



ANNUAL SECURITY AND FIRE SAFETY REPORT 2023

UNIVERSITY PARK CAMPUS
WESTERN COLORADO CAMPUS
FOUR CORNERS CAMPUS



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Table of Contents

MESSAGE FROM THE DU CAMPUS SAFETY CHIEF.....	1		
PREPARING THE REPORT	2		
DISCLOSURE OF CRIME STATISTICS	2		
HOW TO REPORT CRIMES AND OTHER EMERGENCIES	2		
REPORTING NON-EMERGENCY CRIMES OR INCIDENTS	3		
CAMPUS SAFETY TIP LINE.....	3		
SILENT WITNESS REPORTING.....	3		
REPORTING OFF-CAMPUS CRIMES	3		
Reporting to Campus Security Authorities.....	3		
Confidential Reporting	4		
Anonymous Reporting	4		
UNIVERSITY PARK CAMPUS FACILITIES SECURITY & ACCESS	5		
WESTERN COLORADO CAMPUS FACILITIES SECURITY & ACCESS.....	5		
FOUR CORNERS CAMPUS FACILITIES SECURITY & ACCESS.....	5		
ENFORCEMENT AUTHORITY, JURISDICTION AND RELATIONSHIP WITH LOCAL LAW ENFORCEMENT	5		
Authority and Relationship with the Glenwood Springs Police Department (Western Colorado Campus).....	6		
Authority and Relationship with the Durango Police Department (Four Corners Campus).....	6		
CRIMES INVOLVING STUDENT ORGANIZATIONS AT NONCAMPUS LOCATIONS.....	6		
DU University Park Campus.....	6		
DU Western Colorado Campus	6		
DU Four Corners Campus	6		
SECURITY AWARENESS AND CRIME PREVENTION EDUCATION PROGRAMS.....	7		
PRIMARY PREVENTION PROGRAMS AND ONGOING AWARENESS CAMPAIGNS	12		
		Health and Counseling Center’s Department of Health Promotion	12
		DU’s Office of Equal Opportunity & Title IX	12
		DU Students:	13
		DU Students, Faculty, and Staff:.....	15
		DISCLOSURE TO ALLEGED VICTIMS OF VIOLENCE OR NON-FORCIBLE SEX OFFENSES	17
		VIOLENCE AGAINST WOMEN ACT (VAWA)	17
		Prohibition Statement	17
		VAWA Definitions.....	17
		Domestic Violence (State of Colorado Definition)	17
		Dating Violence (State of Colorado Definition).....	17
		Stalking (State of Colorado Definitions)	17
		Sexual Assault and Sex Offenses (State of Colorado Definitions):....	18
		<i>Title 18 Criminal Code § 18-3-402 Sexual Assault (Includes Statutory Rape)</i>	18
		<i>Title 18 Criminal Code § 18-3-404 Unlawful Sexual Contact</i>	18
		<i>Title 18 Criminal Code § 18-6-301 Incest.....</i>	18
		<i>Title 18 Criminal Code § 18-6-302 Aggravated Incest</i>	19
		Statutory Rape.....	19
		Consent (State of Colorado Definition):	19
		<i>Title 18 Criminal Code § 18-3-401 Definitions.....</i>	19
		Consent as Defined in DU’s Comprehensive Discrimination and Harassment Policy	19
		Bystander Intervention	19
		PROCEDURES FOR VICTIMS OF SEX- AND GENDER-BASED VIOLENCE OR HARASSMENT	21
		Reporting Options.....	23
		Reporting to Law Enforcement (All Students, Faculty, or Staff)	24

<i>Protecting Victim Confidentiality:</i>	24	Communication with the Larger Community.....	72
<i>University of Denver Department of Campus Safety</i>	24	DU Alert	72
<i>Reporting to the University (All Students, Faculty, or Staff)</i>	25	How to Receive DU Alert Emails:	72
Resources and Institutional Assistance	25	How to Receive DU Alert text messages:	72
INSTITUTIONAL PROCEDURES FOR REPORTED GENDER-BASED VIOLENCE....	26	EMERGENCY RESPONSE AND EVACUATION PROCEDURES	73
Title IX Response to Reports of Gender-Based Violence, Discrimination and Harassment	26	Emergency and Evacuation Procedures for Student Housing	73
Reporting to the Office of Equal Opportunity & Title IX	26	Emergency and Evacuation Procedures for Non-Residential Buildings.....	73
The Process	26	Testing, Exercises and Evacuation Drills	73
NOTICE OF NON-DISCRIMINATION.....	26	MISSING STUDENT NOTIFICATION POLICY	74
COMPREHENSIVE DISCRIMINATION AND HARASSMENT PROCEDURES	27	PROHIBITION ON RETALIATION	75
TITLE IX SEXUAL HARASSMENT PROCEDURES.....	43	FIRE SAFETY REPORT AND STATISTICS.....	75
THE FEDERAL CAMPUS SEX CRIMES PREVENTION ACT	58	Fire Safety Definitions.....	75
DRUG, ALCOHOL, AND SUBSTANCE ABUSE	58	<i>Definition of a Fire</i>	75
Drug and Alcohol Statement of Policies for Employees	58	<i>Definition of a Fire Safety System</i>	75
<i>Alcohol Policy:</i>	58	<i>Fire Safety Reporting</i>	75
<i>Drug Policy:</i>	58	<i>To report an active fire on campus:</i>	76
<i>Drug and Alcohol Statement of Policies for Students</i>	58	<i>To report evidence of a fire or past fire situation in DU</i> <i>Student Housing, contact the following:</i>	76
Drug and Alcohol Abuse Education Programs.....	59	Fire Prevention Policies and Procedures	76
DEFINITIONS OF REPORTABLE CRIMES	60	<i>Honor Code</i>	76
Primary Criminal Offenses:	60	<i>Guide to Residence Living</i>	77
<i>Hate Crimes</i>	60	<i>University of Denver Policy Manual</i>	78
<i>Categories of Bias:</i>	60	<i>Tobacco-Free Campus</i>	78
<i>VAWA Offenses Definitions</i>	60	<i>Wheelhouse Apartments Residential Rental</i> <i>Lease Agreement</i>	78
<i>Arrests and Disciplinary Referrals: Violation of Weapons,</i> <i>Drug Abuse, and Liquor Laws</i>	61	Fire Drills	78
Definitions related to VAWA.....	62	<i>Guide to Residence Living</i>	78
<i>Primary Preventions Programs</i>	62	Fire Evacuation Procedures – Student Residential Housing	79
<i>Ongoing Awareness Programs</i>	62	<i>Guide to Residence Living</i>	79
<i>Ongoing Awareness and Prevention Campaigns</i>	62	<i>Wheelhouse Apartments Managed Properties</i>	79
<i>Bystander Intervention</i>	62	Fire Safety Education	80
<i>Risk Reduction</i>	62	Inspection, Testing, and Maintenance of Fire Protection Systems and Equipment.....	80
<i>Advisor</i>	62	Plans for Future Improvements in Fire Safety	81
<i>Proceeding</i>	62	Fire Log.....	81
<i>Result</i>	62	Fire Statistics and Description of Fire Safety Systems	81
DEFINITIONS OF GEOGRAPHY	62	FIRE LOG (CALENDAR YEARS 2020-2022)	82
<i>On-Campus Building or Property</i>	62	FIRE STATISTICS—BY BUILDING.....	83
<i>On-Campus Student Housing</i>	62	RESIDENTIAL FIRE CONTROL SYSTEMS—BY BUILDING.....	86
<i>Noncampus Building or Property</i>	62		
<i>Public Building or Property</i>	63		
DAILY CRIME LOG	63		
2020-2022 CLERY CRIME STATISTICS	64		
TIMELY WARNINGS & EMERGENCY NOTIFICATIONS	70		
Timely Warnings.....	70		
Emergency Notifications	71		
Disseminating an Emergency Notification	72		



Message from the DU Campus Safety Chief

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 2023 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 Disclosure of Campus Security Policy and Crime Statistics Act, the University makes available a copy of this Annual Security and Fire Safety Report online and/or you may also obtain a hard copy by contacting the Department of Campus Safety at 303-871-2334. 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 student orientation program. 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.

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At DU, we continue to build a unique Department of Campus Safety.

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

For the 2023-2024 academic year, we will continue to partner with student leaders and our professional colleagues in Student Affairs & Inclusive Excellence, Human Resources & Inclusive Community, the Office of Equal Opportunity & Title IX, and other campus units to educate and engage students in order to prevent crime, promote safe behaviors, and help one another to foster a safe campus environment. Areas of focus include getting students home safely, having a professionally trained and equipped corps of officers, and working diligently with campus neighbors and local businesses to prioritize student well-being.

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

Michael Bunker
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 Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”), which is a federal law requiring colleges and universities to disclose crime information 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, other dangerous situations, access to the campus, and fire safety. All statements are applicable to each DU campus unless specifically stated otherwise.

The Clery and Compliance Coordinator prepares this ASFSR through collaboration with the Denver Police Department (DPD), Denver Fire Department (DFD), Glenwood Springs Police Department, Durango Police Department, Department of Campus Safety (DCS), the Office of Student Rights & Responsibilities (SRR), the Office of Equal Opportunity & Title IX (EOIX), Housing and Residential Education (HRE), the Health and Counseling Center (HCC), the Office of Emergency Preparedness & Fire Safety, Office of General Counsel (OGC), and campus security authorities (CSA). CSAs are individuals who have significant responsibilities for students, employees, and DU activities.

Once data has been reviewed for accuracy for each DU campus and 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 via their students’ and employees’ @du.edu email address.

The 2023 Annual Security and Fire Safety Report is posted on DU’s Department of Campus Safety website at <https://www.du.edu/>

[campussafety/reports](#) in PDF format. Printed copies are available at the DU 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 the DCS at 303.871.2334, e-mail the Clery and Compliance Coordinator at Mark.Derham@du.edu, or write to the DCS at 2130 S. High St., Denver, CO, 80208.

Disclosure of Crime Statistics

Certain crime statistics for the previous three years are included in this report, specifically, crimes 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 and Compliance Coordinator collects crime statistics through several methods, including DCS Case Reports, CSA reports, and law enforcement crime records. Statistics within this report reflect the number of criminal incidents reported to DU, including reports to DCS and local law enforcement.

How to Report Crimes and Other Emergencies

DU campus community members (students, faculty and staff members), contracted employees and guests are strongly encouraged to accurately and promptly 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 the DU Department of Campus Safety.

These incidents should be reported to DU's Department of Campus Safety in a timely manner to provide any needed support services, perform follow-up, and allow for proper notifications and reporting of crimes.

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 DCS may be reached in an emergency at 303.871.3000.

In the City and County of Denver, the DPD dispatch center has 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.

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

Reporting Non-Emergency Crimes or Incidents

Non-emergency crime reports and security or public safety related matters should be reported to DU's Department of Campus Safety

by calling the non-emergency phone line, 303.871.2334 (1-2334) and/or the Denver Police Department's non-emergency line 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 970.384.6500.

Campus Safety Tip Line

The Department of Campus Safety operates an anonymous tip phone line for campus community members and others to report safety and security information as well as concerns about criminal incidents and suspicious behavior on campus or noncampus properties owned or controlled by DU. Contact the Department of Campus Safety's Anonymous Tip line at 303.871.3130 (1-3130).

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 at <https://www.du.edu/campussafety/report-incident>.

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. The DU Department of Campus Safety should be notified as well to aid in the collection of crime statistics for this report as well as allow DU to provide available resources and services to DU students, faculty, and staff who are a survivor of a crime.

REPORTING TO CAMPUS SECURITY AUTHORITIES

It is important for the campus community to report criminal

incidents directly to the Department of Campus Safety and the Denver Police Department. However, some survivors 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). CSA's include students, staff/employees of DU, and certain faculty members. Once a person is designated as a CSA because of their position, they are provided training on their role and responsibilities.

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

CSAs may report directly to the Department of Campus Safety by calling 303.871.2334, in-person at the Campus Safety Center at 2130 South High Street or by submitting a report into Maxient that is sent to either SRR or EOIX.

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.

DU Department of Campus Safety employees are considered Campus Security Authorities under this definition.

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

Non-Campus safety personnel responsible for security presence 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.

Officials with significant responsibility for student and campus activities category 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.

DU's Office of Student Rights & Responsibilities is the entity 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 Campus Security Authorities under this definition.

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

- Campus Safety Officers and Campus Safety staff
- Student Rights & Responsibilities Staff
- Equal Opportunity & Title IX Staff
- Housing & Residential Education Staff
- Resident Assistants and Desk Assistants
- Student Affairs & Inclusive Excellence Staff
- Athletics Director, Athletics Staff, and Athletics Coaches
- Faculty advisors to a student group
- Associate Director, Fraternity & Sorority Life
- Contracted security personnel

CONFIDENTIAL REPORTING

Campus Pastoral Counselors and Campus Professional Counselors, when acting as such, are not considered to be 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 considered exempt from reporting requirements. DU encourages counselors, if and when they deem it appropriate, to inform those they counsel of procedures for reporting crimes on a voluntary, confidential basis for inclusion in the 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

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

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

[id=110](#)

Student Rights & Responsibilities online referral form at:
<https://cm.maxient.com/reportingform.php?UnivofDenver>

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 the Department of Campus Safety without any identifying information for inclusion in the annual crime statistics.

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

UNIVERSITY PARK CAMPUS FACILITIES SECURITY & ACCESS

DU is generally open to the public during business hours from 8:00 a.m. to 4:30 p.m. Mountain Time. Certain DU buildings and doors may require a key or electronic access card to enter.

All University owned or operated student housing facilities require a key or electronic card access at all times. A valid DU ID, issued by the DU ID Card Office, is required to gain entrance. Many residences have a Desk Assistant stationed at a single entry to monitor residents and escorted guests entering residence halls. Guests of these residence halls must register their entrance to the building.

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: DU is on a formal break; it is finals week or the week leading up to finals week; etc.

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

WESTERN COLORADO CAMPUS FACILITIES SECURITY & ACCESS

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 no security alarms for the campus other than fire and lock down alarms. 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 & ACCESS

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 Department of Campus Safety (DCS) is accredited by the Commission on Accreditation for Law Enforcement Agencies (CALEA) under the Campus Security program. The DCS provides services 24 hours a day, 365 days a year. The DCS 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 SRR, 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 at <https://studentaffairs.du.edu/student-rights-responsibilities>.

CSOs are non-commissioned/non-sworn officers licensed by the City and County of Denver. All CSOs must maintain a valid Denver Security Guard License. CSOs are armed with pepper spray and expandable batons and do not have authority to make arrests. CSOs may detain individuals on campus properties, under specific Colorado state statutes, until the Denver Police Department (DPD) responds if the CSO has observed an individual commit an act that they reasonably believe violates a city ordinance or a state or federal law.

The DCS 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 the DCS. In turn, the DCS coordinates with DPD to determine the appropriate response.

The DU 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 DU University Park campus. DCS and DPD have a Memorandum of Understanding (MOU) that serves as the framework for our cooperative public safety efforts.

In cases where the members of the DCS 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 in a timely manner.

The DCS does not have an active working relationship or MOU with Colorado state law enforcement, however, the DCS will cooperate



Crimes Involving Student Organizations at Noncampus Locations

DU requests 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 and housing facilities. DU maintains a log of student organization off-campus activities through the Office of Student Affairs & Inclusive Excellence. Additional noncampus property information is maintained through the Department of Facilities Management and Planning. This 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

An interactive map of the University Park campus can be found at <https://www.du.edu/-utilities/maps>.

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

with any investigation by state authorities.

AUTHORITY AND RELATIONSHIP WITH THE GLENWOOD SPRINGS POLICE DEPARTMENT (WESTERN COLORADO CAMPUS)

DU CSOs have no enforcement authority, jurisdiction, or the authority to make arrests on the Western Colorado campus. There is no memorandum of understanding with the Glenwood Springs Police Department regarding the investigation of alleged criminal offenses. If a crime occurs on campus, DU 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)

DU CSOs have no enforcement authority, jurisdiction, or the authority to make arrests on the Four Corners campus. There is no memorandum of understanding with the Durango Police Department regarding the investigation of alleged criminal offenses. If a crime occurs on campus, DU Campus Safety personnel and DU staff on site will cooperate with state and local law enforcement agencies.



Security Awareness and Crime Prevention Education Programs

During the year, DU offers many programs and services from various and collaborating 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 available to our Western Colorado and Four Corners Campuses virtually. 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 & 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)
DCS Crime Prevention Presentations*	The Department of Campus Safety's Community Resource Officer conducts in-person presentations on preventing and reporting crime. Promoted by email, regular meetings with student and community groups.	Students, Faculty, Staff, Community.	Offered upon request	In-person presentations or virtual online	All crimes including active-shooter response; crime prevention, bystander intervention, risk reduction.	Department of Campus Safety, 303-871-2334 (1-2334)
Safe-Walk Program	Walk through campus with staff from the Department of Campus Safety, DU Facilities and interested campus community members, to identify areas in need of improved lighting, landscaping, and other modifications that could make campus travel safer. Promoted through social media and email advertising	Students, Staff, Campus community members	Annually	In-person discussion and tour	Sexual assault, robbery, assault, safe routes, crime prevention, crime reporting, risk reduction	Department of Campus Safety, 303-871-2334 (1-2334)
DCS 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 (DCS) with a call to the DCS Communications Center. Promoted through student and parent orientations, online and printed materials.	Students, 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, providing an avenue for the campus community to report information about a crime or suspected crime in a confidential manner. Promoted through orientations and website.	Students, Faculty, Staff, Community.	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, 303-871-3130 (1-3130)

PROGRAM NAME	EXPLANATION	AUDIENCE	FREQUENCY	METHOD	AWARENESS & PREVENTION TARGETS	PRIMARY SPONSOR
The Department of Campus Safety Website*	The campus safety website with Clery Act information and resources, crime prevention resources, crime prevention education and opportunities, crime reporting information and resources. Promoted through social media, orientations, and print marketing.	Students, Faculty, Staff, 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	Email direct to all DU addresses, web, Twitter 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, Employees	Periodic, as needed	Email to all DU accounts, web, Twitter, Facebook	Sexual assault, robbery, assault, burglary, theft, drug/alcohol crimes, bystander intervention, risk reduction, crime reporting	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, DU 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)
Emergency Response Team Training & 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, Staff, Faculty	Offered upon requests	In-person assessment	Lockdown, evacuation, and shelter in place procedures, Safety and Security	Department of Campus Safety, 303-871-2334 (1-2334)

PROGRAM NAME	EXPLANATION	AUDIENCE	FREQUENCY	METHOD	AWARENESS & PREVENTION TARGETS	PRIMARY SPONSOR
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, Staff)	Once a year for each facility	In-person training	Safety and security	Department of Campus Safety, 303-871-2334 (1-2334)
Fire Extinguisher Training	1 hour - This is a free course to all DU Community Members with the goal of enhancing emergency preparedness on campus. Participants will receive hands-on instruction with extinguishers and training simulator	Students, Faculty, Staff	At least once per academic term, and as requested by groups	In-person class	Life safety	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 New Employee Orientation and provides an overview of the services the Department of Campus Safety provides	New Faculty & 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 & Department of Campus Safety, 303-871-2334 (1-2334)
Resident Assistant Development Institute – Responding to Crime and Gender-Based Violence	In-person training for Resident Assistants (RA) employees designed to identify discrimination, harassment, and gender-based violence (sexual assault, domestic/dating violence and stalking). This course defines prohibited conduct, teaches RAs about their obligation to report incidents, and information about how to respond and support students who have experienced these behaviors	Resident Assistants	Annual	In-Person interactive training	Discrimination, harassment, gender-based violence, mandatory reporting	Office of Equal Opportunity & Title IX and Department of Campus Safety and the Health and Counseling Center
Bias Incident Response Team*	DU's Bias Incident Response Team (or "BIRT") is an internal working group tasked to coordinate campus response to bias incidents that occur within the DU community. BIRT does not investigate, adjudicate or otherwise participate in judicial/legal processes, but provides support to individuals and populations affected by such incidents	Staff, Faculty	As requested	In-person meeting and electronic communication recommending programming and responses as necessary	Safety and security	Office of Equal Opportunity & Title IX, 303-871-7016
Title IX and Equal Opportunity Policies and Procedures*	This required course identifies discrimination, harassment, and gender-based violence (sexual assault, domestic/dating violence and stalking) as prohibited conduct, defines what behavior constitutes gender-based violence under federal law, describes students' options for supportive measures and reporting prohibited conduct under the DU's procedures	Students	As requested	In person meeting or virtual online	Sexual violence prevention and adjudication	Office of Equal Opportunity & Title IX
Faculty-Staff Hiring Guidelines*	In-person or module-based training for hiring managers about how to conduct an Equal Opportunity hiring process. This course defines permissible and impermissible questions to ask applicants in the hiring process, as well as, permissible and impermissible grounds on which to consider for making a hiring decision	Hiring Managers	Offered year-round	In-person interactive training or online interactive module	Discrimination, equal opportunity, hiring practices	Office of Equal Opportunity & Title IX

