against a Respondent and requesting that the University investigate the allegation of Title IX Prohibited Conduct. A signature includes a physical or digital signature or other indication that the Complainant or Title IX Coordinator is the person filing the complaint. 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.

7. Investigator

The individual or individuals designated by the Title IX Coordinator to be responsible for gathering evidence, including interviewing Parties and Witnesses, and drafting an investigative report.

8. Outcomes

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

9. Outcome Council

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 Prohibited Conduct under these Procedures.

10. Party/Parties

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

11. 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 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.

12. Reasonable Person

A reasonable person under similar circumstances and with similar identities to the Complainant or Respondent.

13. Relevant

Related to the allegations of Prohibited Conduct under investigation as part of a Formal Investigation process under these Procedures. Information is relevant if it may aid a decisionmaker in showing whether the alleged conduct occurred, in determining whether the alleged Prohibited Conduct occurred, and in determining the credibility of Parties or Witnesses. As described Section IX below, certain evidence will not be considered as Relevant.

14. Remedies

The measures provided, as appropriate, to a Complainant or any other person that CREO identifies as having had their equal access to a University Education Program

or Activity limited or denied, after CREO determines, pursuant to these Procedures, that a Respondent is found responsible for Prohibited Conduct or that there exists or existed a hostile environment.

15. Reporting Party or Reporter

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

16. Respondent

As stated in Section VI of the Policy, an individual who is alleged to have engaged in conduct that, if true, would constitute Title IX Prohibited Conduct.

17. Responsible Employee

All individuals who have the obligation to report alleged Prohibited Conduct to the Office of Civil Rights and Equal Opportunity pursuant to the University's Reporting by University Employees of Disclosures Relating to the University's Discrimination and Harassment Policy.

18. Student(s)

As stated in Section II.E of the Policy, any individual registered for or auditing classes at the University; admitted to or 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. An individual is also considered a Student under this definition 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 have previously been enrolled but are on a leave of absence or otherwise have a continuing relationship with the University.

19. Supportive Measures

Non-disciplinary, non-punitive individualized services offered, as appropriate and reasonably available, without fee or charge to the Complainant or Respondent to restore or preserve that Party's access to the University's Education Program or Activity, without unreasonably burdening the other Party, including measures that are designed to protect the safety of all Parties or of the University's educational or employment environment, or deter Title IX Prohibited Conduct.

20. Third Party/Third Parties

As stated in Section II.E of the Policy, contractors, vendors, visitors, guests, prospective students, applicants for employment, alumni, or other third parties.

21. Title IX Coordinator

Title IX Coordinator means the Title IX Coordinator or their designee.

22. Witness(es)

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

23. Written Notice

Notice in writing and delivered (1) via electronic mail to the Party's or Witness's University email address or other email address reported to CREO; (2) in person; or (3) by other means to a Party's or Witness's permanent mailing address, as reported by the individual to CREO.

IV. Reporting

- A. Reporting concerns of potential Title IX Prohibited Conduct is critical to the University's ability to respond to potential Title IX Prohibited Conduct, to provide appropriate supports and resources to individuals who may have been impacted, and to monitor campus trends and provide appropriate training and prevention education to the University community. 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.

- B. At any time, any person may report Title IX Prohibited Conduct (whether or not the person reporting is the person alleged to have experienced the conduct), 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.
- C. The University encourages Complainants to report incidents of Title IX Prohibited Conduct directly to the Office of Civil Rights and Equal Opportunity by contacting the Title IX Coordinator:

Michael D. Todd, JD
Associate Vice Chancellor for Civil Rights and Equal Opportunity/Title IX
Coordinator/Title VI Coordinator
Driscoll Center South, Suite 30
2050 E. Evans Avenue
Denver CO 80208
[\(303\) 871-7016](tel:3038717016)
<https://www.du.edu/equalopportunity/index.html>
CREO@du.edu or Michael.Todd@du.edu
[Title IX Online Report Form](#)

Molly Hooker
Deputy Title IX Coordinator
Office of Civil Rights and Equal Opportunity
Driscoll Center South, Suite 30
2050 E. Evans Avenue
Denver CO 80208
[\(303\) 871-7016](tel:3038717016)
<https://www.du.edu/equalopportunity/index.html>
CREO@du.edu or Molly.Hooker@du.edu
[Title IX Online Report Form](#)

- D. Individuals may also report alleged Title IX Prohibited Conduct to other units identified below, which must promptly inform Office of Civil Rights and Equal Opportunity of the report:

Department 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
University of Denver - Community Commons
2055 E. Evans Avenue, Suite 3001

Denver, CO 80208

303-871-2150

srr@du.edu

<https://www.du.edu/studentlife/studentconduct/rightsresponsibilities.html>

Student Outreach & Support (SOS)

University of Denver - Community Commons

2055 E. Evans Avenue, Suite 3100

SOS@du.edu

SOS Referral [Online Report Form](#)

Housing and Residential Education Staff, including Resident Assistants (RAs),

Graduate Resident Director (GRDs)

Housing and Residential Education

Dimond Family Residential Village

2020 S. High Street, #P112

Denver, CO 80208

Phone: 303-871-2246

housing@du.edu

<https://www.du.edu/housing/>

For employment-related concerns:

Division of Human Resources & Inclusive Community

Mary Reed Building, Room 403

2199 S. University Boulevard

Denver, CO 80208

AskHRPartners@du.edu

<https://www.du.edu/human-resources/about-us/hr-partners>

- E. Upon receiving a report of the alleged Title IX Prohibited Conduct, the Title IX Coordinator will 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; and
 4. Offer Supportive Measures as provided in Section V below.
- F. In order to facilitate the University's ability to respond to Title IX Prohibited Conduct and to meet the University's obligations under state and federal law, the University requires employees who have witnessed, have been informed of, or may otherwise have information that reasonably may constitute Prohibited Conduct to report such conduct to the University, unless such employees qualify as Confidential Employees as defined in the University's Reporting by University Employees on Disclosures Relating to the University's Discrimination and Harassment Policy. Responsible Employees will refer all reports of Title IX Protected Conduct to the Title IX Coordinator to facilitate resolution pursuant to these Procedures. If a Responsible Employee fails to timely report incidents of alleged Prohibited Conduct to the Office of Civil Rights and Equal Opportunity, that employee may be referred to the Division of Human Resources & Inclusive Community or to the Vice Provost for Faculty Success, as applicable, for appropriate corrective action. Only a report made to CREO (either directly or

from a Responsible Employee) or an individual identified in Section IV triggers the University's obligation to respond to an allegation of Title IX Prohibited Conduct.

- G. The Office of Civil Rights and Equal Opportunity is not a confidential resource. For any report of Title IX Prohibited Conduct, 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.

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 or 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 of 1974 (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 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. The University has identified on the CREO website where Students may access the services of Confidential Employees, including the University's Health & Counseling Center ("HCC") and Center for Advocacy, Prevention, and Empowerment ("CAPE").

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. The University will review all anonymous reports, and where there is sufficient information, include applicable information in Clery Act reporting.
 3. 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. The University encourages Complainants to contact local law enforcement to report incidents of Title IX Prohibited Conduct that may also be crimes under state or federal 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 Title IX Prohibited Conduct, 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 Title IX Prohibited Conduct has occurred. The University may undertake any process under these Procedures prior to, simultaneously with, or following civil or criminal proceedings.

- J. After receiving a report, Title IX Coordinator 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 Title IX Coordinator determines that the reported information does not fall within the scope of these Procedures, the Title IX Coordinator will, as appropriate, process the report under other appropriate procedures, refer to the matter to an appropriate administrator, provide the Complainant with resources, and/or close the matter.
- K. In addition to the emergency removal and administrative leave processes, if a report of Title IX Prohibited Conduct discloses a serious and immediate threat to the University community, the University's Department of Campus Safety will determine whether the Jeanne Clery Campus Safety Act ("the Clery Act") requires that the University issue a timely notification to protect the health or safety of the community. The notification will not include the Complainant's name. Pursuant to the Clery Act and the Violence Against Women Act ("VAWA"), the Office of Civil Rights and Equal Opportunity will provide information regarding reported criminal incidents to the University's Clery and Compliance Coordinator 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.
- L. Timing of a Report
 - 1. Although there is no time limit on reporting Title IX Prohibited Conduct, the University encourages Complainants and other individuals to promptly report allegations of Title IX Prohibited Conduct as soon as reasonably possible after the event(s) occurred. 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 Title IX Prohibited Conduct, prevent its recurrence, and address its effects.
 - 3. The University also encourages the reporting of conduct occurring off University Premises, including online or electronic conduct, that occurred in the context of employment or an Education Program or Activity of the University, or that has continuing adverse effects in employment or an Education Program or Activity, so that the University may address such conduct under these Procedures or other University policies and procedures, as applicable.
- M. 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 Prohibited Conduct or

may be reluctant to seek assistance for themselves or others who may have experienced Prohibited Conduct because they fear being held responsible under the University Honor Code for alcohol or drug violations related to the incident.

2. The Office of Student Rights & Responsibilities (“SRR”) will not initiate a formal conduct process under the Honor Code if a Student makes a good faith report to an University official, contacts emergency services or participates as a Party or Witness in any resolution 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. However, the University does not extend this amnesty to (1) the distribution or sale of alcohol or other drugs; or (2) the provision of alcohol or other drugs to another individual for the purposes of inducing incapacitation as defined in the Policy.
3. When granting amnesty for the personal use of drugs or alcohol, SRR may, however, refer the Student for an evaluation related to their health status or substance use; engage with the Student in an assessment or educational discussion; or pursue other non-disciplinary options regarding alcohol or other drug use.
4. The University also provides the Medical Amnesty Process as set forth in the [Honor Code](#).

V. 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. 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. A Complainant may request Supportive Measures at any time during the any process under these Procedures even if the Complainant has declined Supportive Measures at an earlier stage.
- 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 are designed to protect the safety of all Parties or the University’s educational environment. Supportive Measures may include, but are not limited to:
 1. Assistance in seeking academic assistance, including modified class schedules (including transfer to another section), permission to withdraw from and/or retake a class or attend a class via alternative means and extension of assignment deadlines or other course-related adjustments
 2. Assistance in modifying University employment arrangements, including changes in work schedules, job assignments, work locations, and/or assigned parking
 3. Campus escort services and safety planning through Campus Safety
 4. Mutual restrictions on contact between the Parties
 5. Assistance in requesting leaves of absence
 6. Modifications to University housing arrangements, including immediate temporary relocation to alternative living quarters and/or permanent reassignment of University housing
 7. Assistance in arranging a meeting with law enforcement to discuss reporting or safety planning

8. Assistance in modifying assigned parking
 9. Increased security and monitoring of certain areas of the campus
 10. Any other mechanism which can be tailored to the involved individuals to achieve the goals of these Procedures.
- D. The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures.
- E. 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.
- F. Supportive Measures do not include Disciplinary Action or Outcomes. The University shall not impose Disciplinary Action or Outcomes on a Respondent unless and until after the Formal Resolution Process, as detailed in Section IX below, is completed.
- G. 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.

VI. Emergency Removal/Administrative Leave/Trespass

- A. Emergency Removal- 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 Prohibited Conduct justifies removal; and
 3. Provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

In making the individual safety and risk analysis, the University will consider the following risk factors:

1. Whether the Respondent has prior arrests, is the subject of prior reports and/or complaints related to any form of Prohibited Conduct, or has any history of violent behavior
2. Whether the Respondent has a history of failing to comply with any University No Contact Order, other University protective measures, and/or any judicial protective order
3. Whether Respondent has threatened to commit violence or any form of Prohibited Conduct
4. Whether the Prohibited Conduct involved multiple Complainants and/or Respondents
5. Whether the Prohibited Conduct involved physical violence. Physical violence means exerting control over another person through the use of physical force. Examples of physical violence including hitting, punching, slapping, kicking, restraining, strangling, and brandishing or using any weapon

6. Whether the report reveals a pattern of Prohibited Conduct (e.g., by the Respondent, by a particular group or organization, around a particular recurring event or activity, or at a particular location)
 7. Whether the Prohibited Conduct was facilitated through the use of “date-rape” or similar drugs or intoxicants
 8. Whether the Complainant is (or was at the time of the Prohibited Conduct) a minor (under 18); and
 9. Whether any other aggravating circumstances or signs of predatory behavior are present.
- B. **Administrative Leave:** 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 Title IX Prohibited Conduct on administrative leave due solely to the Title IX Prohibited Conduct allegations that constitute Title IX Prohibited Conduct unless and until a Formal Complaint has been filed with the University. The University, in its discretion and based on the totality of the circumstances, will determine whether any administrative leave imposed is to be imposed with or without pay or benefits.
- C. **Trespass Notices:** The University may trespass Third Parties who have been alleged to have engaged in Title IX Prohibited Conduct without any rights to the resolution processes described in these Procedures. Members of the University community who host Third Parties may be held accountable for the misconduct of their Third Parties pursuant to applicable University policies.

