



Photo: Paul Wedlake, CU Denver

# University of Colorado Denver

## 2024 ANNUAL SECURITY & FIRE SAFETY REPORT

This report contains statistics for 2021, 2022, and 2023 calendar years in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

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## CLERY ACT

### Overview

**Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act** as amended by the Violence Against Women Reauthorization Act of 2013 (VAWA), including the Campus Sexual Violence Elimination Act (SaVE Act), more commonly known as the “**Clery Act**”, is a federal law that requires colleges and universities, both public and private, participating in federal student aid programs to disclose campus safety information, and imposes certain basic requirements for handling incidents of sexual violence and emergency situations. Disclosures about crime statistics and summaries of security policies are made once a year in an Annual Security Report (ASR), and information about specific crimes and emergencies is made publicly available on an ongoing basis throughout the year.

The Clery Act is named in memory of Jeanne Clery who was raped and murdered in her residence hall room by a fellow student she did not know on April 5, 1986. Her parents advocated for laws requiring the disclosure of campus crime information. The federal law that now bears their daughter's name was first enacted in 1990. It has been amended regularly over the years to keep up with changes in campus safety with the most recent update in 2013 to expand the law's requirements concerning the handling of sexual violence.



*Jeanne Clery*

### Compliance

To comply with the Clery Act, CU Denver must meet certain obligations required by federal law. They include:

- Collecting, classifying, and counting crime reports and crime statistics,
- Issuing campus alerts,
- Issuing emergency notifications,
- Publishing an Annual Security Report,
- Submitting crime statistics to the US Department of Education via a web-based data collection to disclose crime statistics by type, location, and year,
- Maintaining a daily crime log,

- Missing student notification procedures,
- Fire safety information, including a fire log and an annual fire safety report, and
- The tracking and submission of fire statistics for submittal to the US Department of Education.

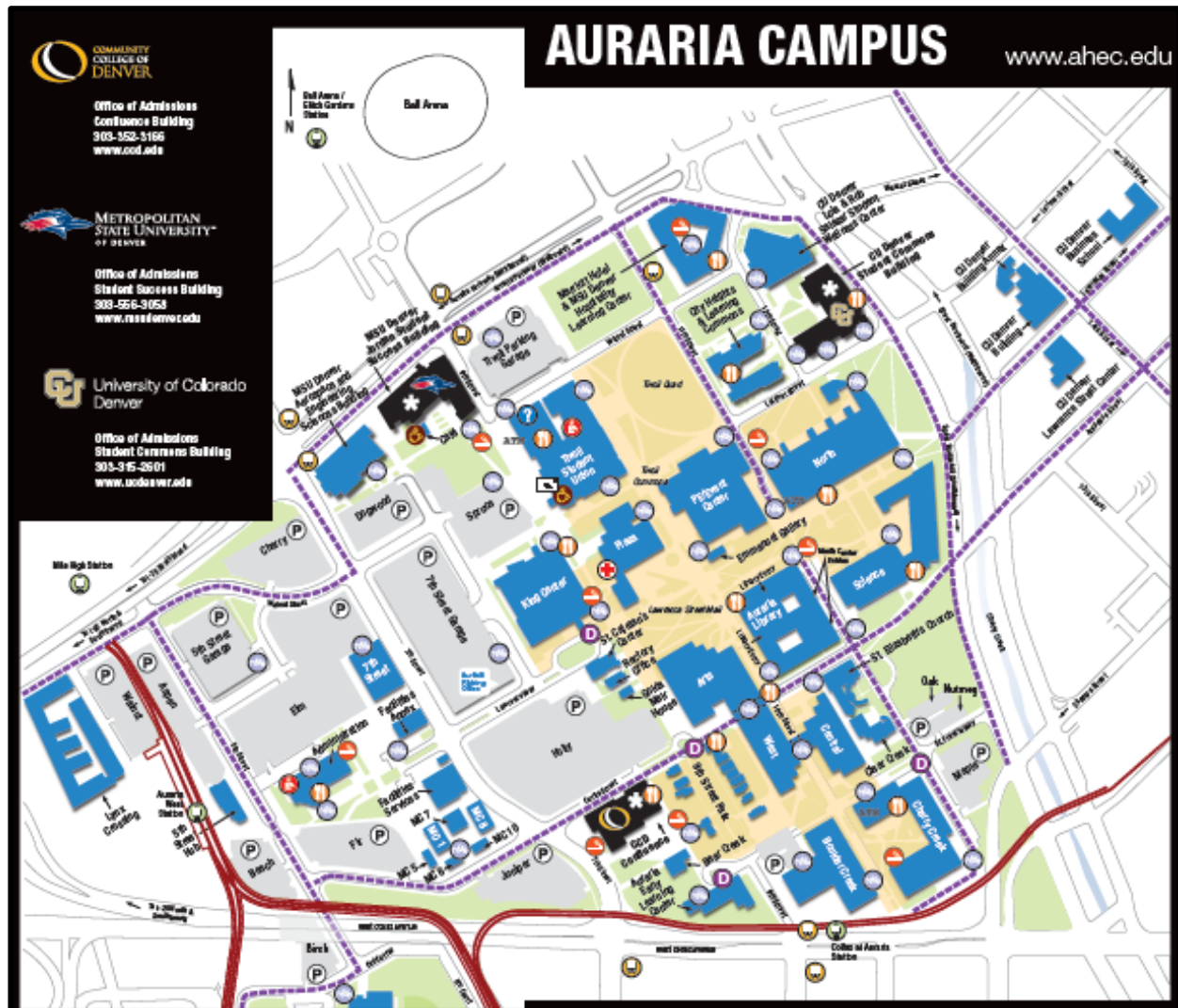
CU Denver does not have non-campus student organization locations (fraternities nor sororities) or non-campus housing facilities; thus, the obligation to report of such is non-applicable.