PROGRAM NAME	EXPLANATION	AUDIENCE	FREQUENCY	METHOD	AWARENESS & PREVENTION TARGETS	PRIMARY SPONSOR
Managing Bias*	Online training for faculty, staff, and student workers designed to identify bias incidents and how that affects the workplace. This course defines terms such as discrimination, harassment, bias, microaggressions, and seeks to promote awareness about employees' behaviors and how to manage their own biases	Employees	Offered year-round	Online interactive training	Bias, discrimination, harassment, microaggressions	Office of Equal Opportunity & Title IX and Human Resources and Inclusive Community
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 strip abroad on health, safety and security issues and crime prevention and Clery Reporting. https://canvas.du.edu/enroll/9FTEHH	DU Staff and Faculty working as advisors with students during short term academic trips abroad	Periodically throughout year, and at least every two years	Online via Canvas and in person as needed to supplement	Health, safety and security, sexual assault, drug and alcohol crimes, robbery, assault, burglary, theft, crime reporting (Clery), risk reduction, working with students in distress	Enterprise Risk Management
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	In response to COVID-19, meetings were adjusted to be held virtually	Safety and security, drug and alcohol crimes, crime reporting, risk reduction	Office of Government Relations and Community Affairs
Residence Hall Mandatory Floor Meetings	Housing & Residential Education (HRE) professional staff develop a facilitation guide and provide training for Resident Assistants. For incoming first-year students, 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	First-Year 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)
RA Development Institute (RDI)	Housing & Residential Education (HRE) professional staff develops a comprehensive training for all residence hall and apartments community Resident 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	All	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)

PROGRAM NAME	EXPLANATION	AUDIENCE	FREQUENCY	METHOD	AWARENESS & PREVENTION TARGETS	PRIMARY SPONSOR
International Student Orientation	During orientation, representatives from several DU offices including Campus Safety and ISSS provide information about safety and security on campus and around Denver, as well as information about avoiding scams that target international students. Additionally, information is provided about health services and resources for both physical and mental health	Incoming international students	One large orientation at the start of the Fall term and three smaller orientations at the start of each quarter	A mix of in person presentation, handouts, online videos 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
DU Campus Shuttle	Fixed-route van service operating 7 a.m. - 7 p.m. during the academic year on routes around campus. Free to students and employees, operated by a contracted vendor. Shuttle locations are viewable in real time online at https://www.du.edu/parking/mobility/shuttle.html	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
Bicycle Registration*	Mandatory bike registration for all bikes on DU campus, through the Parking and Mobility Services. Includes theft prevention tips, and low-cost bike U-locks. Promoted by print and online marketing, orientations	Students, Staff, Faculty	Ongoing	Registration program and marketing outreach	Theft, crime prevention, crime reporting	Parking and Mobility Services, 303-871-3210
Crisis Assessment Risk Evaluation Behavioral Intervention Team (C.A.R.E.)*	The C.A.R.E. team serves as the centralized body for discussion and action regarding students exhibiting aberrant, dangerous, or threatening behavior that might impact the safety or well-being of the campus community. The C.A.R.E. team takes a proactive, objective, supportive, and collaborative approach to the prevention, identification, assessment, intervention, management of, and coordinated response to situations and behaviors that may be disruptive or pose a risk of harm. The C.A.R.E. team is founded on the principles of early intervention and proactive engagement to prevent violence and provide supportive interventions and services	Students	Weekly team meetings; assessments as needed/ requested	In-person meeting and electronic communication recommending programming and responses as necessary	Safety and security, health and counseling, violence prevention	Dean of Students Office, 303-871-4261



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 that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

Educational programming consists of prevention programs for all incoming students and new employees and ongoing awareness and intervention campaigns for students and employees that:

- 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 COUNSELING CENTER'S DEPARTMENT OF HEALTH PROMOTION

The Health and Counseling Center's Department of Health Promotion conducts training about gender-based violence, consent, healthy relationships, and bystander intervention strategies. Equal Opportunity & Title IX and Campus Safety often collaborate to provide awareness materials and group education presentations for DU programs, residence halls, Greek houses, classes and any other student and employee groups.

DU'S OFFICE OF EQUAL OPPORTUNITY & TITLE IX

All DU faculty and staff are required to complete Title IX training that addresses DU's prohibition against discrimination, harassment, and gender-based violence, and their requirements as Responsible Employees. This training for faculty and staff is introduced in new employee orientation meetings and is facilitated during either live or online training sessions. It encourages employees to connect those reporting gender-based violence and other forms of misconduct with the appropriate campus resources. This training is also available to be facilitated on request by the Office of Equal Opportunity & Title IX.

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 gender-based violence receive baseline training. This includes but is not limited to designated personnel in the Office of Equal Opportunity & Title IX, 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 to our Western Colorado and Four Corners Campuses virtually.

DU STUDENTS:

PROGRAM NAME	EXPLANATION	AUDIENCE	FREQUENCY	METHOD	AWARENESS & 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, defines what behavior constitutes gender-based violence under federal law, defines what behavior and actions constitute consent to sexual activity under DU's Office of Equal Opportunity & Title IX (EOIX) policy and pursuant to DU's 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	Sexual harassment, discrimination, gender-based violence, bystander intervention, DU and community resources	Office of Equal Opportunity & Title IX; Health and Counseling Center
Student Staff Development: Responding to Crime and Gender-based Violence	In-person training for Resident Assistants (RA) employees 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 DU's Discrimination & Harassment prohibited conduct, teaches RA's about their obligation to report incidents, and information about how to respond and support students who have experienced these behaviors	Resident Assistants	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 Equal Opportunity & Title IX; Department of Campus Safety; Health and Counseling Center
Blue Bench Safe Bars Training	The Blue Bench is an organization focused on ending sexual assault through prevention and care. Health Promotion and CAPE partnered with the Blue Bench to launch a Safe Bars initiative as part of our primary prevention and bystander intervention efforts during the Red Zone. Safe Bars bystander training offers staff working in alcohol-serving establishments training to recognize and respond to incidents of sexual harassment and assault	Staff of a local bar(s) to support and enhance our students' safety	Summer 2023 and on-going as permitted	In-person training at a local bar(s) with their staff	Gender-based violence (specifically sexual assault and sexual harassment), bystander intervention, risk reduction, alcohol and other drug awareness	Health and Counseling Center
Red Zone Campaign*	The Red Zone campaign utilized various modes of exposure (printed material, digital media via social media accounts, informational/resource tabling, interactive theatre performances, and a late-night event) to expose new students to harm reduction and awareness behaviors that can be use during the Red Zone. The Red Zone is typically identified as the first 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 campaigns 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	Gender-based violence (specifically sexual assault and sexual harassment), consent, bystander intervention, risk reduction, alcohol and other drug awareness	Health and Counseling Center

PROGRAM NAME	EXPLANATION	AUDIENCE	FREQUENCY	METHOD	AWARENESS & PREVENTION TARGETS	PRIMARY SPONSOR
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, racial bias, and gender violence. This workshop is recommended as an introduction to active bystander intervention	First-year and transfer students	Ongoing; periodic throughout the year	In-person training	Gender-based violence (specifically sexual assault and sexual harassment) , consent, bystander intervention, risk reduction, alcohol and other drug awareness.	Health and Counseling Center
Unpacking Gender-Based Violence*	This course will define ‘what is gender-based violence?’, discuss the impact perpetration has on a community, and review strategies for preventing gender-based violence. Attendees will be able to practice their skills and reflect on their own values	Students	Ongoing; periodic throughout the year	In-person training	Gender-based violence (including sexual assault, dating/domestic violence, sexual harassment, and stalking), bystander intervention, risk reduction.	Health and Counseling Center
Gender-Based Violence Outreach Programs*	Custom workshops, presentations, and other outreach efforts to students and the DU Community regarding topics that relate to gender-based violence	Students	Ongoing; periodic throughout the year	In-person workshops, presentations, informational/ resource tabling, etc.	Gender-based violence (including sexual assault, dating/domestic violence, sexual harassment, and stalking), consent, bystander intervention, risk reduction	Health and Counseling Center
Thrive Peer Educators	The Thrive Peer Educators are a select group of students who educate the DU community on gender-based violence prevention, active bystander skills, sexual health, mental health, and alcohol and other drugs through outreach, programs, and training	All students	Ongoing; periodic throughout the year	In-person workshops, informational/ resource tabling, awareness campaigns, and events	Gender-based violence (including sexual assault, dating/domestic violence, sexual harassment, and stalking), consent, bystander intervention, risk reduction, alcohol and other drug awareness	Health and Counseling Center

DU STUDENTS, FACULTY, AND STAFF:

PROGRAM NAME	EXPLANATION	AUDIENCE	FREQUENCY	METHOD	AWARENESS & PREVENTION TARGETS	PRIMARY SPONSOR
Support a Survivor Workshop*	This workshop provides information on how to respond to a disclosure of gender-based violence in a trauma-informed way and how to connect survivors and those impacted with resources.	Students, Staff, and Faculty	Ongoing; periodic throughout the year (as requested)	In-person or online training	Trauma-informed care, gender-based violence	CAPE
90 Minute Self-Defense Class	In response to requests from the community, the Department of Campus Safety now offers free, 90-minute basic self-defense classes for students, staff and faculty of all genders. These courses go over basic self-defense and risk-avoidance techniques. This class is perfect for community members who want to feel prepared to defend themselves if necessary	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 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, Staff	Offered upon request	In-person class	Sexual assault, robbery, assault, risk reduction	Department of Campus Safety, 303-871-2334 (1-2334)
DCS 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 (DCS) with a call to the DCS Communications Center. Promoted through student and parent orientations, online and printed materials	Students, 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 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	Gender-based violence (specifically dating/domestic violence), bystander intervention, risk reduction	Health and Counseling Center
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 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	Gender-based violence (specifically stalking), bystander intervention, risk reduction.	Health and Counseling Center
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 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	Gender-based violence (specifically sexual assault), consent, risk reduction	Health and Counseling Center

PROGRAM NAME	EXPLANATION	AUDIENCE	FREQUENCY	METHOD	AWARENESS & PREVENTION TARGETS	PRIMARY SPONSOR
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 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	DU Community	Annually in April	In-person workshops, informational/resource tabling, awareness campaigns, and events	Gender-based violence (specifically sexual assault and sexual harassment) consent, bystander intervention, risk reduction	Health and Counseling Center
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 Equal Opportunity & Title IX and the Department of Athletics & Recreation
EO and Title IX Training and Responsible Employees*	Online and in person training for all faculty, staff, and student employees 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, 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 Equal Opportunity & Title IX
Harassment & Discrimination Prevention for Non-Supervisors*	Online training for all faculty, staff, and student employees 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, 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 Equal Opportunity & Title IX, Human Resources & Inclusive Community
Harassment & Discrimination Prevention for Supervisors*	Online training for all faculty, staff, and student employees 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, 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 Equal Opportunity & Title IX, Human Resources & Inclusive Community and Office of Diversity Equity and Inclusion
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, offices	Staff, SAIE Graduate Assistant and Fellows, DU Student-Staff	Ongoing; periodic throughout the year (as requested)	In-person training	Trauma-informed care, gender-based violence	CAPE

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 section 16 of title 18, United States Code), or a non-forcible sex offense (Incest or Statutory Rape), the report on the results of any disciplinary proceeding conducted by 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.

Violence Against Women Act (VAWA)

PROHIBITION STATEMENT

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

Sexual assault, dating violence, domestic violence, and stalking are reportable crimes under the Clery Act and may also constitute violations of Colorado state law, Title IX, Title VII, and applicable DU policy, including but not limited to the DU Student Honor Code and the DU Discrimination and Harassment Policy, which applies to DU students, employees, and visitors.

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

Sexual penetration - sexual intercourse, cunnilingus, fellatio, 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.

TITLE 18 CRIMINAL CODE § 18-3-402 SEXUAL ASSAULT (INCLUDES STATUTORY RAPE)

- (1) Any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if:
 - (a) The actor causes sexual intrusion or sexual penetration knowing the victim does not consent; or
 - (b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or
 - (c) The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or
 - (d) At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim and is not the spouse of the victim; or
 - (e) At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age and the actor is at least ten years older than the victim and is not the spouse of the victim; or
 - (f) The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority to coerce the victim to submit, unless the act is incident to a lawful search; or
 - (g) The actor, while purporting to offer a medical service, engages in treatment or examination of a victim for other than a bona fide medical purpose or in a manner substantially inconsistent with reasonable medical practices; or

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

TITLE 18 CRIMINAL CODE § 18-3-404 UNLAWFUL SEXUAL CONTACT

- (1) Any actor who knowingly subjects a victim to any sexual contact commits unlawful sexual contact if:
 - (a) The actor knows that the victim does not consent; or
 - (b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or
 - (c) The victim is physically helpless and the actor knows that the victim is physically helpless and the victim has not consented; or
 - (d) The actor has substantially impaired the victim's power to appraise or control the victim's conduct by employing, without the victim's consent, any drug, intoxicant, or other means for the purpose of causing submission; or
 - (e) Repealed.
 - (f) The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority, unless incident to a lawful search, to coerce the victim to submit; or
 - (g) The actor engages in treatment or examination of a victim for other than bona fide medical purposes or in a manner substantially inconsistent with reasonable medical practices.
- (1.5) Any person who knowingly, with or without sexual contact, induces or coerces a child by any of the means set forth in section 18-3-402 to expose intimate parts or to engage in any sexual contact, intrusion, or penetration with another person, for the purpose of the actor's own sexual gratification, commits unlawful sexual contact. For the purposes of this subsection (1.5), the term "child" means any person under the age of eighteen years.

TITLE 18 CRIMINAL CODE § 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.

TITLE 18 CRIMINAL CODE § 18-6-302 AGGRAVATED INCEST

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

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

STATUTORY RAPE

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

CONSENT (STATE OF COLORADO DEFINITION):

TITLE 18 CRIMINAL CODE § 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 COMPREHENSIVE DISCRIMINATION AND HARASSMENT POLICY

For all forms of Sexual Assault set forth above under this [policy](#), Consent is defined as (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 an individual is impaired to such a level that they lack the ability to make informed, rational judgments about whether or not to engage in sexual activity.
 - 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.
 - 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 (i) the frequency of the application of the pressure, (ii) the intensity of the pressure, (iii) the degree of isolation of the person being pressured, and (iv) 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).

BYSTANDER INTERVENTION

When someone interrupts a problematic or potentially harmful situation, stopping action or comments that promote sexual or discriminatory violence, bullying, harassment, intimidation, or threatening behavior - they are being an active bystander. An active bystander also takes action when they see someone who is intoxicated and in need of help or may even be in emotional distress. Being an active bystander is about challenging and changing the cultural norms that make problematic or harmful behavior acceptable.

At DU, we intervene when we see a community member in need of support or when a situation does not fit our values. Intervention is not one size fits all. You can select an intervention style that works for you:

- Direct: you feel comfortable acting as the primary helper.
- Distract: you create a distraction or other interruption to halt the potentially harmful situation.
- Delegate to a trusted resource: you request assistance from a qualified resource such as Campus Safety, Denver Police, Title IX, or Student Outreach & Support
- Delay your intervention for when addressing the behavior is more appropriate: you may not feel comfortable saying something in



the moment, so you follow up with the person within 24 hours to address things like harmful jokes, comments, or catcalling. Note that you should not delay when responding to a high-risk situation like intoxication or sexual assault.

We can intervene on our own behalf. In a situation that is uncomfortable, or is close to crossing a limit or boundary, you can select an intervention style that works for you and fits the situation. Remember, your own safety is primary. And, whether or not you intervene for yourself, you deserve help and support. Someone crossing a boundary is never your fault.

- Direct: say you are feeling uncomfortable, or that a line has been crossed.
- Distract: come up with a quick distraction, like a phone call or having to use the restroom, to get out of the situation.
- Delegate: text, reach out to, or otherwise signal to friends that you'd like some assistance.
- Delay: if appropriate, follow up with the person within 48 hours to talk about what happened. Let them know how their actions impacted you, and re-state your boundary.

Remember, sexual assault is never the fault of the victim/survivor. Even if you do/did none of these things, you do not deserve to experience gender-based violence. These are tips meant to empower a person.

Remembering the following tips can help you prevent sexual assault:

- Always talk to your partner(s) before engaging in sexual or intimate activities.
- Make sure you all are consenting and that you clearly understand their likes, dislikes, and limits.
- Remember that alcohol and other substances can blur your thinking, making it more difficult for you to read someone's signals or body language - more likely to cross someone's boundaries.

- If the sexual act is no longer pleasurable or your partner(s) has stopped engaging, stop the activity and check in with them.
- Sex and intimacy should be pleasurable for everyone involved. Consent is just the minimum.
- Stop any activity if your partner is:
 - Silent or not responding
 - Avoiding answering a question
 - Using uncertain statements such as, "I'm not sure if I'm ready." "I don't know if I want to." "I think I've had too much to drink." "I'm scared."
 - Changing 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, she/he really does not mean yes

If someone you know is sexually assaulted:

- Validate - Tell them know that you appreciate the courage it took to come forward and share their experience with you.
- Empower - Support your friend, do not tell them what to do. Believe them and let them make their own decisions. Do not call authorities without their permission.
- Connect - Talk about the DU and community resources that can help.