VII. Bias, Training, and Presumptions

- 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 Office of Civil Rights and Equal Opportunity 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 Policy, 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 Title IX Prohibited Conduct; 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 Civil Rights and Equal Opportunity on the following:

- a) The Policy, including but not limited:
 - i. The definition of Consent;
 - ii. The scope of the University's Education Program or Activity.
 - b) These Procedures, including but not limited to the presumption that a Respondent is not responsible and issues of relevance;
 - c) How to conduct an investigation;
 - d) How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
 - e) An explanation of relevant state and federal laws concerning sexual misconduct;
 - f) Options for involving law enforcement; and
 - g) The effects of trauma on individuals involved in allegations of Title IX Prohibited Conduct.
 - 4. The University will provide training to Decision-Makers for Disciplinary Action and Outcome Council Members on the following:
 - a) The definitions in the Policy, 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 Title IX Prohibited Conduct.
 - 5. The University will provide training to Appellate Officers on the following:
 - a) The definitions in the Policy, 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 Title IX Prohibited Conduct.
- 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 by a Preponderance of the Evidence is made at the conclusion of the Formal Resolution Process set forth in Section IX below.
- D. All Students must comply with University Policies, including but not limited to, the Honor Code and the University's Discrimination and Harassment Policy. SDS provides reasonable accommodations to allow students with disabilities meaningful and equitable access to University processes; however, such accommodations do not waive or exempt Students from the substantive requirements of the applicable policy. At any point during the grievance

process, Parties or Witnesses may request disability-related accommodations by contacting Student Disability Services (SDS) or the ADA Coordinator, as appropriate. Employees or Third Parties should contact the [ADA Coordinator](#) at ADA.Coordinator@du.edu. Students with disabilities who seek accommodations to access these Procedures should promptly contact SDS at sds@du.edu to submit a request for such accommodations. Also, at any point during the grievance process, Parties or Witnesses may request language assistance by contacting the Title IX Coordinator.

- 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

Informal Resolution is an alternative resolution process that does not include a full investigation or hearing. Informal Resolution seeks to identify and meet the needs of the Parties and seek to address and 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 Title IX Prohibited Conduct 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 for Title IX Prohibited Conduct.

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 nature of the allegations in the Formal Complaint;
 - b) The requirements of the Informal Resolution Process, including the circumstances under which the process precludes the Parties from resuming a Formal Complaint arising from the same allegations;
 - c) The Informal Resolution process is only available if the Parties voluntarily consent in writing. If the Parties voluntarily consent, the University may initiate an Informal Resolution process any time prior to reaching a determination regarding responsibility;
 - d) That either Party may withdraw from the Informal Resolution process and may initiate or resume the Formal Resolution process;
 - e) Any consequences resulting from participating in the Informal Resolution Process, including the records that will be maintained or could be shared;
 - f) That either Party may withdraw from the Informal Resolution Process prior to agreeing to an Informal Resolution agreement and resume the Formal Resolution process;
 - g) The potential terms that may be requested or offered in an Informal Resolution agreement, including but not limited to:
 - i. Restrictions on contact;
 - ii. Restrictions on the Respondent's participation in one or more of the University's programs or activities or attendance at specific events; and/or
 - iii. Restrictions that the University could have imposed as Remedies, Outcomes, or Disciplinary Action had the Respondent been found to be responsible for Prohibited Conduct pursuant to these Procedures;
 - iv. That an Informal Resolution agreement is binding only on the Parties.

D. Facilitator of Informal Resolution

The facilitator for the Informal Resolution will:

1. not be the same person as the Investigator or Decisionmaker in the Formal Resolution process;
2. be free from conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent; and
3. be trained by the University as set forth in Section XV below.

E. Conclusion and Finality of Informal Resolution Process

At any time prior to executing an Informal Resolution agreement, the Parties have the right to withdraw from the Informal Resolution process, and CREO will resume processing of the

Formal Complaint consistent with these Procedures. The Title IX Coordinator has the discretion to terminate an Informal Resolution process if, at any time, the Title IX Coordinator determines that Informal Resolution is not appropriate to resolve a Complaint or to stop Prohibited Conduct, remedy its impact, or prevent its recurrence.

After the Parties have engaged in an Informal Resolution Process, reached a resolution both Parties have signed (electronic or handwritten) an Informal Resolution agreement 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 reached through the Informal Resolution process. However, a Party's failure to complete the agreed terms as set forth in of an Informal Resolution may result in CREO commencing or resuming a formal investigation and/or referral of that Party to the Office of Student Rights & Responsibilities for consideration of action under the Honor Code, if the Party is a Student, or the Division of Human Resources & Inclusive Community to determine appropriate corrective action if the Party is an Employee.

1. For Student Respondents

Informal Resolution will not result in Outcomes through the Outcome Council, but rather terms in an Informal Resolution agreement may include education, coaching, mentoring, voluntary withdrawal, or other action steps that the Title IX Coordinator 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 agreement must inform CREO that such action has been taken.

2. For Employee Respondents

Informal Resolutions may result in mandatory requirements in the form of education, coaching, mentoring, or other action steps that the Title IX Coordinator deems appropriate, in consultation with the Employee's supervisor, the Division of Human Resources & Inclusive Community, and other University administrators as needed. For Informal Resolutions involving mandatory requirements for University Employees, the Employee or the Employee's supervisor, as applicable, must inform CREO the Employee or the supervisor has completed the required action.

F. Timeframe

The University will make a good faith effort to complete the Informal Resolution Process within an average of sixty (60) calendar 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 Title IX Prohibited Conduct 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:

Michael D. Todd, JD
Associate Vice Chancellor for Civil Rights and Equal Opportunity/Title IX
Coordinator
Driscoll Center South, Suite 30
2050 E. Evans Avenue
Denver CO 80208
[\(303\) 871-7016](tel:(303)871-7016)
<https://www.du.edu/equalopportunity/index.html>
TitleIX@du.edu or Michael.Todd@du.edu
[Title IX Online Report Form](#)

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. In the absence of a Complaint filed by a Complainant, or when the Complainant withdraws any or all of the allegations in a Complaint, the Title IX Coordinator will consider whether to initiate a Formal Complaint alleging Title IX Prohibited Conduct after considering, at a minimum:
 - a) The Complainant's request not to proceed with initiation of a Formal Complaint;
 - b) The Complainant's reasonable safety concerns regarding initiation of a Formal Complaint;
 - c) The risk that additional Title IX Prohibited Conduct would occur if a Formal Complaint is not initiated;
 - d) The age and relationship of the Parties, including whether the Respondent is an Employee;
 - e) The scope of the alleged Title IX Prohibited Conduct, including information suggesting a pattern of Title IX Prohibited Conduct, ongoing Title IX Prohibited Conduct or Title IX Prohibited Conduct alleged to have impacted multiple individuals;
 - f) The availability of evidence to assist a decisionmaker in determining whether Title IX Prohibited Conduct occurred; and
 - g) Whether the University could end the alleged Title IX Prohibited Conduct and prevent its recurrence without initiating a formal resolution process.

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, 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 Title IX Prohibited Conduct as defined by the Policy 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.
- c) 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.
2. The dismissal of a Formal Complaint under Section IX 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.
3. 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 for the dismissal simultaneously to the Parties.
4. 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 Title IX Prohibited Conduct where the allegations 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 Title IX Prohibited Conduct 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 (e.g., the Honor Code).
3. The Title IX Coordinator may also consolidate a single Complainant or multiple Complainants, a single Respondent or multiple Respondents.
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 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 one hundred and twenty (120) calendar 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 any of the timeframes set forth within these Procedures, or to provide notice of the extension of these timeframes, shall not be grounds for dismissing any allegation of Prohibited Conduct or for 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 Action, as applicable, or otherwise 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 the 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 Title IX Prohibited Conduct;
 - iii. The date and location of the alleged incident
4. 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.
5. The identity of the assigned Investigator(s) and information on how the Parties may challenge the participation by the Investigator(s) on the basis of bias or conflict of interest;
6. A statement that the Parties have the right to an advisor of their choice;
7. A statement that the Parties have the right to inspect and review directly related evidence;
8. A statement instructing the Parties to preserve any potentially Relevant evidence in any format;
9. A statement that Retaliation is prohibited; and

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. Advisors and Support Persons

1. Throughout the Title IX process, each Party has the right to have one (1) advisor of their choice and one (1) support person of their choice. A Party may have the same advisor and support person throughout the process or may choose to have a different advisor or support person at various stages of the process, such as during interviews, meetings with the Title IX Coordinator, or the hearing.
2. Although the University does not limit a Party's choice of advisor or support person, the University will communicate with a Party directly and not through an advisor or support person.
3. The University establishes the following restrictions on the extent to which an advisor or support person may participate in the process, and these restrictions apply equally to Complainants and Respondents.
 - a) Advisors and support persons 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 the Investigator in the absence of the Party.
 - b) Except for the role of an advisor as specifically set forth in Section IX below, advisors and support persons may not speak on behalf of the Party or otherwise actively participate in any proceeding.
 - c) CREO will not consider or accept submissions or information from an advisor or support person. If an advisor or support person attempts to present information or submit documents to CREO on behalf of any Party, CREO will notify the Party and provide the Party a reasonable amount of time to submit the information or documents directly, to CREO, however CREO will not extend procedural deadlines for this reason. If the Party elects not to submit the information or documents directly, CREO will not consider such information in the investigation or any resolution process under these Procedures.
 - d) The University may exclude advisors and support persons 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 and/or support person from the Hearing if they violate standards of decorum.
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 purpose 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 above.
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.

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, such as documents, communications, photographs, and other evidence, and suggest questions to be posed to the other Party or Witness.
8. The Investigator will provide Written Notice of the date, time, location, participants, and purpose of any investigative interview or other meeting(s) to any Party whose participation is invited or expected with sufficient time for the Party to prepare to participate.
9. The Investigator will record, with permission of the Party or Witness, and transcribe (or arrange for transcription of) all interviews. For Parties and Witnesses who elect not to have their interview recorded, the Investigator will prepare a statement of the interview.
10. Prior to conclusion of the investigation, the Investigator will make available to each Party and to each Party's advisor, if any, via the University's chosen cloud storage platform 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 and inculpatory or exculpatory evidence whether obtained from a Party or another source. 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) Business Days after the Investigator makes the evidence available to the Party, unless the deadline is extended for good cause.
 - c) If the Investigator receives information from a Party in response to the evidence that warrants further substantive investigation or review, the Investigator, in consultation with the Title IX Coordinator, has the discretion to extend the investigation. If the Investigator extends the investigation, the Investigator will notify the parties in writing, issue the additional evidence, and

provide the Parties access to such evidence for review and comment for ten (10) Business Days.

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) Business 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. The written response, if any, will be provided to the Parties prior to the hearing.
13. Before and after the investigative report is issued but no later than five (5) Business 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. At least ten (10) Business Days prior to date of the hearing, the Title IX Coordinator will notify both Parties of the identity of Hearing Officer and the identities of the Outcome Council members (for Student Respondents) or the Decision-Maker for Disciplinary Action (for Employee Respondents) who will make decisions about Outcomes or Disciplinary Action, as applicable, as set forth below, if a Respondent is found responsible for Title IX Prohibited Conduct.
 - ii. The Parties have two (2) Business Days from receipt of the names to submit an objection in writing to the participation of the Hearing Officer, Outcome Council member, and/or Decision-Maker for Disciplinary Action based on conflict of interest or bias, with a specific description of the purported conflict of interest or bias and evidence to support the objection.