## AURARIA CAMPUS MAP

The University of Colorado Denver operates on the Auraria Campus and on property northeast of the Auraria Campus boundary across Speer Boulevard.

- 1380 Lawrence Street – Lawrence Street Center
- 1250 14<sup>th</sup> Street – CU Denver Building
- 1475 Lawrence Street – CU Denver Business School



Students, faculty, and staff attending classes or conducting university business at a CU Denver property located north east of Speer Boulevard should contact the Denver Police Department by dialing 9-1-1 from a cellphone or landline to report crimes and/or emergencies.

CU Denver maintains a service agreement with the Auraria Higher Education Center which includes specific addendums for services provided by the Auraria Campus Police Department. The agreement provides for Auraria Police response to panic alarms activated in the buildings north of Speer. Additionally, Auraria Police agree to provide other emergency response and assistance as requested and appropriate, and share documentation related to any response or involvement.

## AURARIA POLICE DEPARTMENT

### Overview

The Auraria Higher Education Center (AHEC), located in downtown Denver, is a separate state entity whose role is to provide and manage shared services, facilities, and property for three separate and distinct institutions of higher learning: Community College of Denver, Metropolitan State University of Denver, and CU Denver. The Auraria Campus has a dedicated, full-service police department, operating 24 hours a day, seven days a week, 365 days a year. Department staff includes the Chief of Police, Deputy Chief, Lieutenants, Sergeants, Corporals, Detectives, Police Officers, Neighborhood Community Officers (nonsworn), Dispatchers, and office support staff. Service is provided on an ongoing basis to the Campus Community.

Some of the services provided to the Auraria Campus by the Department include:

- Response to police, fire, medical and environmental emergencies,
- Investigation of criminal reports, traffic accidents, and suspicious activities,
- Assist victims of crime by taking reports, conducting follow up investigations and providing referrals to appropriate resources,
- Monitor alarms for intrusion, robbery, and environmental hazards,
- Comply with federal, state, and local laws regarding release of information,
- Assist with sick/injured and other non-criminal activity,
- Provide police and security services at special events such as concert and sporting activities,
- Provide police and security consultations to students and office personnel,
- Assist motorists with vehicle unlocks,
- Assure that AHEC is in compliance with city, state, and federal environmental regulations,
- Ensure the safety of the campus by monitoring environmental and safety hazards,
- Hold, inventory, and return found property; and
- Present crime prevention and awareness programs.