Procedures for Victims of Sex- and Gender-Based Violence or Harassment

- ✓ **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 gender-based violence case, especially those in which the offender is a stranger, may assist in proving the alleged criminal offense occurred, and may be helpful in obtaining a protection order. Document physical signs of injury with photographs as bruising can fade between the time the incident took place to when it is investigated. Document any destruction to property with photographs. Any unwanted or repeated electronic communications should be saved or captured with as screenshot.
 - **Preserving sexual assault evidence.** In an instance of sexual assault, physical evidence should be collected immediately, ideally within the first 24 hours. A medical sexual assault forensic exam by a Sexual Assault Nurse Examiner (SANE) may be completed up to five days after a sexual assault to collect evidence in case the victim decides to report the assault at a later date. Sexual assault forensic evidence is an integral part of a law enforcement investigation that can build a strong case and so it is important to preserve evidence in case the decision is made to take legal action or press charges. Sexual assault physical evidence must be collected in a timely manner by a certified medical facility. Do not shower/bathe, comb your hair, change clothes, smoke, brush your teeth, eat/drink, wash or use the toilet (if possible – the hospital will take a urine sample when you arrive). Do not wash clothes or clean the bed/linens area or other items. Place clothing, bedding, or anything of evidentiary value during the assault, in a paper bag.
 - **Preserving dating and domestic violence evidence.** Preserving evidence may be necessary to prove criminal domestic or dating violence, or in obtaining a protection order. Take photographs of injuries and damage. If victims do not opt for forensic evidence collection, health care providers can still treat injuries. Examples of other types of evidence to preserve can be threatening emails or phone messages, text messages, social media, messages or postings, computer screenshots, medical records, records of police responses to the home, witnesses, or any other form of evidence that would be helpful. Make sure information documented is kept in a safe location where the partner cannot find it, as it may cause further risk if they do.
 - **Preserving stalking evidence.** Documentation is necessary. Keep a record of the details or call the police to have the incident documented by police. Victims of stalking should save evidence such as any letters, notes, emails, phone calls, videos, photos, texts, social media postings, computer screenshots, voicemails, gifts, or any other form of evidence that would be helpful.
 - ✓ **Get medical attention as soon as possible.** A medical provider can document injuries and offer needed treatment. Medication to prevent pregnancy and sexually transmitted infections/diseases is available. Trained medical staff may also assist you in collecting and preserving evidence and connecting you to survivor advocacy supports 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 Sexual Assault Nurse Examiner (SANE) forensic exam. A SANE forensic exam can be performed up to five days after an assault. Choosing to have a SANE forensic exam does not require an individual to formally report or participate in a law enforcement investigation.
 - A SANE forensic exam is performed by a specially trained registered nurse. The exam is tailored to provide survivors of sexual assault with trauma-informed medical treatment, and to collect forensic evidence in the event a survivor chooses to report to Law Enforcement. Typical exams last anywhere from 2-6 hours. If you choose to have an exam, you have the right to decline any part of the exam and to go at a pace that feels comfortable to you. Standard exams include:
 - A complete discussion about medical history
 - Thorough head to toe physical examination
 - Evidence collection
 - Photographs of any injuries sustained during an assault
 - Details about the assault to better inform evidence collection and medical treatment
 - Treatment for possible sexually transmitted infections
 - Pregnancy prevention, if applicable
 - In partnership with Denver Health, the Health and Counseling Center at DU is able to offer a SANE forensic exam on campus, Monday-Friday between the hours of 8am-2pm.
- The Health and Counseling's Center for Advocacy, Prevention and Empowerment (CAPE) can accompany you and provide confidential support and guidance. CAPE can help explain the process and support any DU community member with participating in the SANE process and help arrange for transportation to the hospital or accompany the survivor to the HCC for a SANE forensic exam. During normal business hours, contact CAPE at 303-871-3853. After-Hours contact the Counselor on Call at 303-871-2205. Additional contact

methods include: cape@du.edu or at their website: <https://www.du.edu/health-and-counseling-center/cape/index.html>

- **You can report an instance of gender-based violence to:**

- DU's Department of Campus Safety (303.871.3000 or 1-3000)
- DU's Office of Equal Opportunity & Title IX (303.871.7016 or 1.7016)
- DU's Center for Advocacy, Prevention and Empowerment (CAPE) (303.871.3853 or 1-3853). This is an anonymous resource.
- The Counselor on Call (After normal business hours at 303.871.2205 or 1-2205)
- Any Campus Security Authority at DU
- Denver Police Department or other appropriate law enforcement agency. (As a DU student, faculty or staff member, it is your right and decision to choose, or decline, to report the incident to law enforcement authorities)

- **Alcohol and Drug Amnesty:** DU generally will not pursue disciplinary action against a student who makes a good faith report to a DU official, contacts emergency services, or who participates as a Party or Witness in the grievance process related to Prohibited Conduct, for personal consumption of alcohol or other drugs that would otherwise be a violation of the Honor Code, provided the misconduct did not endanger the health or safety of others. DU may, however, engage in an assessment or educational discussion or pursue other non-disciplinary options regarding alcohol or other drug use. DU provides Medical Amnesty as set forth in the Honor Code. (<https://studentaffairs.du.edu/student-rights-responsibilities/honor-code>).

- ✓ **You have the right to explore a Civil Order of Protection through the courts.** Students, faculty, and staff may request a temporary or permanent restraining order if there has been harm, the threat of harm or an act of violence.

- The Protection Order Courtroom in the City and County of Denver (University Park Campus) is located at:

Denver's City and County Building
1437 Bannock Street, Denver, Courtroom 170.
Phone: 720.865.7275

<https://www.denverda.org/protection-restraining-orders/>

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

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

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, Durango
Phone: 970.247.2304

- The Health and Counseling's Center for Advocacy, Prevention and Empowerment (CAPE) can provide support to any DU community member and help navigate the process of obtaining a civil protection order. During normal business hours, contact CAPE at 303-871-3853. After-Hours contact the Counselor on Call at 303-871-2205. Additional contact methods include: cape@du.edu or at their website: <https://www.du.edu/health-and-counseling-center/cape/index.html>

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

- If the violation is in progress, call 9-1-1 and the appropriate law enforcement authority will respond. The Department of Campus Safety can contact the Denver Police Department to respond to violations of court issued protective orders that occur on the main campus and in DU owned or controlled buildings within the Denver Police Department's jurisdiction. If the student, faculty, or staff member holds a current court issued protective order, and that order is violated in another jurisdiction, the student, faculty, or staff member will need to call the law enforcement agency that serves the location in which the violation occurred.

- ✓ **You have the right to explore a Mutual No Contact Order through the University.** Students, faculty, and staff who've made an allegation of sexual assault, dating violence, domestic violence, stalking or other gender-based harassment, may request a Mutual No Contact 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.

- **All Mutual No Contact Orders are considered mutual for all parties.** Mutual No Contact Orders may be issued as an Emergency Order.

- Although Mutual No Contact Orders are not considered disciplinary in nature, failing to abide by the terms of the Mutual No Contact Order may 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)**
- **Student Rights & Responsibilities (303.871.2455)**
- **Office of Equal Opportunity & Title IX (303.871.7016)**
- **CAPE (303.871.3853)**
- **Or by completing the Request for No Contact Order Form:**

https://cm.maxient.com/reportingform.php?UnivofDenver&layout_id=9

✓ **DU Department of Campus Safety - Trespass Notification:**

If an allegation of sexual assault, dating violence, domestic violence or stalking is against a person not affiliated with DU, and the crime was committed against a DU community member or on campus or other DU controlled building or property, the Department of Campus Safety may be able to issue a Trespass Notification, banning the accused from all campus owned or controlled properties. If the Trespass Notification is violated, victim/survivors should report the violation to the Department of Campus Safety. The Department of Campus Safety will notify local law enforcement authorities to have the violator arrested.

✓ **Consider options for assistance, support, resources and on- and off-campus services.**

As a student, faculty, or staff victim/survivor of gender-based violence, requests may be made to DU for supportive measures such as accommodations, and/or other reasonable assistance. After an incident of gender-based violence, DU will work with students, or faculty and staff to address any issues that may impact the student's educational experience or the faculty and staff member's work experience; including protective measures, such as financial aid assistance; immigration or visa, travel assistance; available on-campus housing changes and academic accommodations for students; or work accommodations for DU employees. DU shall endeavor to comply with a student's reasonable request for a living and/or academic situation change following an alleged sex offense. Supportive measures are available regardless of whether the victim/survivor chooses to share specific information about the incident, report the matter to Campus Safety or local law enforcement, or participate in the DU's administrative process, and regardless of whether the offense occurred on or off campus. 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 their website: <https://studentaffairs.du.edu/health-counseling-center/survivor-advocacy>
- Title IX Coordinator at 303.871.7016. Additional contact methods include: TitleIX@du.edu; or at their website: <https://www.du.edu/equalopportunity/titleix/>
- Department of Campus Safety at 303.871.3000.

- Additional information on resources can be obtained on their website at: <https://www.du.edu/campusafety/resources/index.html>

It is important that survivors of gender-based violence know they are not alone, and DU hopes survivors feel comfortable reaching out for the support they need. There are many options for seeking support, including: Campus Safety, the Center for Advocacy, Prevention and Empowerment (CAPE), a resident assistant, a resident director, the police, a friend, a rape crisis center, a hospital, a counselor, the Office of Equal Opportunity & Title IX, 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 gender-based violence, whether or not the individual plans to pursue criminal action. Preserving any physical evidence is very helpful for successful investigation, arrest, and prosecution of the perpetrator(s) and may be helpful in obtaining a protective order. A victim/survivor of gender-based violence has many reporting options. DU students, faculty, and staff members may, as a victim/survivor of gender-based violence, elect, or decline, to notify Campus Safety or local law enforcement. If the victim/survivor chooses to file a police report, DU can assist with the process. A victim/survivor 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 gender-based violence 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 970-375-4700 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: <https://www.denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Police-Department>

Glenwood Springs Police Department Website: <https://www.cogs.us/174/Police>

Durango Police Department Website: <https://co-durango.civicplus.com/224/Police>

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 Equal Opportunity & Title IX at 303.871.7016.
- You may contact the Title IX Coordinator directly at 303.871.2302
- The Center for Advocacy, Prevention and Empowerment (CAPE) at 303.871.3853
- The Department of Campus Safety at 303.871.3000 (emergency) or 303.871.2334 (non-emergency)

When a sexual assault, dating violence, domestic violence, stalking or other 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.

PROTECTING VICTIM CONFIDENTIALITY:

DU recognizes the sensitive nature of gender-based violence (sexual assault, domestic violence, dating violence and stalking) or discrimination or harassment, including sexual harassment. DU is committed to protecting the privacy of any individual who makes a report. Different officials and personnel are able to offer varying levels of privacy protection to victims. DU will protect the confidentiality of victims/survivors of sexual assault, dating violence, domestic violence, stalking and other gendered harassment in accordance with federal and state laws.

- a. Reports made to designated confidential on-campus resources may talk to victims without revealing any identifying information about themselves to anyone else at DU, including the Office of Equal Opportunity & Title IX or law enforcement entities without the victim's consent. Except under certain limited circumstances (such as risk of imminent harm to the victim or others), victims can seek assistance and support from these counselors and advocates without triggering a DU or police investigation.
- b. Reports made to law enforcement. A victim who reports to the Denver Police Department may request to be treated as confidential, which means that the victim's name and other identifying information will not appear in its public records.
- c. Reports made to the Office of Equal Opportunity & Title

IX (Title IX Coordinator) seek to protect the privacy of all individuals throughout all phases of the complaint resolution process. While Title IX cannot guarantee confidentiality, disclosure of facts to parties and witnesses is limited to what is reasonably necessary to conduct a fair and thorough investigation, determine outcomes, or to deliver resources or supportive measures to the parties.

- d. Supportive Measures. DU will maintain as confidential any accommodation or supportive measures provided to parties, to the extent such confidentiality does not impair DU's ability to provide the accommodation or supportive measures.
- e. Clery Act and Other Public Records. Publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without including personally identifying information about the victim. Also, DU's Department of Campus Safety does not publish the name of crime victims as part of its Clery mandated reporting, nor does it keep identifiable information regarding victims in the daily crime and fire log or online.

UNIVERSITY OF DENVER DEPARTMENT OF CAMPUS SAFETY

DU's Department of 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 a sexual assault, dating violence, domestic violence or stalking is reported to the Department of Campus Safety, even if the victim/survivor does not want action taken by the Department of Campus Safety, substantive information provided in the report will be shared with the Title IX Coordinator to allow the Title IX Coordinator to perform follow-up in accordance with Title IX mandates. Information concerning these types of incidents is also shared with the Office of Students Rights & Responsibilities who is required to provide institutional assistance and resources.

A Department of Campus Safety report is considered a law enforcement record exempt from restrictions under the Family Educational Rights and Privacy Act of 1974 ("FERPA"). As such, the Department of Campus Safety report may be shared with law enforcement agencies upon request as part of an investigation. DU and Department of Campus Safety is a private university; therefore, requests under the Freedom of Information Act do not apply to DU. DU treats all records as proprietary.

The Daily Crime Log maintained by the Department of Campus Safety, does not disclose any personally identifying information that may identify a victim or disclose the location of a victim of domestic violence, dating violence, sexual assault or stalking, in accordance with [VAWA 40002\(a\)\(20\)](#), which states:

"The term 'personally identifying information' or 'personal information' means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including:

- A first and last name;
- A home or other physical address;
- Contact information (including a postal, email, or internet protocol

address, or telephone or facsimile number);

- A social security number, driver's license number, passport number or student identification number; and
- Any other information, including dates of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual"

REPORTING TO THE UNIVERSITY (ALL STUDENTS, FACULTY, OR STAFF)

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

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

DU will provide written notification to the victim/survivor about their rights and options for available assistance in, and how to request changes to academic, living, transportation and working situations or other supportive measures, if the victim requests them and if they are reasonably available. DU is obligated to comply with a student's reasonable request for a living and/or academic situation change following an alleged sex offense. Supportive measures will be provided regardless of whether the victim/survivor chooses to share specific information about the incident, report the matter to Campus Safety or local law enforcement, or participate in DU's administrative process, and regardless of whether the offense occurred on or off campus.

RESOURCES AND INSTITUTIONAL ASSISTANCE

As a student, faculty, or staff victim/survivor of sexual assault, dating violence, domestic violence, stalking or harassment, you may request that DU provide assistance and/or accommodations. After an incident of gender-based violence (sexual assault, domestic violence, dating violence or stalking) or discrimination or harassment, DU will work with students, or faculty and staff to address any issues that may impact the student's educational experience or the faculty and staff member's employment experience; including supportive measures, such as financial aid assistance; immigration or visa, travel assistance; available on-campus housing changes and academic accommodations for students; or work accommodations for DU employees and other assistance requested or needed. DU shall endeavor to accommodate a student's reasonable request for a living and/or academic situation change following gender-based violence. Supportive measures are provided regardless of whether the victim/survivor chooses to share specific information about the incident, report the matter to Campus Safety or local law enforcement, or participate in the university's administrative process, and regardless

of whether the offense occurred on or off campus.

Students and employees who report that they are victims/survivors of sexual assault, dating violence, domestic violence and stalking and the respondents to such proceedings have the right to:

- Receive written notification of your rights and options, including but not limited to:
 - Existing campus and community medical, mental health, counseling and legal services, victim advocacy, visa and immigration and financial aid assistance.
 - Information about how DU will provide options and available assistance for academic, living, transportation and working situations and supportive measures.
 - The right to have an advocate.
- Be informed of applicable reporting options and choices including the option to notify on or off-campus law enforcement or otherwise notify on or off-campus confidential resources.
- Be free from pressure to make a criminal report and notified of your right to decline to notify law enforcement.
- Be assisted by DU support staff in notifying law enforcement, if you choose to file a criminal report.
- Have allegations of sexual assault, dating violence, domestic violence, stalking and other gendered harassment investigated and adjudicated by the appropriate campus, civil and criminal authorities, as applicable.
- All complaints are presumed to be made in good faith, and all complainants have the right to be taken seriously.
- A respondent is presumed not responsible for alleged prohibited conduct unless and until a determination regarding responsibility for prohibited conduct is made at the conclusion of the investigation.

Institutional Procedures for Reported Gender-Based Violence

TITLE IX RESPONSE TO REPORTS OF GENDER-BASED VIOLENCE, DISCRIMINATION AND HARASSMENT

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

DU officials respond swiftly to all reports of these incidents to provide support services for those who have experienced gender-

based violence; protect the rights of all DU students, faculty, and staff members and campus visitors under our Title IX and Clery obligations; apply Student Honor Code and employee conduct policies and other applicable policies and procedures; and cooperate fully with law enforcement officials to the extent of the law. Complaints of dating violence, domestic violence, sexual assault, stalking, and other forms of harassment may be resolved pursuant to one of two separate DU procedures: *Title IX Sexual Harassment Procedures* or *Comprehensive Discrimination and Harassment Procedures*.

Both procedures seek to encourage faculty, staff, and students to report and address incidents of harassment. The University provides procedures that are prompt, fair, and impartial from the initial investigation to the final result. The prompt, fair, and impartial process that the University employs is set forth in detail in the *Title IX Sexual Harassment Procedures* and *Comprehensive Discrimination and Harassment Procedures*, which are available at <https://www.du.edu/equalopportunity/policies-procedures>.

REPORTING TO THE OFFICE OF EQUAL OPPORTUNITY & TITLE IX

The Office of Equal Opportunity & Title IX has established procedures for addressing instances of reports of gender-based violence, discrimination or harassment by DU students, faculty, and staff. All reports of gender-based violence, harassment or discrimination are forwarded to the Office of Equal Opportunity & Title IX. The Title IX Coordinator will reach out to all victims regardless of where the victimization took place and who the accused is and offer an intake meeting. While there is no time limit for reporting, reports of prohibited conduct should be brought forward as soon as possible; all incidents should be reported even if significant time has elapsed, but prompt reporting will better enable DU to respond, investigate, provide an appropriate remedy, and impose disciplinary action if appropriate.

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

The Title IX Coordinator will offer assistance to the victim, provide information about supportive measures and offer to meet to review the applicable DU procedures and investigation process with the victim and options for participation in a formal DU investigation and reporting to law enforcement. Although DU encourages formal reporting to both the Office of Equal Opportunity & Title IX and law enforcement (when criminal behavior is involved), victims are not required to participate in DU investigations or report to local law enforcement. A victim's decision not to move forward with a DU investigation or not to report to law enforcement does not impact their ability to utilize all the support and resources available through DU.

Requests regarding the confidentiality of such reports will be considered by DU in determining an appropriate response; however, DU may not be able to fully investigate and respond to a report if

the complainant requests that their name not be disclosed to the respondent or declines to participate in an investigation. DU will consider Complainant's request for confidentiality as one of many factors in determining the appropriate means for resolution of the reported conduct. DU may be unable to honor such a request in certain circumstances in order to adequately fulfill DU's obligations to promote a safe and inclusive environment.

DU has confidential resources with whom members of the DU community can consult for advice and information regarding making a report of gender-based violence, discrimination, or harassment, including sexual harassment.

THE PROCESS

- A. DU administrative proceedings are conducted in a manner that is consistent with state and federal law, and that supports DU's commitment to enhancing safety. Proceeding in a manner that is respectful of victims/survivors, DU administrative proceedings provide prompt and appropriate action to prevent future incidents of gender-based violence, discrimination, or harassment. DU investigates these incidents and takes steps reasonably calculated to prevent their recurrence.
- B. The Office of Equal Opportunity & Title IX's investigation and resolution make sure allegations of gender-based violence, discrimination, and harassment are addressed in a fair and equitable manner and are conducted in a manner that protects the safety of victims and promotes accountability.
- C. Investigations are conducted by professional staff in the Office of Equal Opportunity & Title IX, who do not have a real or perceived conflict of interest or bias for or against the complainant or the respondent and receive annual specialized training on issues related to gender-based violence.
- D. The standard of proof that the Office of Equal Opportunity & Title IX applies to its investigations and all proceedings is preponderance of the evidence. Preponderance of the evidence means an allegation is proven, if, based on the credible, relevant information acquired during the investigation and provided at the hearing under the Title IX procedures 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.

NOTICE OF NON-DISCRIMINATION

The University of Denver prohibits discrimination on the basis of race, color, national origin, ancestry, age, religion, creed, disability, sex, sexual orientation, gender identity, gender expression, genetic information, marital status, pregnancy, veterans status, military enlistment and any other class of individuals protected from discrimination under federal, state, or local law, regulation, or ordinance in any of the University's educational programs and activities, and in the employment (including application for employment) and admissions (including application for admission) context, as required by Title IX of the Education Amendments of 1972; the Americans with Disabilities Act; Section 504 of the Rehabilitation Act of 1973; Title VI

and VII of the Civil Rights Act of 1964; the Age Discrimination Act of 1975; the Age Discrimination in Employment Act of 1967; Equal Pay Act; Colorado Equal Pay for Equal Work Act; the Colorado Protecting Opportunities and Workers' Rights ("POWR") Act; and any other federal, state, and local laws, regulations, or ordinances that prohibit discrimination, harassment, and/or retaliation.

The University prohibits unlawful harassment of Students, Employees, and Third Parties on the basis of any protected characteristic as identified above.

The University also prohibits retaliation against any individual for the purpose of interfering with any right or privilege secured by University policy or law, or because the individual makes a good faith report or formal complaint, testifies, assists, participates, or refuses to participate in any manner in an investigation, proceeding, or hearing under the University's Comprehensive Discrimination & Harassment Procedures or Title IX Sexual Harassment Procedures.

The University has designated the Associate Vice Chancellor for Equal Opportunity & Title IX (Associate Vice Chancellor) to coordinate the University's compliance with federal and state civil rights laws regarding protected characteristics, including Title IX, the Age Discrimination Act of 1975, and those other laws and regulations referenced above:

Howard Kallem, JD, Interim Associate Vice
Chancellor of Equal Opportunity & Title IX
University of Denver
Driscoll Center South, Suite 30
2050 E. Evans Avenue
Denver, CO 80208
(303) 871-7016
<https://www.du.edu/equalopportunity/index.html>
Equalopportunity@du.edu or
Howard.Kallem@du.edu

Molly Hooker, Interim Title IX Coordinator
University of Denver
Driscoll Center South, Suite 30
2050 E. Evans Avenue
Denver, CO 80208
(303) 871-7016
<https://www.du.edu/equalopportunity/index.html>
TitleIX@du.edu or Molly.Hooker@du.edu

Comprehensive Discrimination and Harassment Procedures

A full copy of DU's Comprehensive Discrimination and Harassment Procedures is available on the DU Office of Equal Opportunity & Title IX website at https://www.du.edu/sites/files/2023-08/EOIX%20Comprehensive%20Discrimination%20and%20%20Procedures_0.pdf.