- iii. The Title IX Coordinator will assess the circumstances and determine whether to assign a different Outcome Council member or Decision-Maker for Disciplinary Action, as applicable, to the matter.
 - 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;
 - iii. Decisions regarding relevance of evidence;
 - iv. The standards of decorum applicable to the hearing.
 - 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) Business Days prior to the scheduled hearing, the hearing 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 advisor's 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. The standards of decorum may, among other things, address the process for cross-examination, including rules and practices to facilitate cross-examination that is relevant, respectful, and not abusive. The Office of Civil Rights and Equal Opportunity will maintain the standards of decorum and provide the standards of decorum to the parties with the Notice of Hearing.
- 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. Information protected under a privilege recognized by federal or state law, or evidence provided to a confidential employee, unless the person to whom such privilege or confidentiality is owed has waived the privilege or confidentiality.
- e) 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. However, the Hearing Officer may choose to place less or no weight upon statements by a Party or Witness who refuses to respond to such questions.
- f) 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 the other Party and all 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.
- 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 or 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 Title IX Coordinator will provide the Outcome Council or Decision-Maker for Disciplinary Action with the determination of responsibility for purposes of determining Outcomes and Disciplinary Action, respectively.
3. The Outcome Council convene promptly after the end of the hearing to determine appropriate Outcomes for a Student Respondent
4. The Outcome Council or Decision-Maker for Disciplinary Action will communicate the Outcomes and Disciplinary Action, as applicable, to the Title IX Coordinator, in writing, for the Title IX Coordinator to provide for the Hearing Officer for inclusion in the written determination.
5. Promptly after the Hearing Officer provides the written determination to the Title IX Coordinator, the Title IX Coordinator will provide the written determination simultaneously to the Parties no later than twenty (20) Business Days after the hearing.
6. The written determination will include:
 - a) Identification of the allegations potentially constituting Title IX Prohibited Conduct;
 - 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.
7. The written determination becomes final either on the date that the Parties receive written determination of the results of any appeal, or if no Party appeals, then on the date on which an appeal would no longer be considered timely.

J. Remedies/Outcomes/Disciplinary Action

1. Remedies are designed to restore or preserve equal access to the University's Education Program or Activity. Remedies may be disciplinary or punitive. Remedies may eliminate a hostile environment for the Complainant and/or provide safety protections for the Complainant or the University Community. Remedies may include arrangements that were provided as Supportive Measures during the investigation.
2. In the event the Hearing Officer finds the Respondent responsible for Title IX Prohibited Conduct

- a) The Title IX Coordinator, in consultation with other University officials, as appropriate, has the discretion to determine the applicable Remedies. The Title IX Coordinator will communicate the Remedies to the Parties when providing the written determination.
- b) If the Respondent is a Student, the Outcome Council will determine the appropriate Outcomes for the Respondent.
 - i. The criteria for selection of the Outcome Council are set forth in the Honor Code.
 - ii. 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 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.
 - iii. The Outcome Council considers the following criteria in determining Outcomes to meet those objectives:
 - a. Nature and severity of the action;
 - b. The degree of physical violence (if any) associated with the Prohibited Conduct
 - c. Number of Complainants;
 - d. Number of impacted individuals;
 - e. Prior Student Rights & Responsibilities history or relevant or related criminal convictions (if known) of the Respondent;
 - f. Whether the Respondent has accepted responsibility;
 - g. The impact the Prohibited Conduct has had on the Complainant(s), University Community, community members, University and community safety, and University environment;
 - h. The maintenance of a safe, nondiscriminatory, and respectful living, learning, and working environment, and
 - i. Any other mitigating, aggravating, or compelling factors.
 - iv. The range of Outcomes include:
 - a. Status Outcomes, including but not limited to Educational Letter, Written Warning, Probation, Elevated Probation, Suspension, and Expulsion;
 - b. Educational Outcomes, including but not limited to Reflective Activities, 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.
 - ii. For Employees who are faculty, the Vice Provost for Faculty Success will determine the appropriate Disciplinary Action in consultation with

the dean of the applicable college or school. Disciplinary Action involving faculty is further subject to the Policies and Procedures Relating to Faculty Appointment, Promotion and Tenure.

- iii. In determining Disciplinary Action, the Decision-Maker for Disciplinary Action has the following objectives:
 - a. Promoting safety and protecting the University community;
 - b. Sanctioning individuals for engaging in Prohibited Conduct and deterring individuals 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.
- iv. 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:
 - a. The nature of the Prohibited Conduct;
 - b. The degree of physical violence (if any) associated with the Prohibited Conduct;
 - c. The impact of the Prohibited Conduct on the Complainant or University community;
 - d. Prior disciplinary history of the Respondent or relevant or related criminal convictions (if known) (shared only upon a finding of responsibility for the allegation);
 - e. Whether the Respondent has accepted responsibility for the Prohibited Conduct;
 - f. Previous University response to similar conduct;
 - g. The maintenance of a safe, nondiscriminatory, and respectful living, learning, and working environment; and
 - h. Any other mitigating, aggravating, or compelling factors.
- v. 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. Informal or formal coaching;
 - c. Training or education;
 - d. A letter of reprimand placed in a Respondent's personnel file;
 - e. Restrictions on a Respondent's access to University programs or facilities;
 - f. Limitations on merit pay or other salary increases for a specific period; or
 - g. 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 Written Determination regarding responsibility and Outcomes and Disciplinary Action as set forth below.
- b) No other issue may be appealed. In any appeal, the burden of proof lies with the Party requesting the appeal.

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, Hearing Officer, Outcome Council, or Decision Maker for Disciplinary Action 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; or
 - 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) Business 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) Business Days of the date the appeal and any response is provided to the Appellate Officer.
- b) The Title IX Coordinator may extend the timeframe for completion of appeal may be extended for good cause on a case-by-case basis following a written request. 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) Business 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) Business Days from receipt of the name to raise any objection to the participation of the member based on conflict of interest or bias. The Party must object in writing, specifically describe the purported conflict of interest or bias and provide evidence to support this concern. The Title IX Coordinator will assess the circumstances and determine whether to assign a different Appellate Officer to the matter.
- 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.
 - 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 above, Employees may file a grievance with respect to Disciplinary Action imposed pursuant to Section IX 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, where applicable, or pursue a grievance pursuant to the Faculty Grievance Policy and Procedures;
- b) Staff may pursue a grievance pursuant to the Staff Employee Grievance Policy and Procedures; and
- c) Employees who are subject to a collective bargaining agreement must pursue their grievance rights pursuant to that agreement.

X. Recordkeeping and Recordings

As set forth in Section IV of the Policy, the University maintains records related to the reporting, review, investigation and resolution of alleged Prohibited Conduct by the Office of Civil Rights and Equal Opportunity consistent with applicable federal, state, and local laws and regulations and applicable University policies.

The University has the right to record any meeting, interview, or other proceeding under these Procedures. Parties, Witnesses, advisors, and support persons are prohibited from recording any meeting, interview, or other proceeding under these Procedures.

XI. Revision & Amendment

Pursuant to the Policy, the University may, in its sole discretion, update these Procedures at any time for any reason, including as necessary to comply with applicable local, state, and federal laws and regulations and/or directives from relevant government agencies. Where these Procedures are silent on a procedural issue, and no other applicable policy governs the issue, the Title IX Coordinator has the discretion to adopt sound practice.

The University will make such updates subject to review and approval by the Provost and Executive Vice Chancellor and Senior Vice Chancellor for Business & Financial Affairs. The updated Procedures will be effective upon publication to the University community.

Drug and Alcohol Statement of Policies for Employees and Students

The University's policies regarding alcohol and controlled substances comply with state and federal laws and the federal Drug-Free Schools and Communities Act and the Drug-Free Workplace Act. The [University's Possession, Use, or Distribution of Controlled Substances Policy](#) prohibits employees, students, subcontractors, consultants, volunteers, and visitors from using, unlawfully manufacturing, distributing, dispensing, possessing, or being under the influence of controlled substances while on University Premises or participating in University activities. The [University's Use and Consumption of Alcohol Policy](#) requires that individuals who consume alcohol on University Premises or while in engaging in University-related activities off University Premises must comply with the requirements of the University's alcohol policies and with federal, state, and local laws and regulations. The policy prohibits employees from being under the influence of alcohol or having alcohol impair their ability to perform duties while at work or performing duties for the University. The University has the discretion to discipline employees, up to and including termination, found to be in violation of this policy or in violation of applicable laws related to the possession or consumption of alcoholic beverages.

The Office of Student Rights & Responsibilities may impose status and/or educational outcomes against any student found responsible for violation of alcohol or drug related Honor Code Community Standards. The possible status outcomes for students include, but are not limited to, educational letter, written warning, student conduct probation, elevated probation, suspension, or expulsion. . Educational outcomes include but are not limited to reflective activities, programs & activities, interventions, restrictions, referrals, and restitution.

Drug and Alcohol Statement of Policies for Students

The Honor Code sets forth community standards applicable to students related to alcohol and drugs.

Alcohol violations include the following:

- Unauthorized Possession: Possession and/or use of Alcohol 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 Policies.
- Unauthorized Distribution: The manufacturing and/or delivery of Alcohol, except as expressly permitted by law and University Policies. Students may not provide Alcohol to any person under the legal drinking age of the United States (currently twenty-one (21) years of age).
- Intoxication: Being under the influence of Alcohol to the point of causing a disruption, as determined in the sole discretion of University Officials, to University activities and/or endangering anyone's, including one's own health or safety, regardless of age.
- Coerced Consumption: Any act that may be reasonably expected to influence or cause a person to consume Alcohol without their Effective Consent.
- Drinking Games: Participation in or facilitation of any game where participants, regardless of age, engage in specific actions or follow rules that determine the timing, method, and/or amount of Alcohol to be consumed, including, but not limited to, beer pong, flip cup, quarters, and boom.
- 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, wine glasses, pint glasses, flasks, shot glasses, or similar items.

- Hosting: Being the host, sponsor, or individual providing the space where any action that violates one or more Alcohol Violation Honor Code Community Standards occurs or is likely to occur.

Drug violations include the following:

- Unauthorized Possession: Possession and/or use of any Federally Illegal Drug(s), 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. As cannabis is a Federally Illegal Drug, the University prohibits possession and/or use of cannabis, including medical cannabis, on University Premises in all circumstances.
- Distribution: Manufacturing and/or delivery of any Federally Illegal Drug, prescription drugs, or other controlled substance, including cannabis in any form.
- 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, as determined in the sole discretion of University Officials, to University activities and/or endangering anyone's, including one's own health or safety regardless of age.
- Coerced Consumption: Any act that may be reasonably expected to influence or cause a person to ingest any Federally Illegal Drug, prescription drug, or other controlled substance without their Effective Consent.
- 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, vape pens, vape canisters, bongs and scales or other measuring devices.
- Hosting: Being the host, sponsor or individual providing the space where any action or conduct that may violate one or more Drug Honor Code Community Standards occurs or is likely to occur.
- CBD: Possession and/or use of cannabidiol (CBD) is restricted to products with no levels of THC as stated on the container. Any product containing THC or that does not state the level of THC is not allowed in University owned or operated housing or on University Premises.

Drug and Alcohol Abuse Education Programs

DU offers a variety of drug and alcohol use education programs for students and employees and publishes a biennial Drug and Alcohol Prevention Program resource. For information on these programs and other resources, visit the [Alcohol and Other Drugs website](#), which contains information about DU's drug and alcohol prevention program, pursuant to the Drug-Free Schools and Communities Act Amendments of 1989.

[DU's Drug and Alcohol Prevention Program](#) may also be accessed and includes a full listing of drug and alcohol use education programs offered to the campus community.

Hazing Violations at DU

DU's [Interim Hazing Policy](#) prohibits Hazing at DU, which is defined in the [Honor Code](#), and requires DU Responsible Employees and Campus Security Authorities to report incidents of Hazing they witness or have knowledge of to the Office of Student Rights & Responsibilities ("SRR"). Students may report Hazing incidents to a Responsible Employee, a Campus Security Authority, or directly to SRR by using the SRR [Incident Report Form](#).

Once a report of an alleged act of Hazing is received, SRR follows its case resolution procedures for Students as set forth in the Honor Code, and for Student Organizations as outlined in the [Procedures for Student Organizations](#). The SRR process includes an investigation/information gathering into the alleged act(s), a Case Resolution Meeting, a Proper Written Notification as applicable with information that may include a finding of responsibility and any Outcomes that may have been assigned, and information as applicable regarding the appeal process. The University will make a good faith effort to address and resolve all Reports, exclusive of appeals, within ninety (90) Business Days, without jeopardizing the rights of an Involved Party.

The University's failure to meet the timeframes set forth in the Honor Code, or to provide written notice of the extension of these time frames, shall not be grounds for dismissing any allegations or for an appeal of any matter, nor shall such failure limit the University's ability to complete Case Resolution, impose Outcomes or limit the University's ability to take any other required action.