These Procedures apply to Discrimination/Harassment Prohibited Conduct as defined by the University's [Discrimination and Harassment Policy](#) and supersede any conflicting information in any other University policy with respect to the definitions and procedures applicable to alleged Prohibited Conduct. For matters pending as of the effective date of these Procedures, the Associate Vice Chancellor

has the discretion to determine whether to apply these Procedures or a prior version. These Procedures also apply to conduct that falls within the definition of Title IX Prohibited Conduct but that occurred on or before August 13, 2020 and was reported on or after the effective date of these Procedures. The University will apply the definitions in place at the time the conduct is alleged to have occurred. The Associate Vice Chancellor and the Title IX Coordinator, in their sole discretion, shall determine whether these Procedures or the Title IX Procedures, or both, apply to the Prohibited Conduct.

All members of the University of Denver community are subject to these Procedures, including Students, Employees, and Third Parties.

For Students, these Procedures apply to conduct that takes place from the date on which an individual meets the definition of a Student as set forth below and until the Student withdraws, graduates, or is expelled. For faculty and staff, these Procedures apply to conduct that takes place from the date on which the individual accepts an offer of employment until their employment ceases. If a Student graduates, withdraws, or is expelled, or if an Employee voluntarily resigns or is terminated prior to final resolution of any matter, the Office of Equal Opportunity & Title IX may or may not retain jurisdiction and the discretion to address the matter as necessary to fulfill the University's obligations under applicable laws and regulations.

Third Parties, including visitors to and guests of the University, are both protected from and subject to the restrictions on Discrimination/Harassment Prohibited Conduct, as defined in these Procedures. However, Third Parties do not have any contractual rights pursuant to these Procedures. Third Parties may initiate a report of Prohibited Conduct committed against them by members of the University community, but Third Parties are limited in their rights pursuant to these Procedures. The University can trespass 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. Further, members of the University community who host Third Parties may be held accountable for the misconduct of their guests pursuant to applicable University policies.

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

1. Reporting

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

Making a report under these Procedures means telling someone in authority what happened, in person, by telephone, in writing, or by email. Deciding whether to make a report and choosing how to proceed are personal decisions. At the time a report is made, a Complainant does not have to decide whether or not to request any particular course of action, nor does a Complainant need to know how to label what happened. The

University provides support to assist each individual in making these important decisions and 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. The University may place a non-student Employee Respondent on administrative leave during the pendency of an investigation or other resolution under these Procedures. The University, in its discretion and based on the circumstances, will determine whether to impose any administrative leave with or without pay or benefits.

If a report of Prohibited Conduct discloses a serious and immediate threat to the University community, the University's Department of Campus Safety will make a determination whether 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 VAWA, the Office of Equal Opportunity & Title IX 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 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.

B. Reporting to the University

Responsible Employees are 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 Prohibited Conduct to the Office of Equal Opportunity & Title IX to facilitate resolution pursuant to these Procedures. At any time, any person may report Prohibited Conduct, in person, by mail, by telephone, by electronic mail or other electronic submission to the Office of Equal Opportunity & Title IX, or by any other means that results in the Associate Vice Chancellor receiving the person's verbal or written report.

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

- Contacting the Associate Vice Chancellor of Equal Opportunity & Title IX, Interim Title IX Coordinator or Deputy Coordinators

Howard Kallem, JD, Interim Associate Vice
Chancellor of Equal Opportunity & Title IX
University of Denver
Driscoll Center South, Suite 30
2050 E. Evans Avenue
Denver, CO 80208
(303) 871-7016

<https://www.du.edu/equalopportunity/index.html>
Equalopportunity@du.edu or
Howard.Kallem@du.edu

Molly Hooker, Interim Title IX Coordinator
University of Denver
Driscoll Center South, Suite 30
2050 E. Evans Avenue
Denver, CO 80208
(303) 871-7016

<https://www.du.edu/equalopportunity/index.html>
TitleIX@du.edu or Molly.Hooker@du.edu

Feben Berhe, JD, Deputy Equal Opportunity
Coordinator/Senior Investigator
University of Denver
Driscoll Center South, Suite 30
2050 E. Evans Avenue
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<https://www.du.edu/equalopportunity/index.html>

Equalopportunity@du.edu or Feben.Berhe@du.edu

Lin-Chi Wang, Interim Deputy Coordinator for Equal Opportunity & Title IX Investigations
University of Denver
Driscoll Center South, Suite 30
2050 E. Evans Avenue
Denver, CO 80208
(303) 871-7016
<https://www.du.edu/equalopportunity/index.html>
Equalopportunity@du.edu or Lin-Chi.Wang@du.edu

- Contacting the Office of Equal Opportunity & Title IX

Office of Equal Opportunity & Title IX
Driscoll Center South, Suite 30
2050 E. Evans Avenue
Denver, CO 80208
Phone: 303-871-7016
Equalopportunity@du.edu or TitleIX@du.edu
<https://www.du.edu/equalopportunity/>
Equal Opportunity [Online Report Form](#)

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

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
303-871-5724
SRR@du.edu
<https://studentaffairs.du.edu/student-rights-responsibilities>

Student Outreach & Support (SOS) Referral
University of Denver - Community Commons
2055 E. Evans Avenue, Suite 3001
Denver, CO 80208
SOS@du.edu
SOS Referral [Online Report Form](#)

Housing and Residential Education (HRE)
HRE staff including Resident Assistants (RAs),
Graduate Resident Director (GRDs)
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:

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>

C. Anonymous Reporting

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

D. Timeliness and Location of Incident

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

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

E. Amnesty for Personal Use of Drugs or Alcohol

The University 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 Sexual Harassment because they fear being held responsible by the University for alcohol or drug violations under the Honor Code related to the incident.

The University generally will not pursue disciplinary action under the Honor Code against a Student who makes a good faith report to an University official, contacts emergency services or who participates as a Party or Witness in participates as a Party or Witness in the grievance process related to Title IX 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, this does not extend to the distribution, sale, or otherwise providing another individual with alcohol or drugs for the purposes of inducing incapacitation, as defined in the University's Discrimination and Harassment Policy.

The University may, however, refer the Student for an evaluation related to their health status or substance use or otherwise engage with the Student in an assessment or educational discussion or pursue other non-disciplinary option regarding alcohol or other drug use.

The University also provides the Medical Amnesty Process as set forth in the Honor Code. <https://studentaffairs.du.edu/student-rights-responsibilities/honor-code>

2. Resources

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

Any participant may request reasonable assistance or support (i.e., for disability, language barriers, or location/proximity concerns) to allow their full participation in any process under these Procedures. A participant must submit such requests to the Office of Equal Opportunity & Title IX in a timely manner at least two (2) business days before any meeting time. For interpreting or Communication Access Realtime Translation (CART) services, requests should be made as soon as possible.

For Employees, visitors, or guests, please contact the ADA Coordinator. For Student academic and non-academic accommodations based on a disability, medical condition, or mental health condition, please see the Student Disability Services website.

3. Privacy & Confidentiality

The Office of Equal Opportunity & Title IX 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 (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 published a list specifying 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).

4. Initial Assessment, Intake, and Consolidation

A. Initial Assessment

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

1. As applicable, evaluation of any immediate health or safety concerns raised in the report, 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. Determination whether the conduct alleged in the report, if proved, would constitute Prohibited Conduct as defined by the University's Discrimination and

Harassment Policy;

3. Consideration of the Complainant's expressed preference for resolution; and
4. Determination whether any Supportive Measures are appropriate to address the Complainant's safety, wellbeing, and continued access to educational and employment opportunities, as applicable.

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

B. Intake

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

1. Review the University's [Discrimination and Harassment Policy, Section 3.10.010](#) 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 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, when appropriate;
5. Provide an explanation of the procedural options, including informal resolution, investigation, and the possibility of Disciplinary Action and/or Outcomes;
6. Discuss the Complainant's expressed preference for the manner of resolution and any barriers to proceeding in that manner;
7. Explain the University's prohibition on Retaliation; and

8. Explain the role of a support person or advisor.

Although the University will consider a Complainant's request for anonymity, the University may not be able to fully investigate and respond to a report if the Complainant requests that their name not be disclosed to the Respondent or 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 the Associate Vice Chancellor considers whether the Complainant's resolution preferences may be honored, the Associate Vice Chancellor will consider the following factors in evaluating such request(s): (1) the totality of the known circumstances, (2) the presence of any risk factors as outlined below, (3) the potential impact of such action(s) on the Complainant, (4) any evidence showing Respondent made statements of admission or otherwise accepted responsibility for the Prohibited Conduct, (5) the existence of any independent information or evidence regarding the Prohibited Conduct, and (6) any other available and relevant information.

Risk factors include:

- 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
- 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
- Whether Respondent has threatened to commit violence or any form of Prohibited Conduct
- Whether the Prohibited Conduct involved multiple Respondents
- 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
- 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)
- Whether the Prohibited Conduct was facilitated through the use of "date-rape" or similar drugs or intoxicants
- Whether the Complainant is (or was at the time of the Prohibited Conduct) a minor (under 18)
- Whether any other aggravating circumstances or signs

of predatory behavior are present

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

C. Consolidation

1. The Associate Vice Chancellor has the discretion to consolidate multiple reports against a Respondent into one investigation or multiple Complaints where the allegations of Prohibited Conduct arise out of the same facts or circumstances.
2. The Associate Vice Chancellor may, in consultation with other University administrators, elect to consolidate the investigation of Complaints 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).
3. The Associate Vice Chancellor may also consolidate a single Complainant or multiple Complainants, a single Respondent or multiple Respondents, and allegations of conduct that is temporally or logically connected.
4. If Complaints involving multiple Complainants and/or multiple Respondents are consolidated, each Party will have access to all of the information being considered, including information provided by all involved Complainants, all involved Respondents, and all involved Witnesses.
5. The University will communicate the chosen course of action to the parties.
6. The decision to consolidate is not subject to appeal.

5. Advisors and Support Persons

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

Advisors or support persons may not:

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

The Office 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 on behalf of any Party, the Office will notify the Party and provide the Party a reasonable amount of time to submit the information or documents directly, however the Office will not extend procedural deadlines for this reason. If the Party elects not to submit the information or documents, the Office will not consider such information in the investigation or any resolution.

Where a Party is a Student, prior to an advisor or support person participating in any meeting or receiving any documents as part of any process under these Procedures, the Party must execute a FERPA waiver permitting the advisor or support person to have access to the Party's education records related to the process. Advisors and support persons may accompany and be present at any meeting or interview and may consult directly with the Party whom they are assisting 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.

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

6. Supportive Measures

- A. Supportive Measures are available regardless of whether the matter is reported to the University for purposes of initiating any formal grievance proceeding and before, after, and

regardless of whether a Complaint is filed. A Complainant who requests Supportive Measures retains the right to file a Complaint, either at the time the Supportive Measure is requested or at a later date.

B. Supportive Measures are designed to restore or preserve equal access to the University's education program or activity without unreasonably burdening the other Party. Supportive Measures are not punitive in nature and are designed to protect the safety of all Parties or the University's educational environment.

C. Supportive Measures may include, but are not limited to

1. Counseling through the TELUS Health Student Support Program
2. Assistance in seeking academic assistance, e.g., 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
3. Assistance in modifying University employment arrangements, including changes in work schedules, job assignments, work locations, and/or assigned parking
4. Campus escort services and safety planning through Campus Safety
5. Mutual restrictions on contact between the Parties
6. Assistance in requesting leaves of absence
7. Modifications to University housing arrangements, including immediate temporary relocation to alternative living quarters and/or permanent reassignment of University housing
8. Assistance in arranging a meeting with law enforcement to discuss reporting or safety planning
9. Assistance in modifying assigned parking
10. Increased security and monitoring of certain areas of the campus
11. Any other measure which can be tailored to the involved individuals to achieve the goals of these Procedures

D. The Associate Vice Chancellor will consult with other relevant University administrators to determine whether any Supportive Measures are appropriate to protect the safety, well-being, and continued access to educational and employment opportunities. The Associate Vice Chancellor will offer, or arrange to have offered, Supportive Measures to the Complainant, with consideration given to the Complainant's wishes with respect to appropriate Supportive Measures. In addition to the Complainant, the Respondent and other Witnesses may also receive Supportive Measures, as

appropriate and reasonably available, without fee or charge. The Associate Vice Chancellor will serve as the point of contact for any individual requesting Supportive Measures.

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

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

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

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

I. The University may remove a Respondent from its educational 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.

J. The University may place an Employee Respondent on administrative leave during the pendency of the resolution process provided in these Procedures. The University, in its discretion and based on the circumstances, will determine

whether any administrative leave imposed is to be imposed with or without pay or benefits.

7. Types of Resolutions

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

1. Inquiry
2. Informal Resolution
3. Formal investigation

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

1. The nature, scope, and severity of the alleged Prohibited Conduct, including whether the reported Prohibited Conduct involved harassment, discrimination, or physical violence (with additional consideration for the use of a weapon);
2. Whether the incident involved a minor (under 18);
3. The respective roles of the Complainant and Respondent;
4. The risk posed to any individual or to the University community by not proceeding, including the risk of additional violence;
5. The degree of harm or the ramifications of the alleged Prohibited Conduct on the Complainant or University community;
6. Whether there have been other reports regarding alleged Prohibited Conduct by the Respondent;
7. Whether the report reveals a pattern of alleged Prohibited Conduct at a given location or by a particular group;
8. The Complainant's preferred means of resolution;
9. The Complainant's willingness to participate in an investigation or other means of resolution;
10. If the Complainant is unwilling to participate, whether the University possesses other means to obtain relevant evidence;
11. The University's ability to identify a Respondent;
12. The facts that are reasonably in dispute;
13. The affiliation that the Complainant, Respondent, and other involved person(s) have with the University;
14. The University's obligation to promote a safe and non-discriminatory environment; and
15. The University's obligation to satisfy any other legal or

regulatory requirements.

8. Inquiry

The Associate Vice Chancellor has the discretion and authority to determine that a report can be resolved through an inquiry process at the earliest stage after receiving a report. The Associate Vice Chancellor may initiate an inquiry to gather information and attempt to resolve the report. The Associate Vice Chancellor may also initiate an administrative review as part of the inquiry. Upon initiation of an administrative review, the Associate Vice Chancellor will notify the head of the unit of the commencement and scope of the review.

Following the inquiry, the Associate Vice Chancellor may refer the matter to the appropriate administrator and may suggest remedial action. The Associate Vice Chancellor also has the discretion to initiate a formal investigation where the inquiry cannot resolve the concern or when the information gathered indicates that a formal investigation is necessary.

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

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

9. Informal Resolution

A. Informal Resolution

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

B. Availability of informal resolution:

1. The University will not require that the Parties participate in the informal resolution process.
2. After receiving a Complaint, the Associate Vice

Chancellor may offer the informal resolution process to the Parties.

3. The Associate Vice Chancellor reserves the right to determine whether the informal resolution process is appropriate in a specific case. If, during the course of a formal investigation, either party requests informal resolution, the formal investigation may be paused or ended to initiate informal resolution.
4. The University may offer informal resolution to take action through the imposition of individual and community remedies designed to preserve the Parties' access to educational, extracurricular and employment activities at the University and/or to eliminate a hostile environment.
5. However, any time prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and resume the investigation described in Section 15 below. The Associate Vice Chancellor has the discretion to end the informal resolution process at any time before the resolution is finalized.

C. Additional procedures for informal resolution in cases of Gender-based Violence,

The informal resolution process is not available to resolve allegations of Prohibited Conduct involving Gender-based Violence in which the Complainant is a Student of the University and the Respondent is an Employee of the University.

If a Complaint involves Gender-based Violence and the Associate Vice Chancellor determines that informal resolution process is appropriate, the Associate Vice Chancellor will issue Written Notice to the Parties disclosing:

1. The allegations.
2. The requirements of the informal resolution process, including the circumstances under which it precludes the Parties from resuming a Complaint arising from the same allegations.
3. The informal resolution process is only available if the Parties voluntarily consent in writing to the informal resolution process. If the Parties voluntarily consent, the University may implement the informal resolution process any time prior to reaching a determination regarding responsibility.
4. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
5. That either Party may withdraw from the informal resolution process prior to agreeing to a resolution and resume the investigation.

D. Resolution

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

E. For Students

Informal resolution will not result in Outcomes through the Outcome Council, but rather may take the form of education, coaching, mentoring, voluntary withdrawal, or other action steps that the Associate Vice Chancellor deems appropriate, in consultation with other University administrators as needed. For informal resolutions involving Students, the University division, department, unit, or office responsible for taking action pursuant to the informal resolution must inform the Office that 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 Associate Vice Chancellor deems appropriate, in consultation with the Employee's supervisor, the Division of Human Resources & Inclusive Community, and other University administrators. For informal resolutions involving mandatory requirements for University Employees, the Employee or the Employee's supervisor, as applicable, must inform the Office of Equal Opportunity & Title IX the Employee or the supervisor has completed the required action.

10. Formal Investigation

A. Initiation of an Investigation

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

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

The Associate Vice Chancellor will designate an Investigator who may or may not be an Employee of the University. Any Investigator chosen to conduct the investigation must be

impartial and free of any actual conflict of interest.

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

B. Notice of Investigation

After the Associate Vice Chancellor decides to move forward with a formal investigation, the Office of Equal Opportunity & Title IX will notify all Parties (Complainant(s) and Respondent(s)) in writing that the Office has initiated an investigation. The Associate Vice Chancellor will also invite each Party to an informational meeting to review the process and the resources available to them throughout the process.

The notice letter will:

1. Identify the Complainant(s) and Respondent(s);
2. 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;
3. Notify the Parties that an investigation has been initiated against the Respondent(s);
4. Identify the applicable Procedures;
5. Identify the assigned Investigator(s);
6. Inform the Parties how to challenge participation by the Investigator(s) on the basis of bias, conflict of interest or prejudice;
7. Identify the potential Prohibited Conduct violations and other potential University policy violations consolidated into the investigation (if any);
8. Invite the Parties to attend an informational meeting;
9. Explain that Retaliation is prohibited;
10. Inform the Parties of the right to inspect and review evidence;
11. Instruct the Parties to preserve any potentially relevant evidence in any format;
12. 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;
13. Describe the Parties' right to an advisor and support person of their choice; and

14. For Students, provide a statement that the Honor Code includes prohibitions on intentionally giving false or misleading information to a University official.

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

C. Informational Meeting

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

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

D. Participation and Interviews of Parties and Witnesses

No Party or Witness is required to participate in the formal investigation, and the Investigator will draw no adverse inference from a decision by any party or witness not to participate. 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. After completing the informational meeting, or upon the expiration of the deadline to have an 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. The Investigator or Associate Vice Chancellor may grant extensions for good cause upon written request by a Party.

The Investigator will record, with permission of the Party or Witness, and transcribe (or arrange for transcription of) all interviews. For Parties or Witnesses who elect not to have their interview recorded, the Investigator will prepare a statement of the interview. Each Party or Witness will be given the opportunity to review the interview statement of their own interview and correct spelling/grammar and factual errors and provide clarification if needed by the deadline set by the Investigator. The Investigator may address any substantive comments or corrections submitted in the investigative report.

The Investigator may have follow-up questions for a Complainant, Respondent, or Witnesses after their respective initial interviews. Each participant will have a reasonable

time to complete any follow-up interview requested by an Investigator, but if a follow-up interview is not completed within that time frame, the investigation will move forward.

E. Evidence

The investigation will be conducted in a manner that is respectful of individual privacy concerns. The Investigator, not the Complainant or the Respondent, is responsible for gathering relevant evidence to the extent reasonably possible. However, each Party will be given the opportunity to identify potential Witnesses, provide other relevant information, such as documents, communications, photographs, and other evidence, and suggest questions to be posed to the other Party or Witness.

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 ask a Party or Witness to describe the relevance of the information submitted. The Investigator may exclude evidence that is not relevant. Irrelevant evidence includes but is not limited to: statements of personal opinion rather than direct observations or reasonable inferences from the facts, and statements of the general reputation for any character trait (e.g.: honesty).

In general, a Complainant's prior or subsequent sexual history is not relevant, and the Investigator will not consider such information during an investigation, provided that in a case involving Gender-based Violence the Investigator may consider evidence concerning specific incidents of the Complainant's prior sexual behavior with respect to the Respondent, when offered to prove Consent. Any Party seeking to introduce information about prior sexual history or pattern evidence (as identified above) should bring this information to the attention of the Investigator at the earliest opportunity. The University, through the Investigator, may choose to consider this information with appropriate notice to the Parties. Where a sufficient informational foundation exists, the Investigator, in consultation with the Associate Vice Chancellor, will assess the relevance, form, and reliability of the information.

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.

In general, a person's medical and counseling records are confidential unless that person voluntarily chooses to share a licensed health care professional's direct observations of that person's physical or mental health condition. Additionally, personnel records are generally confidential; however, the Investigator may review relevant personnel records. If relevant, the Investigator will summarize the information from

the confidential records in the preliminary report for both parties to review, and the Investigator will make available the relevant portions of such records, with appropriate redactions for the non-sharing Party's review. The Investigator may 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.

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

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

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

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

When evaluating an allegation of harassment under the POWR Act brought by an employee, the investigator will consider the following factors to determine the totality of the circumstances, including:

1. The frequency of the conduct or communication, recognizing that a single incident may rise to the level of harassment;
2. The number of individuals engaged in the conduct or communication;
3. 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;
4. The duration of the conduct or communication;
5. The location where the conduct or communication occurred;
6. Whether the conduct or communication is threatening;
7. Whether any power differential exists between the individual alleged to have engaged in harassment and the individual alleging the harassment;
8. Any use of epithets, slurs, or other conduct or communication that is humiliating or degrading; and
9. Whether the conduct or communication reflects stereotypes about an individual or group or individuals in a protected class.

F. Preliminary 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 report. The preliminary 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 Investigator will concurrently provide the Complainant and Respondent with access to review the preliminary report via the University's chosen cloud storage platform. The Complainant and Respondent have ten (10) business days from the time they are given access to the preliminary report to submit any comments, feedback, additional documents, evidence, requests for additional investigation, names of additional 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. Although the Associate Vice Chancellor may, upon written request, grant an extension for good cause to both Parties, provided that such extension will not exceed an additional ten (10) business days and such an extension may cause University resolution to exceed the timeframes specified in these Procedures.

If the Investigator receives information from a Party in response to the preliminary report that warrants further substantive investigation or review, the Investigator, in consultation with the Associate Vice Chancellor, has the discretion to extend the investigation. If the Investigator extends the investigation, the Investigator will notify the Parties in writing, issue an amended preliminary report, and provide the Complainant and Respondent access to such report for review and comment for at least five (5) business days.

G. Final Investigative Report

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

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

The Investigator will make a determination based on a Preponderance of the Evidence whether there is sufficient evidence to support a finding of responsibility for a violation of the [Discrimination and Harassment 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 Associate Vice Chancellor will review and approve the final investigative report before the Investigator issues the report.

The Investigator will deliver the final investigative report and all attached materials to the Associate Vice Chancellor. The Associate Vice Chancellor 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 report and all information and materials gathered as additional investigative steps, which are not otherwise privileged. At the same time, the Associate Vice Chancellor will issue a determination letter to both Parties indicating whether or not a Respondent was found responsible for Prohibited Conduct. The Associate Vice Chancellor will also send a copy of this letter to necessary administrators and supervisors. Where there is a determination of responsibility for Prohibited Conduct, the determination letter will contain information regarding the next steps for Disciplinary Action or Outcomes.

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



procedures, if appropriate.

H. Time Frames

1. The University will make a good faith effort to address and resolve all reports, exclusive of appeals, within an average of sixty (60) to ninety (90) business days, without jeopardizing the rights of a Party.
2. To help facilitate completion of the investigation in a timely manner, the University has established time frames for certain components of the investigation. The time frame for resolution will depend on the availability of Witnesses, University breaks or vacations, complexities of a case, including the number of Witnesses and volume of information provided by the Parties, as well as other considerations.
3. The University will strive to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness.
4. The University will provide regular updates to the Parties of the status of the investigation.
5. Complainants and Respondents have the right to determine whether, and to what extent, they will participate in the investigation. However, the investigation will move forward to the next stage whether or not a Party or Witness completes the identified component by the applicable time frame.
6. Based on extenuating circumstances, the Complainant and/or Respondent may seek an extension by written request to the Associate Vice Chancellor submitted

prior to the original deadline. The Associate Vice Chancellor will have sole discretion to grant or deny the extension. The Associate Vice Chancellor may require proof to verify the circumstance(s) on which the request is based. The Associate Vice Chancellor will notify the Parties of any extension granted. Where a time frame applies to both Parties, the extension will be given to both Parties.

7. The University's failure to meet any of the time frames outlined within these Procedures, or to provide written notice of the extension of these time frames, shall not be grounds for dismissing any allegations of Prohibited Conduct or for an appeal of any matter, nor shall such failure limit the University's ability to complete an investigation, issue findings, impose Outcomes, enact Disciplinary Actions, or limit the University's ability to take any other required administrative action under these Procedures.
8. At the request of law enforcement, the University may agree to temporarily defer part or all of its fact-gathering until law enforcement has completed its initial evidence-gathering phase. The University will nevertheless communicate with the Parties about resources and support, procedural options, anticipated timing, and the implementation of any necessary Supportive Measures to protect the safety, well-being, and continued equal access to a University education program, employment or activity.

11. Remedies/Disciplinary Action/Outcomes

A. Remedies

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. In the event the investigative report finds the Respondent responsible for Prohibited Conduct, in consultation with the Associate Vice Chancellor or other appropriate University officials, the Outcome Council (for Respondents who are Students) or the University official(s) responsible for determining discipline (for Respondents who are not Students) will determine Remedies.

B. Disciplinary Action

1. The following University officials will determine Disciplinary Actions:

a. For Employees who are staff, the Respondent's supervisor or other responsible administrator will determine the appropriate Disciplinary Action in consultation with the Division of Human Resources & Inclusive Community and the Associate Vice Chancellor. The Respondent's supervisor, or the Division of Human Resources & Inclusive Community, shall determine the Disciplinary Action within ten (10) business days of receipt of the final investigation report and notify the Associate Vice Chancellor of the Disciplinary Action imposed. If the Respondent's supervisor requires additional time, they shall request an extension of time from the Associate Vice Chancellor. The Associate Vice Chancellor will inform the Parties simultaneously and in writing of any extensions of time.

b. For Employees who are faculty, the Vice Provost for Faculty Affairs will determine the appropriate Disciplinary Action in consultation with the dean of the applicable college or school and the Associate Vice Chancellor. The Vice Provost for Faculty Affairs shall determine the Disciplinary Action within ten (10) business days of receipt of the final investigation report and notify the Associate Vice Chancellor of the Disciplinary Action imposed. If the Vice Provost for Faculty Affairs requires additional time, they shall request an extension of time from the Associate Vice Chancellor. The Associate Vice Chancellor will inform the parties simultaneously and in writing of any extensions of time. Disciplinary Action involving faculty is further subject to the [Policies and Procedures Relating to Faculty Appointment, Promotion and Tenure](#).

2. In determining Disciplinary Action, the decision-maker has the following objectives:

- a. Promoting safety and protecting the University community;
- b. Sanctioning individuals for engaging in Prohibited Conduct and deterring them from similar future behavior;
- c. Ending Prohibited Conduct;
- d. Taking steps reasonably calculated to prevent the future reoccurrence of the Prohibited Conduct;
- e. Restoring the Complainant to their pre-deprivation status, to the extent practical and possible.

3. In determining Disciplinary Action, the decision-maker will consider whether the nature of the conduct at issue warrants removal from the University, either permanent (termination) or temporary (suspension). The decision-maker will also consider other factors including, but 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, prior disciplinary history of the Respondent or relevant or related criminal convictions (if known) (shared only upon a finding of responsibility for the allegation),
- d. Whether the Respondent has accepted responsibility for the Prohibited Conduct, previous University response to similar conduct, and
- e. The maintenance of a safe, nondiscriminatory, and respectful living, learning, and working environment; and
- f. Any other mitigating, aggravating, or compelling factors.

4. Disciplinary Action for Employees may vary, up to and including termination of employment, based on the circumstances of the matter, and includes but is not limited to:

- a. Prohibition from various academic or managerial responsibilities involving the Complainant or others;
- b. 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 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.

C. Outcomes

If the Respondent who is a Student is found responsible for Prohibited Conduct:

1. The Associate Vice Chancellor will notify the Chair of the Outcome Council in writing when a finding of responsibility requires convening of the Outcome Council and provide the final investigation report and all related materials to the Outcome Council. The Associate Vice Chancellor will notify the parties in writing when the final investigation report is referred to the Outcome Council and provide the Parties with the names of the Outcome Council members who will hear the matter. The Parties have two (2) business days from receipt of the names of the Outcome Council members to raise any objection based upon actual conflict of interest, bias, or prejudice. The Party must object in writing, specifically describe the purported conflict of interest, prejudice, or bias, and provide any evidence to support this concern. The Associate Vice Chancellor will assess the circumstances and determine whether to assign a different Outcome Council member to the matter.
2. The Outcome Council will convene within ten (10) business days of receipt of the Final Investigation Report and exhibits and will determine the appropriate Outcomes for the Respondent and Remedies for the Complainant. The Chair of the Outcome Council may request a reasonable extension for good cause. 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 Outcome includes:
 - a. Status Outcomes, including but not limited to Warning, Probation, Elevated Probation, Suspension, and Expulsion;
 - b. Educational Outcomes, including but not limited to Reflective Activities, Worksheets, Programs & Activities; Interventions; Restrictions; and Referrals.
 6. The Outcome Council will concurrently notify the Complainant, Respondent, their respective advisors (if any), and the Associate Vice Chancellor in writing of the remedies and Outcomes determined to be appropriate by the Outcome Council. The Outcome Council determination will provide both Parties information on their right to appeal pursuant to these Procedures.

12. Appeal

A. Appealable Issues

1. Either Party may appeal a determination regarding responsibility and Outcomes as set forth below.
2. No other issue may be appealed.

B. Bases for Appeal

A Party may only appeal on one or more of the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence not reasonably available at the time the determination regarding responsibility was made that could affect the outcome of the matter;
 - a. This basis for appeal is not satisfied simply because evidence was not presented during the proceedings if the evidence was reasonably available at the time the determination was made.
3. The Associate Vice Chancellor, Investigator, or Outcome

Council member(s) had a conflict of interest or bias for or against Complainants or Respondents generally, or the individual Complainant or Respondent, that affected the outcome of the matter.

4. Where the Respondent is a Student, the Outcomes imposed are substantially disproportionate to the severity of the violation.

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

C. Filing an Appeal

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

D. Time Frame for Completion of Appeal

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

E. Appeal Procedure

1. After receiving a timely written appeal, the Associate Vice Chancellor will notify the Parties in writing:
 - a. That the appeal was submitted;
 - b. The opportunity for the Party who did not submit an appeal to:
 - 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), the Associate Vice Chancellor, any member of the Outcome Council for the matter, or the University official(s) who determined Disciplinary Action in the matter.

- a. The Appellate Officers are as follows:
 - i. For Students, the Vice Chancellor for Student Affairs or designee;
 - ii. For Employees who are staff, the Vice Chancellor for Human Resources or designee; and
 - iii. For Employees who are faculty, the Provost and Executive Vice Chancellor or designee.

- b. 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 Appellate Officer based on an actual conflict of interest, bias, or prejudice. The Associate Vice Chancellor will assess the circumstances and determine whether to assign a different Appellate Officer to the matter. The Party must object in writing, specifically describe the purported conflict of interest, bias, or prejudice, and provide evidence to support this concern.

3. The Appellate Officer will consider the appeal, including any written statements submitted by the Parties. The Appellate Officer may also consider the investigative report, including any Party's written response to the investigative report, but may not engage in independent fact finding such as interviewing the Parties or other Witnesses.

- a. The Appellate Officer may take one of the following actions:
 - i. Deny the appeal based on not satisfying the Appeal Criteria and uphold the written determination issued by the decision-maker
 - ii. Accept the appeal in whole or in part based on satisfying the Appeal Criteria and:
 1. Send the matter back for supplemental investigation;
 2. If the defect cannot be cured through supplemental investigation, then the Appellate Officer may order a new investigation; or

3. Dismiss the Complaint.
4. The Appellate Officer will prepare a written determination of appeal, which will describe the result of the appeal and the rationale for the result and will provide the written determination to the Associate Vice Chancellor. The Associate Vice Chancellor will provide the written determination of appeal concurrently to the Parties.
5. The result of the appeal is final.

F. Grievance of Disciplinary Action for Employees

In addition to the appellate rights set forth in this Section 17, Employees may file a grievance with respect to the Disciplinary Action imposed pursuant to Section 16.B 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 Employee Grievance Procedures applicable to faculty;
2. Staff may pursue a grievance pursuant to the Employee Grievance Procedures applicable to staff; and
3. Employees who are subject to a collective bargaining agreement must pursue their grievance rights pursuant to that agreement.

- 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 Equal Opportunity & Title IX Comprehensive Discrimination and Harassment Procedures](#)
 2. [Honor Code with the Student Rights & Responsibilities Policies and Procedures](#)

- C. These Procedures apply to Title IX Prohibited Conduct as defined by the University's [Discrimination and Harassment Policy](#) that occurred on or after August 14, 2020. For matters pending as of the effective date of these Procedures, the Title IX Coordinator has the discretion to determine whether to apply these Procedures or a prior version. 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 Associate Vice Chancellor for Equal Opportunity & Title IX 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 are subject to these Procedures, including Students, Employees, and Third Parties.

1. Members of the community are responsible for conducting themselves in accordance with these Procedures and other University policies and procedures.
2. For Employees, these Procedures apply to the conduct that takes place from the date on which the individual accepts an offer of employment with the University until their employment ceases.
3. If a Student graduates, withdraws, or is expelled, or if an Employee voluntarily resigns or is terminated prior to final resolution of any matter, the Office of Equal Opportunity & Title IX retains the discretion to address the matter as necessary to fulfill the University's obligations under Title IX.

F. Third Parties

1. Third Parties, including visitors to and guests of the University are both protected from and subject to the restrictions on Sexual Harassment, as defined in these Procedures. However, Third Parties do not have any contractual rights pursuant to these Procedures. Third

Title IX Sexual Harassment Procedures

A full copy of DU's Title IX Sexual Harassment Procedures is available on the DU Office of Equal Opportunity & Title IX website at <https://www.du.edu/sites/default/files/2023-08/DU%20Title%20IX%20Procedures.pdf>.

Scope and Jurisdiction

- A. These Procedures apply to all reported instances of alleged Title IX Prohibited Conduct 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 occurred on or after August 14, 2020;
 3. The Title IX Prohibited Conduct is alleged to have taken place within the University's Education Program or Activity; and
 4. 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.

Parties may initiate a report of Sexual Harassment committed against them by members of the University community, but Third Parties are limited in their rights pursuant to these Procedures.

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

I Reporting

- A. 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.
- B. After receiving a report, the Assistant Vice Chancellor and the 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.
- C. The University encourages Complainants to report incidents of Title IX Prohibited Conduct directly to the Office of Equal Opportunity & Title IX by contacting:

Howard Kallem, JD
Interim Associate Vice Chancellor of
Equal Opportunity & Title IX
University of Denver
Office of Equal Opportunity & Title IX
Driscoll Center South, Suite 30
2050 E. Evans Ave.
Denver CO 80208
Phone: 303-871-7016
Equalopportunity@du.edu or Howard.Kallem@du.edu
<https://www.du.edu/equalopportunity/titleix/index.html>
[Title IX Online Report Form](#)

Molly Hooker
Interim Title IX Coordinator
University of Denver
Office of Equal Opportunity & Title IX
Driscoll Center South, Suite 30
2050 E. Evans Ave.
Denver CO 80208
Phone: 303-871-7016
TitleIX@du.edu or Molly.Hooker@du.edu
<https://www.du.edu/equalopportunity/titleix/index.html>

[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 Equal Opportunity & Title IX 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
303-871-5724
SRR@du.edu
<https://studentaffairs.du.edu/student-rights-responsibilities>

Student Outreach & Support (SOS) Referral
University of Denver - Community Commons
2055 E. Evans Avenue, Suite 3001
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:

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 alleged Title IX Prohibited Conduct, the Title IX Coordinator must promptly
 1. Inform the Complainant in writing of their right to simultaneously or subsequently file a Formal Complaint pursuant to these Procedures and the process for doing so;
 2. Contact the Complainant to discuss the availability of Supportive Measures with or without the filing of a Formal

Complaint;

3. Consider the Complainant's wishes with respect to Supportive Measures; and
4. Offer Supportive Measures as provided in Section VI below.

F. Responsible Employees are 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.

G. The Office of Equal Opportunity & Title IX 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 (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 [published a list](#) specifying 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. Individuals have several reporting options within and outside the University. Individuals may pursue these options simultaneously or any one of them separately. The University has resources to support a Complainant regardless of the course of action chosen. The University encourages Complainants to contact local law enforcement to report incidents of 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 Sexual Harassment, whether or not the individual plans to pursue criminal action. This facilitates preservation of evidence and a timely response by law enforcement and/or the University.

J. If a report of Title IX Prohibited Conduct discloses a serious and immediate threat to the University community, the University's Department of Campus Safety will make a determination whether 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 VAWA, the Office of Equal Opportunity & Title IX 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.

K. Timeliness and Location of Incident

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, and preferably within 180 days of the last incident of Title IX Prohibited Conduct. 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.

L. Amnesty for Personal Use of Drugs or Alcohol

1. The University recognizes that Students may be reluctant to seek assistance from a University official or emergency services after experiencing Prohibited Conduct or may be reluctant to seek assistance for themselves or others who may have experienced Sexual Harassment because they fear being held responsible by the University for alcohol or drug violations under the Honor Code related to the incident.
2. The University generally will not pursue disciplinary action under the Honor Code against a Student who makes a good faith report to a University official, contacts emergency services or who participates as a Party or Witness in participates as a Party or Witness in the grievance process related to Title IX 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, this does not extend to the distribution, sale, or otherwise providing another individual with alcohol or drugs for the purposes of inducing incapacitation, as defined in the University's Discrimination and Harassment Policy.
3. The University may, however, refer the Student for an evaluation related to their health status or substance use or otherwise engage with the Student in an assessment or educational discussion or pursue other non-disciplinary option regarding alcohol or other drug use.
4. The University also provides the Medical Amnesty Process as set forth in the Honor Code. <https://studentaffairs.du.edu/student-rights-responsibilities/honor-code>

II 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.
- 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. Counseling through the TELUS Health Student Support Program
 2. 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

3. Assistance in modifying University employment arrangements, including changes in work schedules, job assignments, work locations, and/or assigned parking
 4. Campus escort services and safety planning through Campus Safety.
 5. Mutual restrictions on contact between the Parties
 6. Assistance in requesting leaves of absence
 7. Modifications to University housing arrangements, including immediate temporary relocation to alternative living quarters and/or permanent reassignment of University housing
 8. Assistance in arranging a meeting with law enforcement to discuss reporting or safety planning
 9. Assistance in modifying assigned parking
 10. Increased security and monitoring of certain areas of the campus
 11. 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 Actions or Outcomes. The University shall not impose Disciplinary Actions or Outcomes on a Respondent unless and until after the Formal Resolution Process, as detailed in Section IX below, is completed.
 - G. 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.
 - H. The University may place a non-student Employee Respondent on administrative leave during the pendency of the Formal Resolution Process set forth in Section IX below. The University will not place a non-student Employee Respondent alleged to have committed Sexual Harassment

on administrative leave due solely to the Sexual Harassment allegations 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 circumstances, will determine whether any administrative leave imposed is to be imposed with or without pay or benefits.

- I. 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.

III 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 Equal Opportunity & Title IX website.

2. The University will provide training to Hearing Officers on the following:

- a) How to conduct a hearing;
- b) Issues of relevance, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant;
- c) The definitions in the 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 Sexual Harassment; and
- f) Any technology that might be used during a hearing.