When alleged acts of Hazing implicate violations of Federal laws and regulations under Title IX of the Education Amendment Act of 1972 or Title VII of the Civil Rights Act of 1964 and state law, the Office of Civil Rights and Equal Opportunity ("CREO") will determine its level of involvement and will follow DU's Discrimination and Harassment Policy, the CREO Comprehensive Discrimination and Harassment Procedures, and/or the CREO Title IX Sexual Harassment Procedures, as applicable, for resolution of such cases. These policies and procedures are located on [the CREO website](#).

State, Local, and Tribal Hazing Laws

Colorado Revised Statutes 18-9-124 classifies hazing as a class 2 misdemeanor. Hazing under Colorado law is defined as:

- any activity by which a person recklessly endangers the health or safety of or causes a risk of bodily injury to an individual for purposes of initiation or admission into or affiliation with any student organization; except that "hazing" does not include customary athletic events or other similar contests or competitions, or authorized training activities conducted by members of the armed forces of the state of Colorado or the United States.

There are no other applicable local or Tribal hazing laws that would impact DU Students or Student Organizations.

Campus Hazing Transparency Report

DU publishes a Campus Hazing Transparency Report (Report) biannually that summarizes findings concerning any Student Organization found to be in violation of the University's Honor Code Community Standards and/or University Policies related to Hazing, as defined by DU's Honor Code and University Policy. The summarized findings do not include any personally identifiable information. The Report is published by the University's Clery Coordinator through collaboration with multiple DU

Departments, including SRR and CREO. The published Reports are located on the University's [Hazing Transparency website](#).

Hazing, as defined by the Clery Act, is also reported in the University's [Daily Crime Log](#), and within this Annual Security and Fire Safety Report. The Clery Act definition of hazing can be found under the [Definitions of Reportable Crimes](#).

Hazing Prevention and Awareness Programs

The University has implemented comprehensive, intentional, and integrated Hazing Prevention and Awareness Programs for its students, faculty, and staff. Programs with an asterisk are also available to our Western Colorado and Four Corners Campuses virtually. Programming consists of prevention and awareness programs for all incoming students and new employees and ongoing awareness and intervention campaigns for students and employees participating in student organizations. The programs focus on:

- recognition of Hazing, including power differential, Harassment and violent Hazing;
- the dangers of Hazing on a person's physical and mental health;
- strategies to promote initiation into a Student Organization or athletic team without Hazing;
- the University's definition of Hazing in the [Honor Code](#) and how to report hazing incidents to University Officials; and
- the consequences of being found responsible for Hazing.

Program Name	Explanation	Audience	Frequency	Method	Awareness and Prevention Targets	Primary Sponsor
Hazing Awareness and Prevention for Students*	Hazing is a dangerous ritual taking place at institutions and organizations across the country. While certain activities that groups and clubs use to initiate members may seem innocuous, oftentimes these behaviors can escalate, creating harassing and sometimes violent and deadly criminal acts. This course gives students a better understanding about Hazing so that they can identify when it's happening and possibly prevent incidents in the future.	Students	Upon Enrollment	Online interactive training in Canvas	Hazing prevention and awareness	Department of Campus Safety 303-871-2334 (1-2334)
Hazing Awareness and Prevention for Faculty and Staff*	The goals of this course are to help employees understand what Hazing is, explain why Hazing occurs and educate the best ways to identify and address hazing incidents. This course will also cover the definition of hazing, health and legal risks, and employee responsibilities.	Faculty and Staff	Upon hire, as changes to the law require and upon request by departments or colleges	Online interactive training in Canvas	Hazing prevention and awareness	Department of Campus Safety 303-871-2334 (1-2334)
Student Organization Handbook Acknowledgements *	Education and acknowledgment of the University's Hazing definition and policies and procedures through signatures by student members of registered student organizations, including Fraternity and Sorority Life, Athletics, and Club Sports	Students	Annually, prior to the Fall Quarter	Online	Hazing prevention and awareness	Department of Campus Safety 303-871-2334 (1-2334)
Campus Publications Announcements*	Announcements in The Bridge, The PULSE, and the GRAD intended to educate students, faculty, and staff about current Hazing prevention and awareness legislation and the University policies and procedures that address Hazing legislation.	Faculty and Staff	Periodic	Online Communication	Hazing prevention and awareness	Division of Student Affairs and Department of Campus Safety
Intervene: DU Active Bystander Intervention Workshop	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, and interpersonal violence. This workshop is required for all incoming students to attend and is an introduction to active bystander intervention	First-year and transfer students	Ongoing; Offered daily in Fall Quarter multiple times a week in the first month of the Winter Quarter	In-person training	Interpersonal violence, consent, bystander intervention, Hazing risk reduction, alcohol and other drug awareness.	Health and Well-being Promotion
FSL New Member Orientation	This is an hour and a half workshop for new members of fraternities and sororities to learn about topics that are	New members of all	Every fall	In-person	Interpersonal violence,	Health and Well-being Promotion

	going to be helpful in their experience such as safer consumption strategies, Hazing, and consent.	fraternities and sororities			consent, Hazing, harm reduction strategies	
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Definitions of Reportable Crimes

There are four categories of reportable crimes under Clery:

1. Primary criminal offenses;
2. Hate crimes;
3. Violence Against Women Act ("VAWA") offenses; and
4. Arrests and disciplinary referrals for violation of weapons, drug abuse, and liquor laws.

Primary Criminal Offenses as Defined in the Clery Act

Murder and Nonnegligent Manslaughter: The willful (nonnegligent) killing of one human being by another.

Manslaughter by Negligence: The killing of another person through gross negligence.

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 and probably would result in serious personal injury if the crime were successfully completed.)

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

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, personal property of another.

Hazing: Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such person or persons to participate, that –

- i. Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
- ii. Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including –
 - a. whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
 - b. causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or similar activity;
 - c. causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
 - d. causing, coercing, or otherwise inducing another person to perform sexual acts;
 - e. any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
 - f. any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
 - g. any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

Hate Crimes

Hate Crimes include all of the primary criminal offenses (listed above) and other criminal offenses (listed in this section) that manifest evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include those listed below under the Categories of Bias section.

Larceny-Theft (except motor vehicle theft): The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

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, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Categories of Bias

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 or African Americans, whites.

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.

Gender: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., 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.

Sexual Orientation: A preformed negative opinion or attitude toward a 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.

National Origin: A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.

Disability: A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

VAWA Offenses Definitions

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; 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 jurisdiction in which the crime of violence occurred

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.

Arrests and Disciplinary Referrals: Violations of Weapons, Drug Abuse, and Liquor Laws

Weapons: Carrying, Possessing, Etc.: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Drug Abuse 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 and/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, manufacturing, and making of narcotic drugs.

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.

Arrest: Persons processed by arrest, citation or summons.

Disciplinary Referral: 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.

Definitions Related to VAWA

Primary Prevention 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.

Advisor: Advisor means any individual who provides the accuser or accused support, guidance, or advice. Refers to advisors of choice in the DU Comprehensive Discrimination and Harassment Procedures and Title IX Sexual Harassment Procedures.

Proceeding: Proceeding means all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, factfinding 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. Refers to those courses of action taken in response to reports of alleged policy violations as described in the CREO Comprehensive Discrimination and Harassment Procedures and CREO Title IX Sexual Harassment Procedures.

Result: Result means 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. Refers to outcomes for students and disciplinary actions for employees as described in the DU Comprehensive Discrimination and Harassment Procedures and Title IX Sexual Harassment Procedures.

Definitions of Geography

The following definitions are specified in the Clery Act to identify the location of crimes on and around DU's campus.

On-Campus Building or Property

- 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
- Any building or property that is within or reasonably contiguous to the area identified in Paragraph 1 above, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or retail vendor).

On-Campus Student Housing

- Any student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus.

Noncampus Building or Property

- Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
- 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 geography area of the institution.

Public Building or Property

- All public property, including thoroughfares, streets, sidewalks, and parking facilities, that are within the campus or immediately adjacent to and accessible from the campus. DU's crime statistics do not include crimes that occur in privately owned homes or businesses within or adjacent to the campus boundaries.

Daily Crime Log

Daily Crime Log

A daily crime log of all crimes reported to the Department of Campus Safety is accessible to the DU community and general public on the [Department of Campus Safety's Daily Crime Log website](#).

A printed copy of the crime log is available upon request at the Campus Safety Center located at 2130 S High St, Denver, CO 80210 during business hours.

2023-2025 University Park Campus Clery Crime Statistics

Criminal Offenses Reported by Hierarchy					
Crimes	Year	On-Campus Property	On-Campus Student Housing	Noncampus Property	Public Property
Murder and/or Nonnegligent Manslaughter	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
Rape	2023	6	6	1	0
	2024	7	5	0	0
	2025	4	4	1	0
Fondling	2023	7	5	0	0
	2024	3	1	0	0
	2025	7	5	0	0
Incest	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
Statutory Rape	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
Robbery	2023	1	0	0	0
	2024	0	0	0	3
	2025	0	0	0	0
Aggravated Assault	2023	1	1	0	1
	2024	7	1	0	4
	2025	2	0	0	6
Burglary	2023	19	9	0	0
	2024	11	7	0	0
	2025	5	2	0	0
Motor Vehicle Theft	2023	18	0	0	9
	2024	43	1	1	9
	2025	14	0	0	7
Arson	2023	0	0	0	0
	2024	3	0	0	0
	2025	2	0	1	0
Hazing	2025	0	0	0	0

Violence Against Women Act Offenses					
VAWA Crimes	Year	On-Campus Property	On-Campus Student Housing	Noncampus Property	Public Property
Domestic Violence	2023	1	1	0	1
	2024	1	0	0	1
	2025	0	0	0	1
Dating Violence	2023	2	0	0	0
	2024	4	3	0	0
	2025	4	3	1	0
Stalking	2023	8	3	0	0
	2024	13	6	0	0
	2025	8	3	0	0
Arrests and Referrals for Disciplinary Action					
Arrests and Disciplinary Referrals	Year	On-Campus Property	On-Campus Student Housing	Noncampus Property	Public Property
Weapons Laws Arrests	2023	0	0	0	0
	2024	1	0	0	0
	2025	0	0	0	0
Drug Laws Arrests	2023	2	1	0	0
	2024	0	0	0	0
	2025	0	0	1	0
Liquor Law Arrests	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
Weapons Laws Disciplinary Referrals	2023	0	0	0	0
	2024	1	1	0	0
	2025	0	0	0	0
Drug Laws Disciplinary Referrals	2023	85	80	0	4
	2024	67	66	0	1
	2025	57	56	0	1
Liquor Laws Disciplinary Referrals	2023	315	303	0	4
	2024	202	188	1	4
	2025	161	158	1	3
Hate Crimes					
2025	- One intimidation incident characterized by racial bias occurred on campus. - Three vandalism incidents characterized by religious bias occurred on campus.				
2024	- One robbery incident characterized by religious bias occurred on campus. - One vandalism incident characterized by religious bias occurred on public property. - One theft incident characterized by gender identity bias occurred on public property. - One burglary incident characterized by religious bias occurred on campus.				
2023	- Two theft incidents characterized by religious bias. Both incidents occurred on campus in student housing. - Two vandalism incidents characterized by religious bias. One incident occurred on				

	campus in a parking garage. One incident occurred on-campus in student housing.
Unfounded Crime Reports	• There were no unfounded crimes in 2025. There were no unfounded crimes in 2024. There was one unfounded crime in 2023.

2023-2025 Western Colorado Campus Clery Crime Statistics

Criminal Offenses Reported by Hierarchy					
Crimes	Year	On-Campus Property	On-Campus Student Housing	Noncampus Property	Public Property
Murder and/or Nonnegligent Manslaughter	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Manslaughter by Negligence	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Rape	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Fondling	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Incest	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Statutory Rape	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Robbery	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Aggravated Assault	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Burglary	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	1	N/A	N/A	0
Motor Vehicle Theft	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Arson	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Hazing	2025	0	N/A	N/A	0

Violence Against Women Act Offenses					
VAWA Crimes	Year	On-Campus Property	On-Campus Student Housing	Noncampus Property	Public Property
Domestic Violence	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Dating Violence	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Stalking	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Arrests and Referrals for Disciplinary Action					
Arrests and Disciplinary Referrals	Year	On-Campus Property	On-Campus Student Housing	Noncampus Property	Public Property
Weapons Laws Arrests	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Drug Laws Arrests	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Liquor Law Arrests	2023	1	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Weapons Laws Disciplinary Referrals	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Drug Laws Disciplinary Referrals	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Liquor Laws Disciplinary Referrals	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Hate Crimes					
2025	• There were no reported hate crimes				
2024	• There were no reported hate crimes				
2023	• There were no reported hate crimes				
Unfounded Crime Reports	• There were no unfounded crimes in 2025. There were no unfounded crimes in 2024. There were no unfounded crimes in 2023.				