3. The University will provide training to all Investigators and the staff of the Office of Equal Opportunity & Title IX on the following:

- a) 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 Sexual Harassment.

4. The University will provide training to Decision-Makers for Disciplinary Action and Outcome Council Members on the following:

- a) The definitions in the 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 Sexual Harassment.

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 Sexual Harassment.

B. All Complaints are presumed to be made in good faith and all Complainants have the right to be taken seriously.

C. A Respondent is presumed not responsible for alleged conduct unless and until a determination regarding responsibility by a Preponderance of the Evidence is made at the conclusion of the Formal Resolution Process set forth in Section IX below.

D. At any point during the grievance process, Parties or Witnesses may request disability-related or language assistance accommodations by contacting the Title IX Coordinator who will facilitate interactions with Student Disability Services or the ADA Coordinator, as appropriate.

E. The University will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence.

F. The University will not make credibility determinations based on a person's status as a Complainant, Respondent, or Witness.

G. The University will endeavor to complete the processes set forth in these Procedures, including any appeals and any Informal Resolution Process if selected, within a reasonably prompt timeframe. The University may extend these timeframes for good cause with Written Notice to the Parties of the delay or extension and the reason for such delay or extension. Good cause may include considerations such as the absence of a Party, a Party's advisor, or a Witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

IV Informal Resolution Process

A. Informal Resolution

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

B. Availability of Informal Resolution Process

1. The University will not require that the Parties participate in the Informal Resolution Process.
2. After a Formal Complaint is filed, the Title IX Coordinator may offer the Informal Resolution Process to the Parties in certain circumstances. The Title IX Coordinator reserves the right to determine whether the Informal Resolution Process is appropriate in a specific case.

a) The Informal Resolution Process is only available after a Formal Complaint is filed and only if all Parties voluntarily consent, in writing, to the Informal Resolution Process.

i However, any time prior to agreeing to a resolution, any Party has the right to withdraw from the Informal Resolution Process and resume the Formal Resolution Process described in Section IX below.

b) The Informal Resolution Process is not available to resolve allegations of Sexual Harassment in which the Complainant is a Student of the University and the Respondent is an Employee of the University.

3. If the Parties voluntarily consent, the University may implement the Informal Resolution Process any time prior to reaching a determination regarding responsibility.

C. Notice of Availability of Informal Resolution Process

1. If the Informal Resolution Process is available, the Title IX Coordinator will issue Written Notice to the Parties disclosing:

- a) The allegations;
- b) The requirements of the Informal Resolution Process, including the circumstances under which it precludes the Parties from resuming a Formal Complaint arising from the same allegations;
- c) Any consequences resulting from participating in the Informal Resolution Process, including the records that will be maintained or could be shared;
- d) That either Party may withdraw from the Informal Resolution Process and resume the Formal Resolution process prior to agreeing to a resolution.

D. Resolution

After the Parties have agreed to an Informal Resolution Process, reached a resolution, and the Title IX Coordinator has accepted the result of that process, the resolution is binding, and the Parties generally are precluded from resuming or restarting the Formal Resolution Process related to the Formal Complaint. No Party can appeal a binding resolution.

E. Timeframe

The University will make a good faith effort to complete the Informal Resolution Process within an average of sixty (60) to ninety (90) business days, without jeopardizing the rights of a Party.

V 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:

Molly Hooker
Interim Title IX Coordinator
University of Denver
Office of Equal Opportunity & Title IX
Driscoll Center South, Suite 30
2050 E. Evans Ave.
Denver CO 80208
303-871-7016
TitleIX@du.edu or Molly.Hooker@du.edu

2. When a Complainant does not wish to file a Formal Complaint on their own behalf, the Title IX Coordinator may, in their discretion, prepare and file a Formal Complaint by signing the Formal Complaint form. In assessing whether to file a Formal Complaint, the Title IX Coordinator will consider the following factors in evaluating such request(s): (1) the totality of the known circumstances, (2) the presence of any risk factors as outlined below, (3) the potential impact of such action(s) on the Complainant, (4) any evidence showing Respondent made statements of admission or otherwise accepted responsibility for the Title IX Prohibited Conduct, (5) the existence of any independent information or evidence regarding the Prohibited Conduct, and (6) any other available and relevant information.

Risk factors include:

- e) 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;
- f) 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;
- g) Whether Respondent has threatened to commit violence or any form of Prohibited Conduct;
- h) Whether the alleged Title IX Prohibited Conduct involved multiple Respondents;
- i) Whether the alleged Title IX 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;
- j) 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);

- k) Whether the alleged Title IX Prohibited Conduct was facilitated through the use of "date-rape" or similar drugs or intoxicants;
- l) Whether the Complainant is (or was at the time of the alleged Title IX Prohibited Conduct) a minor (under 18);
- m) Whether any other aggravating circumstances or signs of predatory behavior are present.

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 University's Discrimination and Harassment 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.B.1 of these Procedures does not preclude the University from conducting an investigation or taking action under other applicable University policies and procedures with regard to conduct that is not subject to these Procedures.

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, and allegations of conduct that is temporally or logically connected.
4. If Formal Complaints involving multiple Complainants and/or multiple Respondents are consolidated, each Party will have access to all of the information being considered, including information provided by all involved Complainants, all involved Respondents, and all involved Witnesses.
5. The decision to consolidate is not subject to appeal.

D. Timeframe for Conclusion

1. The University will make a good faith effort to complete the Formal Resolution Process, including the hearing but excluding appeals, within an average of sixty (60) to ninety (90) business days, without jeopardizing the rights of a Party.
2. The timeframe for resolution will depend on the availability of Witnesses, University breaks or vacations, complexities of a case, including the number of Witnesses and volume of information provided by the Parties, as well as other considerations.
3. The University will strive to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness. However,

the University's failure to meet the timeframes specified herein, or failure to provide notice of the extension of these timeframes, shall not be grounds for dismissing any matter and shall not be the basis of an appeal of any matter; nor shall any such failure limit the University's ability to complete the Formal Resolution Process, impose Outcomes, enact Disciplinary Actions, or limit the University's ability to take any other required administrative action under these Procedures.

4. The University will provide regular updates to the Parties of the status of the Formal Resolution Process.

E. Written Notice

1. Upon receipt of a Formal Complaint, the Title IX Coordinator will issue Written Notice of allegations to the Respondent and Complainant, if known.
2. The Written Notice will be provided to each Party with sufficient time to prepare a response before any initial interview.
3. The Written Notice will include the following:
 - a) A description of the University's Title IX Procedures, including the Informal Resolution Process;
 - b) A description of the allegations including sufficient details such as:
 - i The identities of the Parties involved in the incident;
 - ii The alleged conduct constituting Sexual Harassment;
 - iii The date and location of the alleged incident;
 - c) A statement that the Respondent is presumed not responsible for alleged conduct unless and until a determination regarding responsibility is made at the conclusion of the Formal Resolution Process set forth in Section IX below.
 - d) 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;
 - e) A statement that the Parties have the right to an advisor of their choice;
 - f) A statement that the Parties have the right to inspect and review evidence;
 - g) A statement instructing the Parties to preserve any potentially relevant evidence in any format;
 - h) A statement that Retaliation is prohibited; and
 - i) For Students, a statement that the Honor Code includes prohibitions on intentionally giving false or misleading information to a University official.
4. If, during the course of an investigation, the University

decides to investigate additional allegations about the Complainant or Respondent relating to the same facts or circumstances, but that were not included in the earlier written notice, the University will provide notice of the additional allegations to the Parties whose identities are known.

F. 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 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 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) The Office 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 on behalf of any Party, the Office will notify the Party and provide the Party a reasonable amount of time to submit the information or documents directly, however the Office will not extend procedural deadlines for this reason. If the Party elects not to submit the information or documents, such information will not be considered in the investigation or any resolution.
 - 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 sole 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 herein.
6. The advisor may be present at any proceedings that are part of the Formal Resolution Process. If a Party wishes to have an advisor present at a proceeding, the University will work within reason to schedule the proceeding so the advisor may attend, without unreasonably delaying the progress of the Formal Resolution Process. The advisor may consult directly with the Party whom they are advising in a manner that does not disrupt or delay the proceeding.

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. Each Party or Witness will be given the opportunity to review the interview statements of their own interview and correct spelling/grammar and factual errors and provide clarification if needed by the deadline designated by the Investigator.

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. 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 the scheduled hearing, either Party may request an Informal Resolution Process subject to the provisions set forth in Section VIII.

H. Hearing

1. General Conduct of the Hearing

a) The University will appoint a Hearing Officer to serve as the Decision-Maker at the hearing.

i) The University will notify both Parties of the identity of the Hearing Officer at least seven (7) business days prior to the date of the hearing.

ii) The Parties have two (2) business days from receipt of the names to raise any objection to the participation of the Hearing Officer based on actual conflict of interest, bias, or prejudice.

b) The Hearing Officer has discretion to determine whether to hold a pre-hearing meeting or to have the Parties submit written materials to address the following:

i) The Party's designated advisor to conduct cross-examination;

ii) The Witnesses a Party will request to call; and

- iii Decisions regarding relevance of evidence.
 - c) Prior to the hearing, the Hearing Officer will review the investigative report and the written responses provided by the Parties, if any.
 - d) The Hearing Officer will conduct a live hearing, with all questioning conducted in real time.
 - e) The hearing may occur in person or virtually in a manner allowing the participants to simultaneously see and hear the Party or Witness answering questions.
 - i If either Party submits a request for a virtual hearing no later than five (5) 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 Equal Opportunity & Title IX 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 legally recognized privilege, unless the person holding such privilege has waived the privilege.
 - 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.
 - 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 Hearing Officer will provide the Outcome Council or Decision-Maker for Disciplinary Action with the written determination for purposes of determining Remedies, Outcomes and Disciplinary Action, respectively. The Outcome Council or Decision-Maker for Disciplinary Action will communicate the Remedies, Outcomes and Disciplinary Action to the Hearing Officer, in writing.
3. Following the determination from the Outcome Council or Decision-Maker for Disciplinary Action, the Title IX Coordinator will provide the written determination simultaneously to the Parties.
4. The written determination will include:
 - a) Identification of the allegations potentially constituting Sexual Harassment;
 - b) A description of the procedural steps from the receipt of the Formal Complaint through the determination, including any notifications to the Parties, interviews, site visits, methods used to gather other evidence, and hearings held;
 - c) Findings of fact supporting the determination;
 - d) Conclusions regarding the application of these Procedures to the facts;
 - e) A statement of, and rationale for, the result as to

each allegation, including:

- i A determination regarding responsibility;
 - ii Any Disciplinary Actions or Outcomes imposed on the Respondent;
 - iii Whether any Remedies will be provided to the Complainant;
 - f) Procedures and permissible bases for the Parties to appeal.
5. The written determination becomes final five (5) business days after it is sent to the Parties unless an appeal is filed.

J. Remedies/Outcomes/Disciplinary Actions

1. Remedies are designed to restore or preserve equal access to the University's Education Program or Activity. Remedies, to allow Complainant access, may be disciplinary or punitive against the Respondent.
2. In the event the Hearing Officer finds the Respondent responsible for Sexual Harassment
 - a) The Outcome Council or the Decision-Maker for Disciplinary Action may consult with the Title IX Coordinator or other appropriate University official in determining Remedies. The Remedies should eliminate a hostile environment for the Complainant and/or provide safety protections for the Complainant or the University Community.
 - b) If the Respondent is a Student, the Outcome Council will determine the appropriate Outcomes for the Respondent and Remedies for the Complainant.
 - i The University will notify both Parties of identity of the members of the Outcome Council at least seven (7) business days prior to convening the Outcome Council. The Parties have two (2) business days from receipt of the names to raise any objection to the participation of the member based on actual conflict of interest, bias, or prejudice.
 - ii The criteria for selection of the Outcome Council are set forth in the Honor Code.
 - iii In determining Outcomes, the Outcome Council has the following primary objectives:
 - a Promoting safety or deterring individuals from similar future behavior;
 - b Protecting the University community;
 - c Ending 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 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.
 - v The range of Outcomes include:
 - a Status Outcomes, including but not limited to 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. The Respondent's supervisor, or the Division of Human Resources & Inclusive Community, shall also notify the Title IX Coordinator and Hearing Officer of the Disciplinary Action imposed.
 - ii For Employees who are faculty, the Vice Provost for Faculty Affairs will determine the appropriate Disciplinary Action in consultation with the dean of the applicable college or school. The Vice Provost for Faculty Affairs shall also notify the Title IX Coordinator and Hearing Officer of the Disciplinary Action imposed. Disciplinary Action involving faculty is further subject to the Policies and Procedures Relating to Faculty Appointment, Promotion and Tenure.
- iii The University will notify both Parties of the identity of the Decision-Maker for Disciplinary Action at least seven (7) business days prior to the hearing. The Parties have two (2) business days from receipt of the name to raise any objection to the participation of the member based on actual conflict of interest, bias, or prejudice.
 - iv 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.
 - v In determining Disciplinary Action, the Decision-Maker for Disciplinary Action will consider whether the nature of the conduct at issue warrants removal from the University, either permanent (termination) or temporary (suspension). The Decision-Maker for Disciplinary Action will also consider other factors including, but are not limited to:
 - 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.
- vi Disciplinary Action for Employees may vary, up to and including termination of employment, based on the circumstances of the matter, and includes but is not limited to:
- a Prohibition from various academic or managerial responsibilities involving the Complainant or others;
 - b 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.
- 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 is provided to the Appellate Officer.
- b) The timeframe for completion of appeal may be extended for good cause. If the timeframe for completion of appeal is extended, the Title IX Coordinator will notify both Parties in writing of the delay or extension and the reasons for the delay or extension.

5. Appeal Procedure

- a) After receiving a timely written appeal, the Title IX Coordinator will notify the Parties in writing:
 - i That the appeal was submitted;
 - ii The opportunity for the Party who did not submit an appeal to:
 - a Review the appeal statement of the other Party; and

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 Actions as set forth below.
- b) No other issue may be appealed.

2. Bases for Appeal

- a) A Party may only appeal on one or more of the following bases:
 - i Procedural irregularity that affected the outcome of the matter;
 - ii New and relevant evidence not reasonably available at the time the determination regarding responsibility or dismissal of the Formal Complaint was made that could affect the outcome of the matter;

- 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 actual conflict of interest, bias, or prejudice.
- c) The Appellate Officer will consider the appeal, including any written statements submitted by the Parties.
- d) The Appellate Officer may also consider the investigative report, including any Party's written response to the investigative report, all relevant evidence presented at the hearing, and the transcript of the hearing.
- e) The Appellate Officer may take one of the following actions:
 - i) Deny the appeal based on not satisfying the Appeal Criteria and uphold the written determination issued following the hearing;
 - ii) Accept the appeal in whole or in part based on satisfying the Appeal Criteria and either:
 - a) Send the matter back for supplemental investigation or hearing;
 - b) If the defect cannot be cured through supplemental investigation or hearing, then the Appellate Officer may order a new investigation and/or new hearing, as appropriate; or
 - c) Dismiss the Formal Complaint.
 - iii) If the Respondent is a Student, and the Appellate Officer determines that the



Outcome(s) imposed are disproportionate to the violation, the Appellate Officer may return the matter to the Outcome Council with or without recommendations.

- f) The Appellate Officer will prepare a written determination of appeal, which will describe the result of the appeal and the rationale for the result and will provide the written determination to the Title IX Coordinator. The Title IX Coordinator will provide the written determination of appeal simultaneously to the Parties.
 - g) The result of the appeal is final.
- 6. Grievance of Disciplinary Action for Employees. In addition to the appellate rights set forth in Section IX.K.5 above, Employees may file a grievance with respect to Disciplinary Action imposed pursuant to Section IX.J 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 Employee Grievance Procedures applicable to faculty;
 - b) Staff may pursue a grievance pursuant to the Employee Grievance Procedures applicable to staff; and
 - c) Employees who are subject to a collective bargaining agreement must pursue their grievance rights pursuant to that agreement.

The Federal Campus Sex Crimes Prevention Act

The Federal Campus Sex Crimes Prevention Act mandates that convicted sex offenders who are required to register under state law must also disclose their association with institutions of higher education when applicable. Specifically affected are those registered sex offenders who attend, are employed by/at, or volunteer at institutions of post-secondary education.

How to inquire: Inquiries regarding registered sex offenders who reside in the neighborhood or who have disclosed an association with 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 3:00pm, excluding holidays

Information Desk: 720.913.6010

Non-Emergency Line: 720.913.2000

Sex Offender Hotline: 720.913.6511

Additionally, requests for information about sex offenders in Colorado may be obtained at the following websites:

- **Denver Police Department Sex Offenders Tracking and Registration:** <https://www.denvergov.org/content/denvergov/en/police-department/crime-information/sex-offenders.html>
- **Public Sexual Offender Tracking and Registration:** <https://www.sotar.us/sotar-public/initPublicIndexRedirect.do>
- **Colorado Bureau of Investigation:** <https://apps.colorado.gov/apps/dps/sor/>
- **National Sex Offender Public Website:** <https://www.nsopw.gov/>
- For more information on CSCPA, individuals may view the Disclosure of Education Records concerning Registered Sex Offenders on the U.S. Department of Education's website: <https://www.ed.gov/>

Drug, Alcohol, and Substance Abuse

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

DU may impose status and/or educational outcomes against any student found to have violated DU policy. The possible status outcomes for students include, but are not limited to, written warning, probation, suspension, or dismissal.

DU may impose disciplinary actions against employees found to have violated DU's policies on alcohol and drug use. The possible disciplinary sanctions for an employee violation include, but are not limited to, suspension or termination of employment.

DRUG AND ALCOHOL STATEMENT OF POLICIES FOR EMPLOYEES

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

ALCOHOL POLICY:

- Consumption of alcoholic beverages should be limited to persons of legal age and undertaken only by personal choice.
- Those who choose to consume alcoholic beverages should do so responsibly and in moderation.
- Behaviors related to the misuse of alcohol pose a danger to the individual, members of the campus community, and the learning environment.
- DU discourages the consumption of alcoholic beverages during working hours or during the discharge of DU duties (whether or not on DU premises). Although moderate consumption with meals or during social events is not prohibited, individuals must not report to work under the influence of alcohol.
- If an employee's supervisor has reasonable grounds to believe, based on observations by the supervisor or others the supervisor believes to be reliable, that the employee is under the influence of alcohol while at work, the employee may be deemed to have violated this policy and may be required to leave the workplace immediately. DU may, but is not obligated to, provide transportation to the employee's destination. To the extent permitted by law, DU may require any employee to submit to a blood alcohol test administered by DU designated laboratories or physicians. If the test indicates that the employee has a blood alcohol level of .5 or higher, the employee is considered to be under the influence. Refusal to consent to an alcohol test may result in disciplinary action. A written admission of being under the influence of alcohol may be allowed in lieu of testing.

DRUG POLICY:

Anyone who has a concern about the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances should immediately contact one of the following resources for assistance:

- The Employee Assistance Program for referrals on treatment and related issues.
- Campus Safety to report incidents of illegal activity.



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

DRUG AND ALCOHOL STATEMENT OF POLICIES FOR STUDENTS

DU's policies for students on alcohol and drugs are defined below; however, all students should be familiar with the entire Honor Code. More information on the SRR process, including the complete text of the Honor Code, as upheld by the SRR Policies, can be found on the SRR website: <https://studentaffairs.du.edu/student-rights-responsibilities>

Alcohol violations include the following:

- **Unauthorized Possession:** Possession and/or use of alcoholic beverages by any person under the legal drinking age of the United States (currently twenty-one (21) years of age), unless expressly permitted by law and DU Policies.
- **Unauthorized Distribution:** The manufacturing and/or delivery of alcohol, except as expressly permitted by law and University Policies. Students may not provide alcoholic beverages to any person under the legal drinking age of the United States (currently twenty-one (21) years of age). This includes hosting an event/gathering or providing the space where underage and/or excessive consumption occurs.
- **Intoxication:** Being under the influence of alcohol to the point of causing a disruption to University activities and/or endangering

one's own health or safety regardless of age.

- **Coerced Consumption:** Any act that may be reasonably expected to influence or cause a person to consume alcohol without their Effective Consent.
- **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, simulated or actual drinking games, beer bong, flasks, shot glasses, or similar items.