2023-2025 Four Corners Campus Clery Crime Statistics

Criminal Offenses Reported by Hierarchy					
Crimes	Year	On-Campus Property	On-Campus Student Housing	Noncampus Property	Public Property
Murder and/or Nonnegligent Manslaughter	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Manslaughter by Negligence	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Rape	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Fondling	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Incest	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Statutory Rape	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Robbery	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Aggravated Assault	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Burglary	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Motor Vehicle Theft	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Arson	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Hazing	2025	0	N/A	N/A	0

Violence Against Women Act Offenses					
VAWA Crimes	Year	On-Campus Property	On-Campus Student Housing	Noncampus Property	Public Property
Domestic Violence	2023	0	N/A	N/A	0
	2024	1	N/A	N/A	0
	2025	0	N/A	N/A	0
Dating Violence	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Stalking	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Arrests and Referrals for Disciplinary Action					
Arrests and Disciplinary Referrals	Year	On-Campus Property	On-Campus Student Housing	Noncampus Property	Public Property
Weapons Laws Arrests	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Drug Laws Arrests	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Liquor Law Arrests	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Weapons Laws Disciplinary Referrals	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Drug Laws Disciplinary Referrals	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Liquor Laws Disciplinary Referrals	2023	0	N/A	N/A	0
	2024	0	N/A	N/A	0
	2025	0	N/A	N/A	0
Hate Crimes					
2025	• There were no reported hate crimes				
2024	• There were no reported hate crimes				
2023	• There were no reported hate crimes				
Unfounded Crime Reports	• There were no unfounded crimes in 2025. There were no unfounded crimes in 2024. There were no unfounded crimes in 2023.				

Timely Warnings and Emergency Notifications

DU sends out two types of alerts to keep the DU community informed about safety and security threats: “timely warnings” and “emergency notifications.”

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

Emergency notifications are used to immediately notify the DU community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on a DU campus.

Timely Warnings

Timely warnings, called a “Campus Safety Alert” may be distributed for any Clery-reportable crimes that represent a serious or continuing threat to the DU community. Each incident is considered and evaluated on a case-by-case basis, depending on the facts of the case and the information known by Campus Safety at the time. For example, if an assault occurs between two students who have a disagreement, there may be no continuing threat to other campus community members, and a timely warning would not be distributed. Because instances of sexual assault may not be reported until long after the incident occurred, there may not be any opportunity for Campus Safety to distribute a timely warning to the community.

In instances where information was not provided to Campus Safety in a timely manner, or if the threat has been appropriately mitigated, Campus Safety will not generally issue a timely warning. If new information surfaces, Campus Safety will reevaluate the incident and may issue a timely warning.

The content of a timely warning generally consists of:

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

DU must keep confidential the names and personally identifying information of crime victims when issuing a timely warning. Campus Safety will never release a crime victim’s personally identifiable information in a timely warning. When issuing a timely warning for sensitive matters, such as DVSA, Campus Safety avoids releasing specific incident details that may identify a crime victim; however, Campus Safety may need to release information, such as a location, that may lead to identification of a crime victim. Campus Safety balances the need to provide information of a serious or continuing threat to the DU community with protecting the confidentiality of the crime victim to the maximum extent possible.

Timely warnings are developed, activated, and distributed under the direction of the AVC and Chief of Campus Safety or their designee. The timely warning development process is as follows:

- Campus Safety personnel receive information about a Clery Act crime on or near a DU campus from a Campus Security Authority, from the public, or from another law enforcement agency.

- The Clery Coordinator, or another Campus Safety employee, completes a timely warning decision matrix to determine if it is appropriate to send a timely warning.
- The timely warning decision matrix and the incident report are provided to the AVC and Chief of Campus Safety, Deputy Chief of Campus Safety, Patrol Captain, Manager of Emergency Preparedness, and the Office of General Counsel to determine if the incident warrants the issuance of a timely warning.
- If Campus Safety determines through this process that a timely warning is needed, a staff member (usually the Clery Coordinator) drafts the message.
- The draft is sent to DU employees in various units for review as well as to selected law enforcement personnel to confirm that the timely warning will not hinder any active law enforcement investigation prior to the release of the timely warning to the DU community.
- Once the review process is complete, Campus Safety issues the timely warning to the entire DU community via mass email.

Timely warnings are normally issued by either the Clery Coordinator or Manager of Emergency Preparedness. Trained staff members in the Campus Safety Communication Center may also distribute the timely warning at the direction of the AVC and Chief of Campus Safety or their designee. Additionally, other Campus Safety staff may be involved in developing and/or executing the timely warning process as necessary or as directed by the AVC and Chief of Campus Safety or their designee.

Timely warnings are distributed via mass email to the University email accounts of all employees and students and to the DU Safe app to be promptly received by individuals who follow or subscribe to those accounts. Campus Safety may post a copy of the timely warning 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.

DU does not routinely issue a timely warning for crimes reported to a Pastoral or Professional Counselor because of the confidentiality of those relationships.

Emergency Notifications

An emergency is an event, expected or unexpected, that poses an immediate threat to the health or safety of students, faculty, and staff. DU 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 Campus Safety website, to call 9-1-1 to report life threatening emergencies and for other emergency assistance.

DU has developed a comprehensive emergency notification system (DU Alert) that allows for the use of text messaging, emails, social media, and digital displays to immediately notify the DU community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of student, faculty, and staff on the campus.

If an emergency situation arises, Campus Safety will issue an Emergency Notification, which are called a "DU Alert," to immediately notify the DU 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. To avoid unnecessary panic, notifications are only sent by Campus Safety once confirmed by authorized individuals. When Campus Safety follows the emergency notification procedures, DU is not required to issue a timely

warning based on the same circumstances, however, DU will provide adequate follow-up information to the community as needed.

DU has implemented a formal process that gives designated Campus Safety personnel the authority to do the following:

- Confirm a significant emergency or dangerous situation;
- develop the content and consider the appropriate segments of the campus community to receive the notification; and
- Initiate appropriate emergency notification systems to send an emergency message to all or part of the DU community.

DU confirms an emergency when one or more of the following occurs:

- Confirmation of the incident by an emergency responder in the area;
- Visual confirmation via CCTV systems;
- Audible confirmation either in person or via telephone systems;
- Three unique reports of the incident from members of the public or DU community;
- Confirmation of an impending emergency by an emergency response or relevant agency; or
- Authorization is given by a Campus Safety employee with the rank of Captain or above regardless of confirmation.

The following positions within Campus Safety are authorized to release information via the emergency notification system after the confirmation process set forth above is completed:

- AVC and Chief of Campus Safety
- Deputy Chief of Campus Safety
- Manager of Emergency Preparedness
- Captain (Patrol Operations)
- Manager of Compliance and Training
- Campus Safety Sergeants
- Campus Safety Corporals
- Campus Safety Officers
- Campus Safety Communication Technicians

The AVC and Chief of Campus Safety and/or their designee may also consult directly with DU's University Relations to provide an immediate notification to the DU community via the emergency notification mechanisms.

Emergency notifications are issued for incidents that 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 a DU campus.

The process guiding emergency notification confirms that 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 University Officials, 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, Campus Safety Communications personnel or the Manager of Emergency Preparedness or designee will send it to the entire DU community unless notifications to targeted groups are necessary. The AVC and Chief 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 Campus Safety are created using an established template format developed by the Office of Emergency Preparedness and Fire Safety. 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 Campus Safety Communications Technicians, the Incident Commander (when applicable), the Manager of Emergency Preparedness or designee, or University Relations.

The system used to communicate with the DU 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, DU Safe, and digital display in select areas throughout campus.

Dissemination and Emergency Notification

DU Alert – Mass Text Message: DU 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 My4D web portal.

DU Alert – Mass Email Notification: DU 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 students, faculty and staff members cannot opt-out.

Social Media: DU has the ability to send DU Alert messages directly to several social media outlets. DU Alert messages can be sent to the [Campus Safety X account](#) and the [Campus Safety Facebook account](#).

Digital Displays: Certain digital display systems on the University Park campus are configured to receive and display DU Alert messages.

DU Safe: Students, faculty, staff, and members of the DU community are able to download the DU Safe app on the [Apple Store](#) and [Google Play Store](#).

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 AVC and Chief of Campus Safety or their designee.

Communication with the 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 can see DU Alerts via social media sites (X and Facebook). DU Alerts are posted to the Campus Safety X account and Facebook account, which can be monitored by local media outlets. Designated individuals in key positions within the Denver Police Department, the local law enforcement agency for the University Park campus, are registered with the DU Alert system to receive emergency notifications via text messages and emails.

All individuals are able to receive alerts by downloading the DU Safe app on the [Google Play Store](#) and the [Apple App Store](#). Unaffiliated individuals should select “Continue as Guest” and enable notifications under “About/Preference.” Affiliated individuals are able to log in with their DU credentials and enable notifications under “About/Preference.” To receive notifications, individuals must also allow the DU Safe app to send notifications in their device settings.

DU Alert

All students, faculty, and staff are encouraged to update contact information for the DU emergency notification system by visiting [Campus Safety's DU Alerts website](#).

The system is tested by Campus Safety annually. For questions or problems concerning the DU Alert service, individuals are directed to contact Campus Safety at 303.871.2334, option 6.

How to Receive DU Alert Text Messages

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

Go to the [Campus Safety DU Alerts website](#).

- Select the “Sign up” under the notification preferences section.
- Select the “Notifications Preferences” tab under Personal Information on DU’s My4D if not automatically directed.
- Enter up to three text-enabled cell phone numbers, including area code.
- Check the “Emergency TXT” box next to each number.
- Hit “Submit.”

Emergency Response and Evacuations

Emergency Response and Evacuation Procedures

The Campus Safety Office of Emergency Preparedness & Fire Safety develops, communicates, and trains on the DU'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 DU'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 [Emergency Preparedness website](#).

DU has an Emergency Operations Plan and Aftercare Guide ("The Guide") that details immediate response and evacuation procedures, including the use of electronic and cellular communication. The Guide includes information about the Incident Management Team, incident priorities, shelter-in-place and evacuation guidelines, and command and control procedures. It also details the processes and functions for DU 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 DU. DU mission critical departments are responsible for developing their own emergency action plans and continuity of operations plans for their staff and areas of responsibility.

As a part of The Guide, DU has an Emergency Management Plan managed by Campus Safety and University Relations. The plan outlines the appropriate response strategy for a variety of critical incidents and the organizational hierarchy DU uses during response and recovery. 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 DU's Emergency Management Plan.

Emergency and Evacuation Procedures for Student Housing

Evacuation procedures for student housing are included in the Fire Safety Report portion of this document.

Emergency and Evacuation Procedures for Non-Residential Buildings

DU publicizes general emergency response and evacuation procedures to the broad campus community through emergency procedures posters. Campus Safety has site-specific emergency procedures information. The [Office of Emergency Preparedness website](#) includes information on how to respond to several different hazards/threats, general information about procedures for lockdown, lockout, shelter-in-place, evacuation, evacuation for persons with disabilities, and emergency planning.

Testing, Exercises and Evacuation Drills

Regularly scheduled tests, drills, exercises, and follow-through activities are conducted to assess DU's emergency response and evacuation procedures. All tests are documented with description of exercise, date, time and whether announced or unannounced.

Each year, DU conducts at least one tabletop exercise with the Incident Management Team. DU held an unannounced tabletop exercise on November 6, 2025, involving the Incident Management Team and the Incident Command Team. The tabletop exercise centered around a cybersecurity incident.

DU also conducts an annual test of the DU Alert system by sending out a test message to the campus community. DU conducted the most recent annual test on March 10, 2026.

Fire evacuation drills are conducted annually for non-housing buildings and three times a year for most student housing buildings. Student housing evacuation drills are documented in the Fire Safety Report section of this document. The Ricks Center and Fisher Early Learning Center undergo three drills per quarter (one type each month): an evacuation fire drill, a lockdown drill, and a tornado drill. The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency.

Following all tests, documentation is completed by the Manager of Emergency Preparedness with the details and outcomes of the exercise to evaluate response plans, efficiency of implementation, and opportunities for improvement.

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. Campus Safety posts the shelter in place procedures on the [Shelter in Place webpage](#).

Interim Missing Student Notification and Preliminary Wellness Assessment Policy

III. Introduction

- A. The Jeanne Clery Campus Safety Act (“Clery Act”) requires institutions of higher education that maintain on-campus student housing to establish a missing student notification policy and related procedures.
- B. Colorado law (C.R.S. § 23-5-141) requires institutions of higher education to take additional measures when students who are known to last reside in Colorado are reported missing or cannot be located.
- C. When a Student is reported missing or cannot be located, the University will follow this Missing Student Notification and Preliminary Wellness Assessment Policy and related procedures.

IV. Policy Overview

- A. As part of the Housing & Residential Education (“HRE”) housing application process for Students seeking to live in University owned or operated housing, and separately through a communication to all Students from the Office of the Registrar, the University informs Students of the opportunity to provide the name of, and contact information for, a person whom the University should contact in case the Student is reported missing or cannot be located.
- B. The University will inform Student(s) through its Annual Security and Fire Safety Report and this Policy that the University will:
 - 1. Register their Missing Student Notification Contact confidentially;
 - 2. limit access to such contact information to authorized University officials; and
 - 3. only disclose such contact information to law enforcement personnel in furtherance of an investigation into a Student who has been reported missing or cannot be located.
- C. If the Student is under 18 years of age and not emancipated, the University will notify the Student’s custodial parent or guardian within six (6) hours of the determination that the Student is missing or cannot be located, in addition to notifying any additional contact person designated by the Student as their Missing Student Notification Contact.
- D. The University will notify the local law enforcement agency within six (6) hours of the determination that the Student is missing or cannot be located, unless the local law enforcement agency was the entity that made the determination that the Student is missing or cannot be located.
- E. If the University cannot reach the Student’s Missing Person Notification Contact within a reasonable time frame, the University may contact the Student’s parent(s) or guardian(s) if they were not designated as the Missing Person Notification Contact.

V. Process Overview

- A. Reports to Housing & Residential Education

If members of the University community and other persons inform HRE staff that a Student may be missing or cannot be located, the HRE staff member must immediately notify the HRE Administrator on Call. HRE Staff member(s) will work with Campus Safety to begin a

preliminary wellness assessment using the steps set forth in Section III.B.2 below to determine whether the Student is missing or cannot be located and whether to engage with law enforcement, as appropriate.

B. Reports to Campus Safety

1. If members of the University community or other persons want to report that a Student may be missing or cannot be located, they may contact Campus Safety's 24-hour dispatch center at (303) 871-2334 (1-2334). Once Campus Safety is notified, Campus Safety will determine whether the Student is missing or cannot be located. When other University officials are contacted with such a report, those officials must immediately notify Campus Safety, so that Campus Safety may determine whether the Student is missing or cannot be located.
2. To determine if a Student is missing or cannot be located, Campus Safety will conduct a preliminary wellness assessment by:
 - a. Attempting to contact the Student using the digital contact information the Student has provided to the University, including the Student's University email address;
 - b. Conducting a physical check of the Student's residence if the Student resides in University owned or operated housing. HRE staff may conduct the physical check and inform Campus Safety of the results;
 - c. Contacting the Student's available instructors about the Student's most recently known class attendance; and
 - d. Contacting HRE staff about the Student's most recent presence in University owned or operated housing, if applicable.
3. The University may take additional steps, including:
 - a. Retrieving the Student's photo, checking the Student's class schedule, and attempting to contact the Student in class;
 - b. Contacting other persons on campus who may know the Student, such as their roommate(s), floor mates, other friends, acquaintances, coaches, team members, club advisors, and fellow club members;
 - c. Determining where and when the Student used their DU ID to enter campus facilities;
 - d. Checking the Student's social media accounts for recent activity;
 - e. Attempting to locate a vehicle that the Student has registered with the University;
 - f. Contacting persons off-campus who may know where the Student is located, such as employers and associates, parents, guardians, other family members; and
 - g. Using other measures that Campus Safety deems appropriate.
4. Should Campus Safety's preliminary wellness assessment determine that the Student has been missing or cannot be located for six (6) hours, Campus Safety will notify the following persons and entities at the expiration of the six (6) hour period:
 - a. the Denver Police Department, the local law enforcement agency with jurisdiction over the Student's last known residential address in Colorado on file with the University, or if the Student does not have a last known residential address in

- Colorado on file with the University, the law enforcement agency with jurisdiction over the Student's permanent address on file with the University, as appropriate, unless the local law enforcement agency was the entity that made the determination that the student is missing; and
- b. the Missing Student Notification Contact.
 - i. For Students who are under the age of 18 and not emancipated, in addition to contacting the Missing Student Notification Contact, University officials must contact the Student's custodial parent or guardian to inform them that the University has determined that the Student is missing.
5. If Campus Safety determines there is a credible risk to the Student's safety prior to or during the preliminary wellness assessment, Campus Safety will immediately conduct the notifications required under Section III.4.B.4a and Section III.B.4.b. If Campus Safety immediately notifies the appropriate law enforcement agency after a missing person report is made, the University will not conduct a preliminary wellness assessment because it is not required.
 6. Campus Safety will document through a case report in its ARMS Records Management System the following information regarding a report that a Student is missing or cannot be located:
 - a. the date and time the missing person report was received and the name and role of the University employee who received it;
 - b. the date, time, method, and outcome of each contact attempt made under Section III.B.2;
 - c. the name and role of each University employee who participated in the preliminary wellness assessment;
 - d. the reason any step of the preliminary wellness assessment was not completed within the six (6) hour period; and
 - e. the date and time a missing person report is made to the appropriate law enforcement agency.
 7. The University will maintain Campus Safety case reports consistent with the University's obligations under the Clery Act.
 8. If the Student has not been located within thirty (30) days after the University receives the missing person report, the Department of Campus Safety will provide its report to the Student's Emergency Contact consistent with applicable federal and state privacy laws.
 9. The University will publish its Missing Student Notification and Preliminary Wellness Assessment Policy on the University's website, and the University will review and update it at least every three (3) years.

VI. Definitions

- **"Emergency Contact"** The person designated by the Student as their authorized contact in case of emergencies.
- **"Missing Student Notification Contact"** the person designated by a Student through the housing application process to be contacted if the Student is identified as missing pursuant to this Policy.
- **"Student"** is defined in the University's Honor Code as any persons registered for or auditing classes at the University; admitted to or 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. A person is also 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 have been previously enrolled, but are on a leave of absence or otherwise have a continuing relationship with the University. For purposes of this policy, this definition of Student applies to Students who reside in University owned or operated housing or who were last known to reside in Colorado.

Fire Safety Report and Fire Statistics

In compliance with the Higher Education Opportunity Act (“HEOA”), DU has developed an annual fire safety report. This document summarizes the reporting components required by the HEOA and is applicable to only the University Park Campus. The Western Colorado and Four Corners Campuses do not have student housing.

DU maintains compliance with fire and life-safety standards in all buildings owned or under the control of DU, 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 housing.

Campus Safety in partnership with DU’s Housing & Residential Education (“HRE”) are committed to providing students with fire safety training and promoting a safe community for living and learning.

Residents of the following student housing buildings are subject to their housing contract, the Honor Code, and the Guide to Residence Living.

- Centennial Halls, Centennial Towers, Delta Delta Delta, Delta Zeta, Dimond Family Residential Village, Gamma Phi Beta, Hilltop Hall, Johnson-McFarlane Hall, Lambda Chi Alpha, Lynn Marie Apartments, Mesa Apartments, Nagel Hall, Nelson Hall, Ridgeline Apartments, Summit Apartments, Transfer House, and University Place Apartments.

Residents of the following student housing buildings are subject to their leasing agreement and the Honor Code (unless the resident is not affiliated with DU).

- Asbury Heights, Brittany Manor & Gardens, Carousel Apartments, The Florentine, University North, University South, York Street Flats, York Street Lofts.

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 or in an uncontrolled manner.”

Definition of a Fire Safety System

Defined 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.

Fire Safety Reporting

For safety and statistical purposes, all fires, whether active or extinguished, should be reported to 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 the local fire department.
- When feasible, contact Campus Safety at 303-871-3000.

To report evidence of a fire or past fire situation in University owned or operated housing, contact the following:

- Campus Safety at 303-871-2334
- Reported fire incidents, which are found to be actual fires, will be included in the annual fire statistics.

Fire Prevention Policies and Procedures

HRE has developed policies and procedures for a safer community. These procedures are communicated to the students residing in University owned or operated housing through the [Guide to Residence Living](#). Students are also responsible for complying with the [Honor Code](#), which outlines the policies and procedures applicable to all students at DU. HRE enters into a housing contract with each student who lives in University owned or operated housing. Those agreements include restrictions related to portable electrical appliances, smoking and open flame. Residents living in Four Star Realty managed properties are subject to their lease agreement. The applicable fire prevention policies are as follows:

Office of Student Rights & Responsibilities Honor Code

Endangerment is defined as:

- Any act, regardless of intent, that directly or indirectly creates a substantial risk to anyone's, including one's own, health or physical safety. This includes, but is not limited to, propping open doors of University buildings, being present in locations on University Premises after posted hours without applicable authorization for that location, and preventing, delaying, or interfering with any University Official, law enforcement officer, and/or emergency service professional from evaluating or providing assistance to another individual.

Fire Safety violations includes the following:

- **Explosive Devices:** 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 Setting/Starting:** Intentionally or recklessly causing or attempting to cause a fire that damages or threatens University or personal property and/or causes injury.
- **Fire Safety Equipment:** Intentionally or recklessly tampering with, damaging, removing, or improperly using fire safety equipment.

Violation of Housing and Residential Education's Community Standards

In addition to the Community Standards set forth in the Honor Code, Residents and their Guests in University owned or operated housing are expected to comply with the [Guide to Residence Living](#) and HRE's Community Standards listed below. Residents may have permitted Guests and are responsible for the actions of their Guests. Guests are expected to comply with all University Policies, including Honor Code Community Standards and HRE Community Standards. If a Resident's Guest engages in potential violations of any University Policy, Honor Code Community Standard, or HRE Community Standard, the Resident may be held accountable through the Honor Code Process as outlined in the Honor Code. University Policies, Honor Code Community Standards, and HRE Community Standards also apply to Guests even if only Residents are mentioned.

Residents should discuss with their roommates and/or suitemates their expectations for following University Policies, Honor Code Community Standards, and HRE Community Standards because all Residents are responsible for and may be held accountable for the actions and items in their assigned living space.

Shared Spaces, Technology, and Facilities Use HRE Community Standards include the following:

- **Unapproved Items:** Residents must not be in the possession of or use any items that are prohibited in University owned or operated housing, this includes but is not limited to, electric bicycles, electric scooters, butane torches, candles and lighters.

Fire Safety HRE Community Standards include the following:

- **Cooking:** Residents must follow all cooking-related fire safety measures and requirements.
- **Decorations:** Residents' decorations must be consistent with decorating restrictions in University owned or operated housing. Residents must not hang decorations or other items from a smoke detector, sprinkler heads, sprinkler pipes, sprinkler line, other pipes, or ceilings, either temporarily or permanently.
- **Evacuation:** Residents must follow the evacuation process and follow all verbal and written directives instructions from University Officials and emergency services. This includes but is not limited to promptly exiting buildings during any fire drills or alarms.

Housing & Residential Education Guide to Residence Living

Fire Safety

You must follow all fire safety policies in the [Honor Code](#) and the [Guide to Residence Living](#). Residents who violate a fire safety policy will be referred to the Office of Student Rights & Responsibilities (SRR) for action under the Honor Code. In addition to any outcomes assigned by SRR to students found responsible for such violations, the University may terminate a student's housing contract and prohibit the student from living in University housing. Failure to comply with applicable fire safety policies may also result in a student facing criminal charges or civil liability for property damage or personal injury.

Fire Safety Equipment

The University has installed fire safety equipment in University housing, including smoke detectors, 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. Tampering with or disabling any fire safety equipment will result in documentation and referral to the Student Rights & Responsibilities pursuant to the Honor Code and may be subject to criminal charges, civil liability, or financial liability for any property damage or personal injury caused by fire or water infiltration.