Drug violations include the following:

- **Unauthorized Possession:** Possession and/or use of any Federally Illegal Drug, or any possession and/or use of any prescription drug or other controlled substance except under the direction of a licensed physician and with a valid prescription. 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. This includes hosting an event/gathering or providing the space where consumption of drugs occurs.
- **Intoxication:** Being under the influence of any Federally Illegal Drug, prescription or non-prescription drug, or other controlled substance to the point of causing a disruption to University activities and/or endangering one's own health or safety regardless of age.
- **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, bong and scales or other measuring devices.
- **CBD:** The 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 web page at <https://studentaffairs.du.edu/health-counseling-center/promoting-health-wellbeing/alcohol-other-drugs> 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 policy may also be accessed at <https://studentaffairs.du.edu/health-counseling-center/promoting-health-wellbeing/alcohol-other-drugs> and includes a full listing of drug and alcohol use education programs offered to the campus community.

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:

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

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

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.

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

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle.

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

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 chosen based on one of the categories of bias (listed below).

Larceny-Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person

does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Destruction/Damage/Vandalism of Property (Except Arson): To willfully or maliciously destroy, 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.

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.

Religion: A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.

Sexual Orientation: A preformed negative opinion or attitude toward a 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;
- 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: VIOLATION 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 or use. The unlawful cultivation, manufacture, distribution, sale, purchase,

use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacture and making of narcotic drugs.

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 PREVENTIONS PROGRAMS

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

ONGOING AWARENESS PROGRAMS

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

ONGOING AWARENESS AND PREVENTION CAMPAIGNS

Ongoing prevention and awareness campaigns means programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault and stalking, using a range of strategies with audiences throughout the institution.

BYSTANDER INTERVENTION

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

RISK REDUCTION

Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

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 DU Comprehensive Discrimination and Harassment Procedures and 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 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 is 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 business within or adjacent to the campus boundaries.

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 website at: <https://portal.arms.com/?Agencyid=102>.

A printed copy of the crime log is available upon request at the DU Campus Safety Center located at 2130 S High St, Denver, CO 80208 during business hours.

2020-2022 Clery Crime Statistics

2020-2022 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/Non-Negligent Manslaughter	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Negligent Manslaughter	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Rape	2020	6	5	0	0
	2021	10	8	1	0
	2022	14	12	0	0
Fondling	2020	9	8	0	1
	2021	11	6	1	0
	2022	4	4	0	0
Incest	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Statutory Rape	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Robbery	2020	0	0	0	1
	2021	0	0	0	0
	2022	0	0	0	1
Aggravated Assault	2020	1	0	0	0
	2021	2	2	1	4
	2022	4	2	0	3
Burglary	2020	6	2	1	0
	2021	14	9	0	0
	2022	22	14	0	0
Motor Vehicle Theft	2020	8	1	0	3
	2021	22	0	0	12
	2022	44	2	0	8
Arson	2020	0	0	0	0
	2021	1	1	0	0
	2022	1	1	0	0

2020-2022 UNIVERSITY PARK CAMPUS CLERY CRIME STATISTICS

VIOLENCE AGAINST WOMEN ACT (VAWA) OFFENSES

VAWA CRIMES	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING	NONCAMPUS PROPERTY	PUBLIC PROPERTY
Domestic Violence	2020	0	0	0	0
	2021	0	0	0	0
	2022	1	1	1	1
Dating Violence	2020	3	3	0	0
	2021	3	1	0	0
	2022	1	0	0	0
Stalking	2020	23	7	0	2
	2021	19	16	0	1
	2022	16	6	0	1

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	2020	1	0	0	0
	2021	0	0	0	1
	2022	0	0	0	1
Drug Laws Arrests	2020	0	0	0	0
	2021	0	0	0	3
	2022	0	0	0	2
Liquor Law Arrests	2020	0	0	0	0
	2021	0	0	0	1
	2022	0	0	0	0
Weapons Laws Disciplinary Referrals	2020	3	3	0	0
	2021	1	1	0	0
	2022	0	0	0	0
Drug Laws Disciplinary Referrals	2020	154	150	0	0
	2021	90	88	0	0
	2022	107	103	0	0
Liquor Laws Disciplinary Referrals	2020	313	307	0	0
	2021	321	315	0	0
	2022	268	259	0	2

HATE CRIMES

2022	<ul style="list-style-type: none"> There were no reported hate crimes
2021	<ul style="list-style-type: none"> One intimidation incident characterized by Sexual Orientation bias. The incident occurred on-campus in student housing.
2020	<ul style="list-style-type: none"> One intimidation incident characterized by Sexual Orientation bias. The incident occurred on public property adjacent to DU's campus.
UNFOUNDED CRIME REPORTS	<p>There were no unfounded crimes in 2022. There were no unfounded crimes in 2021. There were no unfounded crimes in 2020.</p>

2021-2022 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/Non-Negligent Manslaughter	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Negligent Manslaughter	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Rape	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Fondling	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Incest	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Statutory Rape	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Robbery	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Aggravated Assault	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Burglary	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Motor Vehicle Theft	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Arson	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0

2021-2022 WESTERN COLORADO CAMPUS CLERY CRIME STATISTICS*

VIOLENCE AGAINST WOMEN ACT (VAWA) OFFENSES

VAWA CRIMES	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING	NONCAMPUS PROPERTY	PUBLIC PROPERTY
Domestic Violence	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Dating Violence	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Stalking	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	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	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Drug Laws Arrests	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Liquor Law Arrests	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Weapons Laws Disciplinary Referrals	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Drug Laws Disciplinary Referrals	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Liquor Laws Disciplinary Referrals	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0

HATE CRIMES

2022	<ul style="list-style-type: none"> • There were no reported hate crimes
2021	<ul style="list-style-type: none"> • There were no reported hate crimes
2020	<ul style="list-style-type: none"> • Not applicable
UNFOUNDED CRIME REPORTS	There were no unfounded crimes in 2022. There were no unfounded crimes in 2021. Not applicable in 2020.

*Prior to 2021, crimes for the Western Colorado Campus were reported under the University Park Campus noncampus property category. Beginning in 2021, DU reclassified this location as a separate campus.

2021-2022 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/Non-Negligent Manslaughter	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Negligent Manslaughter	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Rape	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Fondling	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Incest	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Statutory Rape	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Robbery	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Aggravated Assault	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Burglary	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Motor Vehicle Theft	2020	N/A	N/A	N/A	N/A
	2021	1	N/A	N/A	0
	2022	0	N/A	N/A	0
Arson	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0

2021-2022 FOUR CORNERS CAMPUS CLERY CRIME STATISTICS*					
VIOLENCE AGAINST WOMEN ACT (VAWA) OFFENSES					
VAWA CRIMES	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING	NONCAMPUS PROPERTY	PUBLIC PROPERTY
Domestic Violence	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Dating Violence	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Stalking	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
ARRESTS AND REFERRALS FOR DISCIPLINARY ACTION					
ARREST AND DISCIPLINARY REFERRALS	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING	NONCAMPUS PROPERTY	PUBLIC PROPERTY
Weapons Laws Arrests	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Drug Laws Arrests	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Liquor Law Arrests	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	1	N/A	N/A	0
Weapons Laws Disciplinary Referrals	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Drug Laws Disciplinary Referrals	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
Liquor Laws Disciplinary Referrals	2020	N/A	N/A	N/A	N/A
	2021	0	N/A	N/A	0
	2022	0	N/A	N/A	0
HATE CRIMES					
2022	<ul style="list-style-type: none"> There were no reported hate crimes 				
2021	<ul style="list-style-type: none"> There were no reported hate crimes 				
2020	<ul style="list-style-type: none"> Not applicable 				
UNFOUNDED CRIME REPORTS	There were no unfounded crimes in 2022. There were no unfounded crimes in 2021. Not applicable in 2020.				
*Prior to 2021, crimes for the Four Corners Campus were reported under the University Park Campus noncampus property category. Beginning in 2021, DU reclassified this location as a separate campus.					



Timely Warnings & Emergency Notifications

DU sends out two types of alerts to keep the campus 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. The process for DU’s emergency notifications can be found in this section.

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 students and employees. Each incident is considered and evaluated on a case-by-case basis, depending on the facts of the case and the information known by the Department of 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 notice would not be distributed. Cases involving sexual assault are sometimes reported long after the incident occurred, so there is no opportunity to distribute a timely warning notice to the community.

In instances where information was not provided to DCS in a timely manner or if the threat has been appropriately mitigated, DCS will not

generally issue a timely warning notice. If new information surfaces, the DCS 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 survivors when issuing a timely warning. The DCS will never release a crime survivor’s personally identifiable information. When issuing a timely warning for sensitive matters, such as gender-based violence, DCS makes every effort to not release specific incident details that may identify a crime survivor; however, they may need to release information, such as a location, that may lead to identification of a crime survivor. The DCS balances the need to provide information of a serious or continuing threat to the DU community while also protecting the confidentiality of the crime survivor to the maximum extent possible.

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

- Department of Campus Safety personnel receive information about a Clery crime on or near a DU campus from a campus security authority, from the public, or from another law enforcement agency.
- The Clery and Compliance Coordinator, or another DCS 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 Chief of Campus Safety, Associate Director of Campus Safety, the DCS Patrol Captain, the Manager of Emergency Preparedness, and the Office of General Counsel to determine if the incident warrants the issuance of a timely warning.
- If a timely warning is needed, a staff member (usually Manager of Emergency Preparedness and Fire Safety) drafts the Campus Safety Alert.
- 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 be hindering any active law enforcement investigation prior to the release of the timely warning to the DU community.
- The timely warning is issued to the entire DU community via mass email.

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

Timely warning notices are distributed via mass email to @du.edu email accounts of all employees and students, and may also be posted to the DCS Twitter account, Facebook account, Instagram account, and DU SAFE app to be immediately received by individuals who follow or subscribe to those accounts. The DCS may post a copy of the Campus Safety Alert 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 and 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 Department of 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, DCS 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 the Department of Campus Safety once confirmed by authorized individuals. When DCS 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 DCS 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 or dangerous 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 the rank of Captain or above regardless of confirmation.

The following positions within the DU Department of Campus Safety are authorized to release information via the emergency notification system after confirmation occurs:

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

The Chief of Campus Safety and/or their designee may also consult directly with DU’s Marketing and Communication Department to provide an immediate, timely 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 the Department of Campus Safety will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Once the decision is made to send an emergency notification, the Department of Campus Safety Communications personnel or the DCS Manager of Emergency Preparedness or designee will send it to the entire DU community unless notifications to targeted groups are necessary. The 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 Department of Campus Safety (DCS) are created using an established template format developed by the DCS 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 DCS Communications Technicians, the Incident Commander (when applicable), and/or the DCS Manager of Emergency Preparedness and Fire Safety or designee.

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

DISSEMINATING AN 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 Department of Campus Safety's 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 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 following DCS Twitter account: [www.twitter.com/DUCampusSafety](https://twitter.com/DUCampusSafety).

- Digital Displays

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

- Telephone Alert System

Members of the DU community have the option to register a

telephone number with the system to receive a telephone call with an automated message when the system is used.

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

COMMUNICATION WITH THE LARGER COMMUNITY

Any individual, even those who are not students, staff, or faculty, can view social media posts and information included on campus digital displays. Parents and guardians of students have the ability to opt into DU Alerts to receive emergency notifications via social media sites (Twitter). DU Alerts are sent to the Department of Campus Safety's Twitter page, which can be monitored by local media outlets as well. The media are able to view and monitor all DU Alerts via Twitter. Designated individuals in key positions within the Denver Police Department, University Park campus's local law enforcement agency, are registered with the DU Alert system to receive emergency notifications via text messages and emails.

DU ALERT

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

The system is tested by the DCS Manager of Emergency Preparedness annually. For questions or problems concerning the DU Alert service, individuals are directed to contact the Department of Campus Safety at 303.871.2334.

HOW TO RECEIVE DU ALERT EMAILS:

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

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 Department of Campus Safety's webpage at <https://www.du.edu/campussafety/du-alerts>.
- Select the "Sign up" under the notification preferences section.
- Select the Notifications tab under Personal Information on DU's MyDU if not automatically directed.
- Enter up to three text-enabled cell phone numbers, including area code.
- Hit "Submit."



Emergency Response and Evacuation Procedures

The Department of Campus Safety's 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 Department of Campus Safety's website: <https://www.du.edu/campusafety/emergency-preparedness>.

DU has an Emergency Operations Plan and Aftercare Guide, referred to as "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 the Department of Campus Safety and Marketing and Communications. The plan outlines the appropriate response strategy for a variety of critical incidents and the organizational hierarchy to be utilized by DU during response and recovery. The Department of Campus Safety then identifies Emergency Response Teams, which consists of a group of individuals in each building to augment Campus Safety's response during a fire evacuation or shelter-in-place situation. Members of the Emergency Response Team are trained on 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. The Department of Campus Safety has site-specific emergency procedures information. The Department of Campus Safety's Office of Emergency Preparedness website includes information on how to respond to several different hazards/threats. It includes general information about procedures for lockdown, lockout, shelter-in-place, evacuation, evacuation for persons with disabilities, and emergency planning. The website can be accessed at <https://www.du.edu/campusafety/emergency-preparedness>

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. In 2022, an unannounced tabletop exercise was held on October 6, 2022 with the Incident Management Team and Incident Command Team. The tabletop exercise was centered around a fictitious active shooter incident on campus. It covered the active shooter exercise from the start up to 24 hours after the incident occurred. All members of the Incident Management Team and Incident Command Team were present.

DU also conducts an annual test of the DU Alert system by sending out a test message to the campus community.

Fire evacuation drills are conducted annually for non-housing buildings and three times a year for most student housing buildings. 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. Student housing evacuation drills are documented in the Fire Safety Report section of this document. 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 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. Shelter in place procedures can be found at: <https://www.du.edu/campusafety/emergency-preparedness/shelter-place>.

MISSING STUDENT NOTIFICATION POLICY

I. Introduction

- A. The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998, 20 U.S.C. § 1092(j) (“Clery Act”), is a federal law requiring institutions of higher education that maintain on-campus student housing to establish a missing student notification policy and related procedures.
- B. When a residential Student at the University of Denver is reported missing, the University will follow this Missing Student Notification Policy and related procedures.

II. Policy Overview

- A. As part of the Housing & Residential Education (“HRE”) housing application process and 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, an individual whom the University should contact in case the Student is reported missing.
- 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 information 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 reported missing Student.
- C. If the Student is under 18 years of age and not emancipated, the University will notify a custodial parent or guardian of the Student within twenty-four (24) hours of the determination that the Student is missing, in addition to notifying any additional contact person designated by the Student on the Missing Student Notification form.
- D. The University will notify the local law enforcement agency within twenty-four (24) hours of the determination that the Student is missing, unless the local law enforcement agency was the entity that made the determination that the Student is missing.
- E. If the University cannot reach the contact person designated by the Student on the Missing Student Notification form within a reasonable time frame, the University may contact the Student’s parent(s) or guardian(s) if they were not listed as the designated contact.

III. Process Overview

A. Reports to Housing & Residential Education

1. If a family member and/or friend informs HRE staff that they have not been able to make contact with a Student, the HRE staff member must immediately notify the HRE Administrator on Call. Under the guidance of the HRE

Administrator on Call, HRE staff members will (a) attempt to make contact with the Student by phone, room check, social networks known to HRE staff members, and/or with assistance from the Student’s roommate(s), friend(s), parent(s), and/or guardian(s); and (b) inform the HRE Administrator on Call of the results of HRE’s attempts to contact the Student.

2. The HRE Administrator on Call will inform the Department of Campus Safety (“Campus Safety”) of the inquiry regarding the Student. In consultation with HRE, Campus Safety will begin their investigation to determine whether the Student is missing and engage with law enforcement as appropriate.

B. Reports to Campus Safety

1. Members of the University community and other individuals who are concerned because they have been unable to make contact with a Student residing in University owned or operated housing may contact Campus Safety’s 24-hour dispatch center at (303) 871-2334 (1-2334). Once Campus Safety is notified, Campus Safety will initiate an investigation to determine whether the Student is missing. When University officials other than HRE staff are contacted under these circumstances, those officials must immediately notify Campus Safety so that Campus Safety may begin their investigation to determine whether the Student is missing.
2. To determine if a Student is missing, Campus Safety may, as applicable:
 - a. Attempt to contact the Student using phone and email contact information the Student has provided to the University;
 - b. Retrieve the Student’s photo, check the Student’s class schedule, and attempt to contact the Student in class;
 - c. Contact individuals on campus who may know the Student, such as their roommate(s), floor mates, other friends, acquaintances, professors, coaches, team members, club advisors, and fellow club members;
 - d. Determine where and when the Student used their DU ID to enter campus facilities;
 - e. Check the Student’s social media accounts for recent activity;
 - f. If the Student has a University parking permit for a vehicle, attempt to locate the vehicle;
 - g. Contact individuals off-campus who may know where the Student is located, such as employers and associates, parents, guardians, other family members; and
 - h. Use other investigative measures Campus Safety

deems appropriate.

3. Should Campus Safety's investigation determine that the Student has been missing for twenty-four (24) hours, Campus Safety will notify the following individuals and entities within twenty-four (24) hours of making that determination:
 - a. the Denver Police Department and other law enforcement agencies, as appropriate, unless the local law enforcement agency was the entity that made the determination that the student is missing; and
 - b. the contact person the Student designated on the Missing Student Notification form; for Students who are under the age of 18 and not emancipated, in addition to contacting the individual designated by the Student above, University officials must contact a custodial parent or guardian to inform them that the University has determined that the Student is missing.

IV. Definitions

- A. "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. For the purpose of this Honor Code, 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.

PROHIBITION ON RETALIATION

The University has an established [Retaliation and Whistleblower Protection Policy](#) that strictly 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 would include protections for any individual for exercising their rights or responsibilities under any provision of the Clery Act.

Fire Safety Report and 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.

The Department of Campus Safety in partnership with DU's Housing & Residential Education (HRE) are committed to providing students with fire safety training and a safe community for living and learning.

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

- 4D House, 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, University Lofts, University Place Apartments, and Zeta Beta Tau.

Residents of the following student housing buildings are subject to their leasing agreement and DU 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

The HEOA defines a fire safety system as any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.

FIRE SAFETY REPORTING

For safety and statistical purposes, all fires, whether active or extinguished, should be reported to the Department of Campus Safety as soon as it is safe to do so. For statistical purposes, all fires should be reported to the Manager of Emergency Preparedness.

TO REPORT AN ACTIVE FIRE ON CAMPUS:

Dial 9-1-1 for response by the local fire department.

When feasible, contact the Department of Campus Safety at 303-871-3000.

TO REPORT EVIDENCE OF A FIRE OR PAST FIRE SITUATION IN DU STUDENT HOUSING, CONTACT THE FOLLOWING:

Department of 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 resident hall students through The Guide to Residence Living. Students are also responsible for complying with DU's 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 Wheelhouse Apartments managed properties are subject to their lease agreement with Wheelhouse. The applicable fire prevention policies are as follows:

DU OFFICE OF STUDENT RIGHTS & RESPONSIBILITIES POLICIES AND PROCEDURES HONOR CODE

F. Endangerment includes the following:

- **Substantial Risk:** Any act that directly or indirectly creates a substantial risk to anyone's (including one's own) medical or mental health, or physical safety and wellbeing regardless of intent. This includes, but is not limited to, preventing, delaying, or interfering with any University Official, law enforcement officer, and/or emergency service professional from evaluating or providing assistance to another individual.
- **False Report:** Any act, display, or communication that intentionally initiates or causes to be initiated any false report of an emergency, including, but not limited to, any threat of fire, explosion, or any other emergency or the unauthorized possession, use, or alteration of any emergency or safety equipment.
- **Weapons:** Any possession or use of Weapons, ammunition, explosives, or other objects designed or used to inflict injury or damage while on University Premises or items that simulate Weapons or other dangerous objects, even if the Student possesses a valid concealed Weapons permit or other lawful permission to carry a Weapon. The reckless misuse of these items either on or off University Premises is prohibited. The University does not prohibit the possession of non-lethal self-defense instruments such as pepper spray; however, the University does prohibit the reckless or inappropriate use of those instruments or other items that could cause harm when not used for their

intended purpose.

H. 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, or improperly using fire safety equipment.

R. 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 all community standards listed below, and any alleged violation of such community standards may be documented. Residents may have permitted Guests and are responsible for the actions of their Guests. Guests are expected to uphold all University Policies, including Housing & Residential Education's (HRE) Community Standards. If a Resident's Guest engages in potential violations of any University Policy or Community Standard, the Resident may be held accountable through the SRR process as outlined in this Honor Code.

Residents should discuss with their roommates and/or suitemates their expectations for following these community standards as all residents are responsible for the actions and items in their assigned living space.

- Shared Spaces, Technology, and Facilities Use standards include the following:
 - a. Approved 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 candles and lighters.
- Fire Safety standards include the following:
 - a. Cooking: Residents must follow all cooking-related fire safety measures and requirements.
 - b. 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, temporarily or permanently.
 - c. Evacuation: Residents must follow the evacuation process and follow all verbal directives instructions from University Officials, Fire and Police Department,

and Emergency Response Personnel. This includes but is not limited to immediately exiting buildings during any fire drills or alarms.

DU HOUSING & RESIDENTIAL EDUCATION GUIDE TO RESIDENCE LIVING

FIRE SAFETY

You are expected to follow all fire safety policies in The Honor Code and in the Guide to Residence Living. Residents who may have violated a fire safety policy may 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/or 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 and/or civil liability for property damage or personal injury.

FIRE SAFETY EQUIPMENT

The University has installed advanced fire safety technology 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.

Each sprinkler head operates with a "fusible link," a small device that melts under the heat of a fire and releases the water flow. The sprinklers can also be activated if the fusible links or the pipes of the system are pulled or struck, such as if you hang any object from the sprinkler head or if you are carrying or throwing an object that hits the sprinkler head. Because the fusible links are very sensitive, you must be extremely careful not to touch, throw anything at, or hang anything from them.

The sprinkler heads are tied into a powerful building-wide sprinkler system. When the sprinklers are activated, they will generate more than forty (40) gallons of water each minute from each head. The water will damage personal belongings in your room as well as damage other residents' belongings in other rooms on your floor and the floors below. If you intentionally or carelessly activate the sprinkler system, you may be held accountable for the resulting water damage.

If a fire activates the sprinklers, the Denver Fire Department will investigate to determine the cause of the fire. If you intentionally or carelessly set a fire, you may be referred to the Office of Student Rights & Responsibilities under the Honor Code, subject to criminal charges and/or civil liability for property damage or personal injury caused by the fire and/or water, and/or otherwise held financially responsible.

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 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.

Residence hall fire alarms are inspected annually to confirm proper functioning under normal conditions. These inspections are performed by a DU 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 in the event of an alarm sounding may result in a referral to the Office of Student Rights & Responsibilities for action under the Honor Code.

COOKING

Cooking is only permitted in designated kitchen areas. When cooking in authorized areas, residents must comply with the following requirements:

- If the cooking surface or cookware is messy, dirty, or excessively greasy, clean the cooking surface and/or cookware before use.
- When using electric cooking appliances, such as microwaves, kettles, or toasters, do not overload the circuit.
- Never leave food that is cooking or an active cooking surface unattended.
- Before starting to cook, familiarize yourself with the fire safety resources available and know where the fire extinguisher is located.
- Before leaving the kitchen area after you are finished cooking, be sure to clean up, dispose of trash, and turn off all appliances.

If a fire starts and you can safely do so, contain the fire by closing the door of the oven or microwave or putting the lid on the pan. Use an available fire extinguisher suitable for the type of fire. If these efforts fail, pull the fire alarm and evacuate immediately.

PROHIBITED ITEMS & MATERIALS

In addition to items prohibited by the University's Honor Code, certain items are prohibited in all University-owned or operated housing and other items are prohibited in suites/apartments with a kitchen.

ITEMS PROHIBITED IN ALL APARTMENTS & RESIDENCE HALL COMMUNITIES

Possession or use of the following items are prohibited within all University-owned and operated housing:

- Personal air condition units (except that students in Centennial Halls, Johnson-McFarlane, Hilltop Apartments and 4D House may have evaporative air coolers up to a capacity of 150 watts/44 BTUs and a 3-gallon tank)
- Grills within or external to any residential community
- Extension cords
- Motorized equipment within a residential building, including, but not limited to, electric skateboards, electric longboards, one-wheels, and scooters
- Any gas-powered equipment
- Candles, incense, or any other item that maintains a persistent flame
- Items with exposed coils or heating elements including, but not limited to, hot plates with coil burners, space heaters, electric grills with exposed coils, electric coil burners, and electric kettles with exposed elements
- Halogen lights or lightbulbs
- Hazardous materials including, but not limited to, gasoline, propane, butane, or other flammable liquids or gases

ITEMS ADDITIONALLY PROHIBITED IN RESIDENCE HALLS

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

- Toasters or toaster ovens
- Air fryers, frying pans, griddles, or grills (e.g. George Forman Grills)
- Rice cookers, slow cookers, pressure cookers, or multi-cookers (e.g. Crock Pots, Instant Pots)

UNIVERSITY OF DENVER POLICY MANUAL

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.

WHEELHOUSE APARTMENTS RESIDENTIAL RENTAL LEASE AGREEMENT

Resident shall not maintain or use any barbecue grill or similar device or apparatus (“grill”) if prohibited by any law, ordinance, or regulation, including, but not limited to, any fire department rule or policy. Before grilling or barbecuing, Resident shall verify with the onsite management office whether barbecuing or grilling is permissible at Resident’s community. If permissible, Resident will

only grill or barbecue in compliance with any applicable laws and these community policies and the Lease Agreement.

SMOKING PROHIBITED

Resident understands the property is a smoke free apartment community. Resident shall not smoke anywhere at any time inside the Premises or any outside portion of the Premises (garages, patios and balconies), inside any Community building, or at any Community amenity or facility. Smoking means the use of any product or any form of any product, especially including but not limited to tobacco, that burns, is lighted, ignited, is in a state of combustion, or that generates smoke. In accordance with Resident’s Lease, Resident is at all times responsible for the conduct of Resident’s occupants, guests, invitees and all others (“other Persons”) who are present on or in any portion of the apartment community due to or because of Resident. Resident agrees to inform all other Persons that the Community is non-smoking, and that they are prohibited from smoking, and that a violation by any other Person of this Addendum is a violation by Resident.

PORTABLE ELECTRICAL APPLIANCES AND OPEN FLAMES

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

FIRE DRILLS

In addition to fire inspections, emergency egress and relocation drills are conducted with sufficient frequency to familiarize occupants with drill procedures. Fire evacuation drills are conducted three 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 Wheelhouse Apartments do not have monitored fire alarm systems and do not conduct fire drills.

DU HOUSING & RESIDENTIAL EDUCATION GUIDE TO RESIDENCE LIVING



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, or the building will fail the fire drill:

- 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, HRE staff and contracted employees who reside or work within all DU owned or operated housing managed by HRE.

DU HOUSING & RESIDENTIAL EDUCATION GUIDE TO RESIDENCE LIVING

EVACUATION

If a fire activation, you should immediately exit the building in a safe manner. If you are not in your own room, do not go back to your room to retrieve items.

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.
 - 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.
- Do not re-enter the building until told to do so by Campus Safety officers or other first responders.

RALLY POINTS FOR EVACUATIONS

- Centennial Towers
 - On the west side of the building, residents should proceed across Williams Street and on top of 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 should not gather 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 and Nagel Hall
 - On the west side of the buildings, residents should proceed across High Street.
 - On the east side of the buildings, residents should proceed near Evans Chapel or the green space on the east side of Hilltop.
- Apartments Community

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

INDIVIDUALS WITH MOBILITY LIMITATIONS

If an individual is unable to evacuate a building due to mobility limitations, the individual should, with assistance as necessary:

- Move to
 - the designated area of rescue for the building, if the building has a designated area.
 - the closest stairwell if the building does not have a designated area of rescue.
- Call 911 or Campus Safety at 303-871-3000 and inform first responders of the location of the individual requiring rescue.

SPECIAL CONSIDERATIONS

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

- Residents of Halls will gather at Towers' main lounge.
- Residents of Towers will gather at Halls' main lounge.
- Residents of JMAC will gather inside the Nelson lobby.
- Residents of Nelson and Nagel will gather at the JMAC main lounge and classroom.
- Residents of the Dimond Family Residential Village will gather at Halls' main lounge.
- Residents of the Apartments Community should gather in the Richie Center.

WHEELHOUSE APARTMENTS 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

The Department of Campus Safety conducts annual fire-safety education training for designated Emergency Response Teams

who then disseminate the information covered to their respective departments and offer fire extinguisher training. Fire safety education and training is provided during DU's annual Spring Fest, in partnership with the Denver Fire Department.

HRE Residence Assistants are also given fire-safety training on an annual basis, which they disseminate to the residents in their residence halls. The Department of Campus Safety also conducts a fire safety presentation/training to Fraternity & Sorority Life personnel at the beginning of each academic year. Training includes a review of use of fire extinguishers, fire safety components of their assigned building, expectations of the staff, evacuation procedures and their role, fire safety guidelines, and emergency assistance procedures.

Every resident living in DU owned or operated housing has access via the HRE website at <https://studentaffairs.du.edu/housing/content/resident-resources> 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 DU owned or operated housing. The Department of Campus Safety provides fire safety information and expectations to student residents, which is accessible via their website. At least annually, room inspections are conducted of each residence by either HRE staff or Department of 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.

Contract employees that work in the dining halls of DU 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 the Department of Campus Safety and participate in daily safety meetings held by members of the contracted company.

All students, HRE staff and contracted employees who reside or work within all DU 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 from the building to a safe location.
- Even if the alarm sounds, call the Campus Safety emergency number, 303-871-3000 (1-3000), and provide as much information as possible about the alarm. Do not assume someone else has called or that the fire signal notified the Department of Campus Safety.

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 3rd party fire protection contractor. All fire protection systems and equipment in DU 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 Department of 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 Department of Campus Safety personnel by order of the Denver Fire Department.

Fire alarms in DU owned or operated buildings are inspected annually to confirm proper functioning under normal conditions. These inspections are performed by a 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. While there are no specific plans for immediate, future improvements, fire safety officials will continue to maintain, continually assess and upgrade fire safety apparatus as needed.

FIRE LOG

A log of all campus fires is maintained by the Department of Campus Safety, Manager of Emergency Preparedness. The log may be viewed at the Department of Campus Safety, 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 via the Department of Campus Safety's website at: <https://www.du.edu/campussafety/crime-fire-logs>.

FIRE STATISTICS AND DESCRIPTION OF FIRE SAFETY SYSTEMS

The fire statistics for student housing facilities for the 2020, 2021, and 2022 calendar years are provided in the pages that follow. A description of fire safety systems for each student housing building is also included. Fire statistics for on-campus student housing buildings are submitted to the Department of Education each year.

Fire Log (Calendar Years 2020-2022)

	Type of University Housing Property	Date of Incident	Time of Incident	Date Reported	Nature (Cause) of Fire	Number of Injuries ¹	Number of Deaths ²	Value of Property Damaged	DCS Report #
LOCATION									
Johnson-McFarlane Hall 1901 E. Iliff Ave.	Owned	1/22/20	14:13	1/22/20	Undetermined: Fire outside on grounds adjacent to res hall	0	0	\$0- \$99	2000049
University Place Apartments 1950 S. York St.	Owned	3/8/20	14.58	3/8/20	Unintentional: Electrical fire of dryer motor belt	0	0	\$0-\$99	2000207
University Lofts 2373 E. Evans Ave.	Owned	9/11/20	16:43	9/11/20	Unintentional: Electrical Fire/ Vehicle in adjacent parking structure	0	0	\$0- \$99	2000469
Centennial Towers 1770 S. Williams St.	Owned	4/15/21	11:40	4/15/21	Unintentional: Over burner set paper towels on fire	0	0	\$0-\$99	2100207
Johnson-McFarlane Hall 1901 E. Iliff Ave.	Owned	9/28/21	20:49	9/28/21	Intentional: Person burning plastic with lighter	0	0	\$0-\$99	N/A
Zeta Beta Tau 1959 S. Columbine St.	Owned	3/6/22	04:54	3/6/22	Intentional: Firework thrown into residence	0	0	\$500-\$999	2200185
Carousel Apartments 1905 S. York St.	Owned	3/17/22	13:38	3/17/22	Unintentional: dryer caught fire for unknown reason	0	0	\$500-\$999	2200226

Fire Statistics—By Building

2022 UNIVERSITY PARK CAMPUS (UNIVERSITY OF DENVER RESIDENTIAL BUILDINGS ONLY)									
	Number by Building	Fire Number	Date Reported	Date of Incident	Time of Incident	Cause of Fire	Number of Injuries ¹	Number of Deaths ²	Value of Property Damaged ³
LOCATION									
4D House	0	0	-	-	-	-	-	-	-
Asbury Heights	0	0	-	-	-	-	-	-	-
Brittany Manor & Gardens	0	0	-	-	-	-	-	-	-
Carousel Apartments	1	1	3/17/22	3/17/22	1:38pm	Unintentional	0	0	\$500-\$999
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	-	-	-	-	-	-	-
Lambda Chi Alpha	0	0	-	-	-	-	-	-	-
Lynn Marie Apartments	0	0	-	-	-	-	-	-	-
Mesa Apartments	0	0	-	-	-	-	-	-	-
Nagel Hall	0	0	-	-	-	-	-	-	-
Nelson Hall	0	0	9/02/18 12:11	9/02/18 12:11	9/02/18 12:11	-	-	-	-
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	1	1	3/6/22	3/6/22	4:54am	Intentional	0	0	\$500-\$999
TOTALS:	2	2					0	0	\$1000-\$1998

2021 UNIVERSITY PARK CAMPUS (UNIVERSITY OF DENVER RESIDENTIAL BUILDINGS ONLY)

	Number by Building	Fire Number	Date Reported	Date of Incident	Time of Incident	Cause of Fire	Number of Injuries ¹	Number of Deaths ²	Value of Property Damaged ^d
LOCATION									
Alpha Phi	0	0	-	-	-	-	-	-	-
Centennial Halls	0	0	-	-	-	-	-	-	-
Centennial Towers	1	1	4/15/21	4/15/21	11:40AM	Unintentional	0	0	\$0-\$99
Delta Delta Delta	0	0	-	-	-	-	-	-	-
Delta Gamma	0	0	-	-	-	-	-	-	-
Delta Zeta	0	0	-	-	-	-	-	-	-
Dimond Family Residential Vlg	0	0	-	-	-	-	-	-	-
Gamma Phi Beta	0	0	-	-	-	-	-	-	-
Hilltop Hall/Beta Theta Pi	0	0	-	-	-	-	-	-	-
Johnson-McFarlane Hall	1	1	9/28/21	9/28/21	8:49PM	Intentional	0	0	\$0-\$99
Lambda Chi Alpha	0	0	-	-	-	-	-	-	-
Lynn Marie Apartments	0	0	-	-	-	-	-	-	-
Mesa Apartments	0	0	-	-	-	-	-	-	-
Nagel Hall	0	0	-	-	-	-	-	-	-
Nelson Hall	0	0	9/02/18 12:11	9/02/18 12:11	9/02/18 12:11	-	-	-	-
Ridgeline Apartments	0	0	-	-	-	-	-	-	-
Summit Apartments	0	0	-	-	-	-	-	-	-
Transfer House	0	0	-	-	-	-	-	-	-
U-House	0	0	-	-	-	-	-	-	-
University Lofts	0	0	-	-	-	-	-	-	-
University Place Apartments	0	0	-	-	-	-	-	-	-
Vista Apartments	0	0	-	-	-	-	-	-	-
Zeta Beta Tau	0	0	-	-	-	-	-	-	-
TOTALS:	2	2					0	0	\$0-\$99

2020 UNIVERSITY PARK CAMPUS (UNIVERSITY OF DENVER RESIDENTIAL BUILDINGS ONLY)

	Number by Building	Fire Number	Date Reported	Date of Incident	Time of Incident	Cause of Fire	Number of Injuries ¹	Number of Deaths ²	Value of Property Damaged ^d
LOCATION									
Alpha Phi	0	0	-	-	-	-	-	-	-
Centennial Halls	0	0	-	-	-	-	-	-	-
Centennial Towers	0	0	-	-	-	-	-	-	-
Delta Delta Delta	0	0	-	-	-	-	-	-	-
Delta Gamma	0	0	-	-	-	-	-	-	-
Delta Zeta	0	0	-	-	-	-	-	-	-
Dimond Family Residential Vlg	0	0	-	-	-	-	-	-	-
Gamma Phi Beta	0	0	-	-	-	-	-	-	-
Hilltop Hall/Beta Theta Pi	0	0	-	-	-	-	-	-	-
Johnson-McFarlane Hall	1	1	1/22/2020	1/22/2020	2:13PM	Undetermined	0	0	\$0-\$99
Lambda Chi Alpha	0	0	-	-	-	-	-	-	-
Lynn Marie Apartments	0	0	-	-	-	-	-	-	-
Mesa Apartments	0	0	-	-	-	-	-	-	-
Nagel Hall	0	0	-	-	-	-	-	-	-
Nelson Hall	0	0	9/02/18 12:11	9/02/18 12:11	9/02/18 12:11	-	-	-	-
Ridgeline Apartments	0	0	-	-	-	-	-	-	-
Summit Apartments	0	0	-	-	-	-	-	-	-
Transfer House	0	0	-	-	-	-	-	-	-
U-House	0	0	-	-	-	-	-	-	-
University Lofts	1	1	9/11/2020	9/11/2020	4:43PM	Unintentional: Electrical/ Vehicle Fire	0	0	\$0-\$99
University Place Apartments	1	1	3/08/2020	3/08/2020	2:58PM	Unintentional: Electrical Fire	-	-	\$0-\$99
Vista Apartments	0	0	-	-	-	-	-	-	-
Zeta Beta Tau	0	0	-	-	-	-	-	-	-
TOTALS:	3	3					0	0	\$0-\$99

Residential Fire Control Systems—By Building

RESIDENTIAL FIRE CONTROL SYSTEMS—BY BUILDING													
	FIRE ALARM MONITORED	SPRINKLER SYSTEM	FIRE ALARM CONTROL PANEL	WARNING HORN/STROBE	HEAT DETECTORS	SMOKE DETECTORS	MANUAL PULL STATIONS	BEAM DETECTORS	CO DETECTORS	FIRE DOORS	FIRE EXTINGUISHERS	EVACUATION PLAN/PLACARDS	# OF EVACUATION (FIRE DRILLS) EACH CALENDAR YR
HOUSING PROPERTIES													
4D House 2050 S. Gaylord St.	offsite	X	X	X	X	X	X		X	X	X		1
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
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

RESIDENTIAL FIRE CONTROL SYSTEMS—BY BUILDING

	FIRE ALARM MONITORED	SPRINKLER SYSTEM	FIRE ALARM CONTROL PANEL	WARNING HORN/STROBE	HEAT DETECTORS	SMOKE DETECTORS	MANUAL PULL STATIONS	BEAM DETECTORS	CO DETECTORS	FIRE DOORS	FIRE EXTINGUISHERS	EVACUATION PLAN/PLACARDS	# OF EVACUATION (FIRE DRILLS) EACH CALENDAR YR
HOUSING PROPERTIES													
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
Lamba 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
Nagal 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 Lofts 2373 E. Evans Ave.	offsite	X	X	X	X	X	X		X		X		0

RESIDENTIAL FIRE CONTROL SYSTEMS—BY BUILDING

	FIRE ALARM MONITORED	SPRINKLER SYSTEM	FIRE ALARM CONTROL PANEL	WARNING HORN/STROBE	HEAT DETECTORS	SMOKE DETECTORS	MANUAL PULL STATIONS	BEAM DETECTORS	CO DETECTORS	FIRE DOORS	FIRE EXTINGUISHERS	EVACUATION PLAN/PLACARDS	# OF EVACUATION (FIRE DRILLS) EACH CALENDAR YR
HOUSING PROPERTIES													
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
York Street Lofts 1945 S. York St.	none					X			X		X		0
Zeta Beta Tau 1959 S. Columbine St.	offsite		X	X	X	X	X		X	X	X	X	3



DU UNIVERSITY OF
DENVER