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 system pipes are pulled or struck, such as if you hang any object from the sprinkler head or are carrying or throwing an object that hits the sprinkler head. Because the fusible links are susceptible to damage, you must be extremely careful not to touch, throw anything at, or hang items 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 and other residents' belongings in different rooms on your floor and the

below floors. You may be held accountable for any resulting water damage if you intentionally or carelessly activate the sprinkler system.

If a fire activates the sprinklers, the Denver Fire Department will investigate to determine the cause of the fire.

Housing & Residential Education policy prohibits starting fires and tampering with, interfering with, or unintentionally causing the activation of any kind of fire emergency equipment, including but not limited to:

- Striking, removing, tampering with, or hanging items from any smoke detector, sprinkler head, or sprinkler line.
- Activating a fire alarm under false pretenses or falsely calling a fire
- Discharging or removing a fire extinguisher or hose
- Breaking the safety glass on the fire extinguisher case
- Propping open or barricading fire doors
- Leaving an area through a locked fire door

Fire Inspections

As part of the ongoing fire prevention initiatives in the City of Denver, firefighters from the local fire station or inspectors from the Fire Prevention and Hazardous Materials Division will visit each building accompanied by Campus Safety Officers and other University personnel at least once per year to confirm compliance with Denver Fire Code and good life safety practices. Any issues found during these inspections will be resolved by Facilities, HRE, or Campus Safety personnel by order of the Denver Fire Department.

Fire alarms in University owned or operated housing are inspected annually to confirm proper functioning under normal conditions. These inspections are performed by a University Alarm Technician or by private contractors.

Fire Alarm Activation

If a fire alarm sounds, residents and guests must immediately vacate the building via the nearest stairwell and proceed at least 50 feet (15 meters) outside the building, where they must remain until a Campus Safety Officer or other first responder allows residents to re-enter the building. Residents and guests must fully cooperate in all evacuations. Failure to evacuate the building if an alarm sounds will result in a referral to the Office of Student Rights & Responsibilities for action under the Honor Code.

Fire Drills

Emergency egress and relocation drills are conducted with sufficient frequency to familiarize occupants with drill procedures. Fire evacuation drills are conducted three times per academic year in DU owned or operated housing that are managed by HRE with the exception of Lynn Marie Apartments, which does not have a monitored fire alarm system. DU Student Housing managed by Four Star Realty do not have monitored fire alarm systems and do not conduct fire drills.

DU policy and the Denver Fire Code require that all residence halls have a fire drill three times per year, typically once per quarter during the academic year. During a fire drill, representatives from the Department of Campus Safety will expect 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 people 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

If the Department of Campus Safety representatives note any violations, the Department of Campus Safety will cite the residential building, attempt to identify any students who may be responsible for the violations and may require an additional fire drill to be held within seven days following a report of deficiencies to Housing & Residential Education.

Fire Evacuation Procedures – Student Residential Housing

Evacuation procedures are posted on each floor in all DU owned or operated housing managed by HRE. Additionally, evacuation procedures are listed in HRE's Guide to Residence Living. Fire evacuation procedures apply to all students, staff and contracted employees who reside or work within all University owned or operated housing managed by HRE.

DU Housing & Residential Education Guide to Residence Living

Evacuations

If a fire alarm activates, you should immediately exit the building. You may not reenter the building until given approval by emergency services and/or responsible University staff. Remember the following safe evacuation reminders in the event of a fire:

- During evacuation, leave the building immediately and:
 - Do not investigate the source of the emergency.
 - Take a dampened towel and cover your nose and mouth to prevent smoke inhalation.
 - Exit via the stairway closest to your room/apartment, and do not use the elevator.
 - When possible, walk; do not run or shove others
 - Close doors behind you.
 - Follow any instructions of the Campus Safety Officers, designated University officials, or other identified emergency personnel.
 - Upon exiting the building, move to your designated rally point.
- If the outside exit door does not open immediately, kick the emergency strike plate.
- If the doorknob is hot, do not open your door.
 - Wait in plain view next to your window.
 - Open the blinds and leave your lights on.
 - Call Campus Safety at 303.871.3000 or 911 to report your location, if possible.
 - Only re-enter the building once Campus Safety or other first responders tell you to do so.

Rally Points for Evacuations

All residents must be at least 50 feet (15 meters) from any residential building that is being evacuated. In addition to this required distance, the rally points are as follows:

Centennial Towers

- On the west side of the building, residents should proceed across Williams Street and over the parking structure.
- On the east side of the building, residents should proceed across High Street.

Centennial Halls

- On the west side of the building, residents should proceed across High Street.
- On the east side of the building, residents should proceed to the intramural sports field and the lacrosse stadium tunnel.

Dimond Family Residential Village

- Residents should proceed to Asbury Avenue and follow Asbury Avenue around Sturm Hall to Driscoll Green.
- Residents must refrain from gathering in the courtyard between the east and west wings of the building.

Johnson-McFarlane Hall

- On the west side of the building, residents should proceed across High Street.
- On the south side of the building, residents should proceed across Iliff Avenue.
- Residents of Johnson-McFarlane Hall may also proceed to the Nelson Hall cafeteria.

Nelson Hall, Nagel Hall, and Hilltop Apartments

- Residents should proceed across High Street on the west side of the buildings.
- On the east side of the buildings, residents should proceed near Evans Chapel or the green space on the east side of Hilltop.

University Place, Lynn Marie, Summit, Ridgeline, and Mesa Apartments

- Residents must rally 50 feet (15 meters) away from their apartment building, preferably across a street, if they can cross safely without impeding emergency services.

Transfer Living Community

- Residents should exit the building and proceed around Sturm Hall to Driscoll Green.

Mobility Support for Evacuations & Voluntary Disclosure

In the event of an emergency, you may be required to evacuate your residence hall or apartment.

If Housing & Residential Education (HRE) is informed that a resident has a mobility limitation that may impact their ability to evacuate, we will share that information with first responders to help ensure appropriate assistance is provided during an evacuation.

Voluntary Disclosure of Mobility Limitations

You may voluntarily provide this information by completing a [Mobility Limitation Notification form](#).

Important: In the event of evacuation please contact 911 then 303-871-3000.

Extended Evacuation Procedures

Some evacuations may take longer than expected. If there is an actual fire, carbon monoxide alert, or any situation where you cannot return to your assigned room, you will be asked to relocate to a different area. HRE staff will provide instructions and temporary location(s).

Four Star Realty Managed Properties

Leasing agreements do not stipulate specific fire evacuation protocols. All fire evacuation protocols listed on the Guide to Residence Living above are also applicable for all residents of these properties. In case of a fire, residents should rally 50 feet (15 meters) away from their apartment building, preferably across a street, if they are able to cross safely without impeding emergency services.

Fire Safety Education

Campus Safety conducts annual fire-safety education training for designated Emergency Response Teams who then disseminate the information covered to their respective departments.

Every resident living in University owned or operated housing has access via the HRE website to the complete [Guide to Residence Living](#), which includes fire safety information and expectations to incoming and current student residents. Upon request, HRE staff will print a copy of the Guide to Residence Living for any resident of University owned or operated housing. Campus Safety provides fire safety information and expectations to student residents, which is accessible via the [Campus Safety website](#). At least annually, room inspections are conducted of each residence by either HRE staff or Campus Safety Staff. During these announced periods, staff members may inspect rooms to assess possible fire and life-safety hazards. Fire safety training materials are available to incoming and returning students and their families during DU's orientation and move-in period each year.

Employees of thirty-party vendors that work in the dining halls of University owned or operated housing follow DU's policies on fire evacuation and fire drills. Additionally, these employees are provided fire safety education and fire extinguisher training through Campus Safety and participate in daily safety meetings held by members of the vendor.

All students, HRE staff and contracted employees who reside or work within all University owned or operated housing (to include dining halls and parking structures adjacent to or contained within, where applicable), 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 fire evacuation procedures for student housing. Evacuate the building immediately and move at least 50 feet (15 meters) 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 Campus Safety.

Cooking

Cooking is only allowed in designated kitchen areas. When using these spaces, please follow these safety and cleanliness guidelines:

Before Cooking

- Ensure all surfaces, cookware, and appliances are clean – remove any grease or leftover food before use.

- Avoid overloading electrical circuits when using appliances like microwaves, toasters, or kettles.
- Know where the nearest fire extinguisher is and familiarize yourself with available fire safety equipment.

While Cooking

- Never leave food or hot appliances unattended. Stay in the kitchen at all times while cooking.

After Cooking

- Turn off all appliances.
- Clean all surfaces and cookware used.
- Dispose of all trash properly.

If a Fire Starts

If safe to do so:

- Contain the fire by closing the oven/microwave door or placing a lid over the pan.
- Use a fire extinguisher appropriate for the type of fire.

If you cannot safely contain the fire:

- Pull the fire alarm immediately.
- Evacuate the building.

Prohibited Items & Materials

In addition to items prohibited by the University's Honor Code, certain items are not permitted in all University owned or operated housing, except in suites/apartments with a kitchen.

Items Prohibited in all Apartments & Residence Hall Communities

To ensure the safety and well-being of all residents, certain items are not allowed in any University owned or operated housing. If prohibited items are discovered, they may be confiscated, and the resident may be referred to Student Rights & Responsibilities.

The following items are prohibited:

- Personal air conditioning units
 - Exception: Students in Centennial Halls, Johnson-McFarlane, and Hilltop Apartments may have evaporative air coolers up
 - 150 watts
 - 44 BTUs
 - 3-gallon tank capacity
- Grills (indoor or outdoor)
- Extension cords
 - Note: Surge protectors are allowed
- Motorized equipment inside a residential building, including
 - Electric skateboards
 - Electric longboards
 - One-wheels
 - Electric scooters

- Gas-powered equipment of any kind
- Open flame items, such as
 - Candles
 - Incense
 - Any item with a persistent flame
- Items with exposed heating elements including
 - Hot plates with coil burners
 - Space heaters,
 - Electric grills with exposed coils
 - Electric coil burners
 - Electric kettles with exposed elements
- Hazardous materials such as:
 - Gasoline
 - Propane
 - Butane
 - Any other flammable liquid or gas
 - Halogen lightbulbs
- Doorbell cameras or other devices that record audio or video of shared common areas, including hallways, lobbies, lounges, or study rooms.

Items Prohibited Only in Residence Halls

Except in suites or apartments with a kitchen, the following items are prohibited in University owned or operated housing:

- Toasters or toaster ovens
- Frying pans, griddles, or grills (including George Forman grills)
- Pressure cookers or multi-cookers
- Any item that does not have an automatic shutoff, may use or require grease, butter, or similar substances for cooking, or may cause grease (or similar substances) as a byproduct.

University of Denver Policy

Tobacco-Free Campus

The University prohibits the use of Smoking Products on all University Premises, both indoors and outdoors.

The University prohibits the sale, distribution, and sampling of Smoking Products, related merchandise or promotional materials on all University Premises and at University-sponsored events.

This policy applies to all employees, students, and visitors.

Four Star Realty Residential Rental Lease Agreement

Prohibitions

Residents may not use wood burning fireplaces, even if a wood burning fireplace is in the premises.

Smoking Prohibited

Residents agree there is no smoking in the Premises. No resident, member of resident's household or resident's guests will be allowed to smoke in the Premises or on any decks, balconies, or patios of the Premises. Residents understand and acknowledge that smoking in the premises may result in damage that may require extra cleaning, painting, re-carpeting, and/or the replacement of window coverings of the entire premises to remove smoke, the cost of which shall be paid by the resident. Violation of this clause shall be deemed a material breach of the lease and shall be grounds for eviction. Agent makes no representation or warranty that the premises or surrounding area has been or will be smoke free, and resident may smell or otherwise experience smoke in the premises or common areas during the term of the lease.

Portable Electrical Appliances and Open Flames

There are no specific prohibitions for portable electrical appliances or prohibitions on open flames.

Inspection, Testing, and Maintenance of Fire Protection Systems and Equipment

DU's Facilities Management and Planning manages this element of the campus fire safety program with support from HRE and an approved/licensed third party fire protection contractor. All fire protection systems and equipment in University owned or operated housing managed by HRE 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 DU 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 Department and Hazardous Materials will visit each building accompanied by Campus Safety and other DU personnel at least once per year to confirm 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, HRE, or Campus Safety personnel by order of the Denver Fire Department.

Fire alarms in University owned or operated buildings are inspected annually to confirm proper functioning under normal conditions. These inspections are performed by DU Alarm Technicians or by private contractors through agreements with DU.

Plans for Future Improvements in Fire Safety

Campus fire safety officials review fire safety policies and equipment on an ongoing basis. The University is considering an upgrade to the Centennial Towers fire system. A start date has not been determined.

Fire Log

A log of all campus student housing facility fires is maintained by the Campus Safety Manager of Emergency Preparedness. The log may be viewed at the Campus Safety Center, 2130 S. High St., Denver, during regular business hours, Monday through Friday. Call our mainline at 303-871-2334, for more information.

The current fire log is also available on the [Campus Safety Crime and Fire Logs webpage](#).

Fire Statistics and Description of Fire Safety Systems

The fire statistics for student housing facilities for the 2023, 2024, and 2025 calendar years are provided below. A description of fire safety systems for each student housing building is also included. The Western Colorado and Four Corner Campuses do not have student housing.

Fire Log (Calendar Years 2023-2025)

Location	Type of University Housing Property	Date of Incident	Time of Incident	Date Reported	Nature (Cause) of Fire	Number of Injuries	Number of Deaths	Value of Property Damaged	CAMPUS SAFETY Report Number
Centennial Towers 1770 S Williams St	Owned	2/21/23	9:40 AM	2/21/23	Unintentional: Kitchen towel caught fire from oven contact	0	0	\$0-\$99	2300192
University Lofts 2373 E Evans Ave	Leased	1/7/25	6:28 PM	1/7/25	Stove Malfunction	0	0	\$100-\$999	2500001
Centennials Towers 1770 S Williams St	Owned	2/8/25	2:06 PM	2/8/25	Clothes Dryer Caught on Fire	0	0	\$1,000-\$9,999	2500086
Johnson-McFarlane Hall 1901 E Iliff Ave	Owned	3/3/25	9:03 PM	3/3/25	Clothes Dryer Caught on Fire	0	0	\$1,000-\$9,999	2500134
Centennials Towers 1770 S Williams St	Owned	3/24/25	8:50 PM	3/24/25	Match Lit Trash Can on Fire	0	0	\$1,000-\$9,999	2500189
Ridgeline Apartments 1930 S York St	Owned	7/19/25	9:10 PM	7/19/25	Food Caught Fire in Oven	1	0	\$0-\$99	2500407

*There were no reportable fires in calendar year 2024

Fire Statistics – By Building (2025 University Park Campus)

Location	Number by Building	Fire Number	Date Reported	Date of Incident	Time of Incident	Cause of Fire	Number of Injuries	Number of Deaths	Value of Property Damaged
Asbury Heights	0	0	-	-	-	-	-	-	-
Brittany Manor & Gardens	0	0	-	-	-	-	-	-	-
Carousel Apartments	0	0	-	-	-	-	-	-	-
Centennial Halls	0	0	-	-	-	-	-	-	-
Centennial Towers	2	2	2/8/2025	2/8/2025	2:06 PM	Clothes Dryer	0	0	\$1,000-\$9,999
Centennial Towers	2	4	3/24/2025	3/24/2025	8:50 PM	Match Thrown in Trash Can	0	0	\$1,000-\$9,999
Delta Delta Delta	0	0	-	-	-	-	-	-	-
Delta Zeta	0	0	-	-	-	-	-	-	-
Dimond Family Residential Vlg	0	0	-	-	-	-	-	-	-
The Florentine	0	0	-	-	-	-	-	-	-
Gamma Phi Beta	0	0	-	-	-	-	-	-	-
Hilltop Hall	0	0	-	-	-	-	-	-	-
Johnson-McFarlane Hall	1	3	3/3/2025	3/3/2025	9:03 PM	Clothes Dryer	0	0	\$1,000-\$9,999
Lamda Chi Alpha	0	0	-	-	-	-	-	-	-
Lynn Marie Apartments	0	0	-	-	-	-	-	-	-
Mesa Apartments	0	0	-	-	-	-	-	-	-
Nagel Hall	0	0	-	-	-	-	-	-	-
Nelson Hall	0	0	-	-	-	-	-	-	-
Ridgeline Apartments	1	5	7/19/2025	7/19/2025	9:10 PM	Oven Fire	1	0	\$0-\$99
Summit Apartments	0	0	-	-	-	-	-	-	-
Transfer House	0	0	-	-	-	-	-	-	-
University Lofts	1	1	1/7/2025	1/7/2025	6:28 PM	Stove Malfunction	0	0	\$0-\$99
University North	0	0	-	-	-	-	-	-	-
University South	0	0	-	-	-	-	-	-	-
University Place Apartments	0	0	-	-	-	-	-	-	-
York Street Flats	0	0	-	-	-	-	-	-	-
York Street Lofts	0	0	-	-	-	-	-	-	-
Zeta Beta Tau	0	0	-	-	-	-	-	-	-
Totals	0	0	-	-	-	-	-	-	-

Fire Statistics – By Building (2024 University Park Campus)

Location	Number by Building	Fire Number	Date Reported	Date of Incident	Time of Incident	Cause of Fire	Number of Injuries	Number of Deaths	Value of Property Damaged
Asbury Heights	0	0	-	-	-	-	-	-	-
Brittany Manor & Gardens	0	0	-	-	-	-	-	-	-
Carousel Apartments	0	0	-	-	-	-	-	-	-
Centennial Halls	0	0	-	-	-	-	-	-	-
Centennial Towers	0	0	-	-	-	-	-	-	-
Delta Delta Delta	0	0	-	-	-	-	-	-	-
Delta Zeta	0	0	-	-	-	-	-	-	-
Dimond Family Residential Vlg	0	0	-	-	-	-	-	-	-
The Florentine	0	0	-	-	-	-	-	-	-
Gamma Phi Beta	0	0	-	-	-	-	-	-	-
Hilltop Hall	0	0	-	-	-	-	-	-	-
Johnson-McFarlane Hall	0	0	-	-	-	-	-	-	-
Lamda Chi Alpha	0	0	-	-	-	-	-	-	-
Lynn Marie Apartments	0	0	-	-	-	-	-	-	-
Mesa Apartments	0	0	-	-	-	-	-	-	-
Nagel Hall	0	0	-	-	-	-	-	-	-
Nelson Hall	0	0	-	-	-	-	-	-	-
Ridgeline Apartments	0	0	-	-	-	-	-	-	-
Summit Apartments	0	0	-	-	-	-	-	-	-
Transfer House	0	0	-	-	-	-	-	-	-
University Lofts	0	0	-	-	-	-	-	-	-
University North	0	0	-	-	-	-	-	-	-
University South	0	0	-	-	-	-	-	-	-
University Place Apartments	0	0	-	-	-	-	-	-	-
York Street Flats	0	0	-	-	-	-	-	-	-
York Street Lofts	0	0	-	-	-	-	-	-	-
Zeta Beta Tau	0	0	-	-	-	-	-	-	-
Totals	0	0	-	-	-	-	-	-	-

Fire Statistics – By Building (2023 University Park Campus)

Location	Number by Building	Fire Number	Date Reported	Date of Incident	Time of Incident	Cause of Fire	Number of Injuries	Number of Deaths	Value of Property Damaged
The Hub	0	0	-	-	-	-	-	-	-
Asbury Heights	0	0	-	-	-	-	-	-	-
Brittany Manor & Gardens	0	0	-	-	-	-	-	-	-
Carousel Apartments	0	0	-	-	-	-	-	-	-
Centennial Halls	0	0	-	-	-	-	-	-	-
Centennial Towers	1	1	2/21/23	2/21/23	9:04am	Unintentional	0	0	\$0-\$99
Delta Delta Delta	0	0	-	-	-	-	-	-	-
Delta Zeta	0	0	-	-	-	-	-	-	-
Dimond Family Residential Vlg	0	0	-	-	-	-	-	-	-
The Florentine	0	0	-	-	-	-	-	-	-
Gamma Phi Beta	0	0	-	-	-	-	-	-	-
Hilltop Hall	0	0	-	-	-	-	-	-	-
Johnson-McFarlane Hall	0	0	-	-	-	-	-	-	-
Lamda Chi Alpha	0	0	-	-	-	-	-	-	-
Lynn Marie Apartments	0	0	-	-	-	-	-	-	-
Mesa Apartments	0	0	-	-	-	-	-	-	-
Nagel Hall	0	0	-	-	-	-	-	-	-
Nelson Hall	0	0	-	-	-	-	-	-	-
Ridgeline Apartments	0	0	-	-	-	-	-	-	-
Summit Apartments	0	0	-	-	-	-	-	-	-
Transfer House	0	0	-	-	-	-	-	-	-
University Lofts	0	0	-	-	-	-	-	-	-
University North	0	0	-	-	-	-	-	-	-
University South	0	0	-	-	-	-	-	-	-
University Place Apartments	0	0	-	-	-	-	-	-	-
York Street Flats	0	0	-	-	-	-	-	-	-
York Street Lofts	0	0	-	-	-	-	-	-	-
Zeta Beta Tau	0	0	-	-	-	-	-	-	-
Totals	1	1	-	-	-	-	0	0	\$0-\$99

Residential Fire Control Systems – By Building

Location	Fire Alarm Monitored	Sprinkler System	Fire Alarm Control Panel	Alarm Horn / Strobes	Heat Detectors	Smoke Detectors	Manual Pull Stations	Beam Detectors	CO Detectors	Fire Doors	Fire Extinguishers	Evacuation Plans / Placards	# of Evacuation (Fire Drills) Each Calendar Year
Asbury Heights 2000-2002 S York St	None	-	-	-	-	X	-	-	X	-	X		0
Brittany Manor & Gardens 2345-2361 S York St	None	-	-	-	-	X	-	-	X	-	X		0
Carousel Apartments 1905 S York St	None	-	-	-	-	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 2249 S Josephine St	Offsite	X	X	X	X	X	X		X	X	X		3
Delta Zeta 2258 S Josephine St	Offsite	-	X	X	X	X	X		X	X	X	X	3

Location	Fire Alarm Monitored	Sprinkler System	Fire Alarm Control Panel	Alarm Horn / Strobes	Heat Detectors	Smoke Detectors	Manual Pull Stations	Beam Detectors	CO Detectors	Fire Doors	Fire Extinguishers	Evacuation Plans / Placards	# of Evacuation (Fire Drills) Each Calendar Year
Dimond Family Residential Village 2020 S High St	Offsite	X	X	X	X	X	X	-	X	X	X	X	3
The Florentine 2363 S York St	None	-	-	-	-	X	-	-	X	X	X	-	0
Gamma Phi Beta 2233 S Josephine St	Offsite	X	X	X	X	X	X	-	X	X	X	X	3
Hilltop Hall 2280 S Race St	Offsite	-	X	X	X	X	X	-	X	X	X	-	0
Johnson-McFarlane Hall 1901 E Iliff Ave	Offsite	X	X	X	X	X	X	X	X	X	X	-	3
Lamda Chi Alpha 2217 E Evans Ave	Offsite	X	X	X	X	X	X		X	X	X	-	3
Lynn Marie Apartments 1995 S University Blvd	None	-	-	-	-	X	-	-	X	-	X	-	0
Mesa Apartments 1925 S York St	Offsite	-	X	X	X	X	X	-	X	X	X	-	3

Location	Fire Alarm Monitored	Sprinkler System	Fire Alarm Control Panel	Alarm Horn / Strobes	Heat Detectors	Smoke Detectors	Manual Pull Stations	Beam Detectors	CO Detectors	Fire Doors	Fire Extinguishers	Evacuation Plans / Placards	# of Evacuation (Fire Drills) Each Calendar Year
Nagel Hall 2194 S High St	Offsite	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
Ridgeline Apartments 1930 S York St	Offsite	-	X	X	X	X	X	-	X	X	X	-	3
Summit Apartments 1904 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	3
University North 1861 S University Blvd	Offsite	-	X	X	X	X	X	-	X	X	X	X	0
University South 1871 S University Blvd	Offsite	-	X	X	X	X	X	-	X	X	X	-	0
University Place Apartments 1950 S York St	Offsite	-	X	X	X	X	X	-	X	X	X	-	3
York Street Flats 2367-2389 S York St	None	-	-	-	-	X	-	-	X	-	X	-	0

Location	Fire Alarm Monitored	Sprinkler System	Fire Alarm Control Panel	Alarm Horn / Strobes	Heat Detectors	Smoke Detectors	Manual Pull Stations	Beam Detectors	CO Detectors	Fire Doors	Fire Extinguishers	Evacuation Plans / Placards	# of Evacuation (Fire Drills) Each Calendar Year
York Street Lofts 1945 S York St	None	-	-	-	-	X	-	-	X	-	X	-	0