### Enforcement Authority

The Police Officers in the Auraria Police Department receive their police authority via the provisions of C.R.S. § 24-7.5-101. The Auraria Board, through its Chief Executive Officer, has delegated authority to the Auraria Campus Police Department to enforce campus rules and regulations as well as Municipal, State Laws, and Federal Statutes. Department officers have full police authority and are certified Police Officers as defined under C.R.S. § 16-2.5-102.

### Arrest Authority

In accordance with C.R.S. § 16-2.5-102, peace officers, to include Police Officers employed by a state institution of higher education shall meet all the standards imposed by law on a peace officer and shall be certified by the Peace Officer Standards and Training board (P.O.S.T).

Pursuant to C.R.S. § 16-3-102 and 24-7.5-103, the Auraria Campus Police Department is granted all the powers conferred by law upon peace officers to carry weapons and make arrests. The arrest authority within the jurisdiction of the Auraria Higher Education Center (AHEC) includes:

- In compliance with an arrest warrant,
- When any crime is being, or has been, committed in a Peace Officer's presence; and
- When there is probable cause to believe that an offense was committed by the person to be arrested.

The Auraria Campus Police Department also employs Neighborhood Community Officers. The Neighborhood Community Officers do not carry weapons and do not have formal arrest authority.

CU Denver employs contract Security Guards for security services at non-campus CU Denver property. The Security Guards do not carry weapons and do not have formal arrest authority.

## Police Jurisdiction

The Auraria Campus Police Department is charged with the primary responsibility to provide police and security services to the Auraria Higher Education Center which houses Community College of Denver, Metropolitan State University of Denver, and CU Denver. The Auraria Campus is defined as those properties, private streets, retail operations, and facilities owned by the State of Colorado and used by students, staff, faculty, and visitors, which are roughly bounded by Auraria Parkway, Speer Boulevard, Colfax Avenue, and Fourth Street. The jurisdiction of the Auraria Campus Police Department also includes the Lynx Crossing Apartments and City Heights Residence Hall.

## Inter-Agency Relationship

The Auraria Campus Police Department recognizes the importance of maintaining a close and cooperative working relationship with the Denver Police Department, the Denver County Sheriff's Department, and other municipal, state, and federal law enforcement agencies. The Auraria Campus Police Department meets with representatives from these agencies on a formal and informal basis and cooperates in police matters of mutual investigation, concern, and interest to monitor and record criminal activity by students at non-campus locations.



## Intergovernmental Agreements

The City and County of Denver entered into an Intergovernmental Agreement establishing the working relationship between the Auraria Campus Police Department and the Denver Police Department and granting to the Auraria Campus Police Department Police Officers a Denver Special Police Officer Commission, issued by the City's Manager of Safety, to enforce clearly defined ordinances of the City of Denver. These ordinances include criminal and traffic related offenses.

It is the desire of both the Auraria Campus Police Department and the Denver Police Department to provide the best possible atmosphere of public safety on and around the campus. The Intergovernmental Agreement is designed to establish the current working relationship between the Auraria Campus Police Department and the Denver Police Department, consistent with and in compliance with the requirements of the Denver City Charter

and State statutes, and all terms and conditions of the Intergovernmental Agreement are to be interpreted in light of the goal of increased public safety. The current scope of this authority for the Auraria Campus Police Department Police Officers is limited to the Auraria Campus area.

## SECURITY OF AND ACCESS TO CAMPUS FACILITIES

Exterior door locks on the Auraria Campus are fully electronic, programmed by the Access Control Department in Facilities Services. The system also has the ability to be placed directly into *lockdown* by Campus Police. The Auraria Campus Police Department has the primary responsibility for ensuring the lock hardware is functioning properly. Established facility hours are coordinated and maintained by the Auraria Academic Services. Auraria Police also work closely with the Facilities Services Department to maintain building security and key control. Access to facilities after normal building hours is limited and coordinated with Facilities Services Access Control and Auraria Police. Work orders noting security issues with campus facilities can be filed online at [www.ahec.edu/workorder](http://www.ahec.edu/workorder) or reported by phone by calling 303-556-3260. Admission to buildings after hours is limited to authorized personnel. Buildings are secured by security personnel on-site and buildings are monitored from 8am – 9pm, with after-hours support as requested.

## REPORTING CRIMES, EMERGENCIES AND SAFETY CONCERNS

### Duty to Report Criminal Behavior

Under Colorado Law, “It is the duty of every person who has reasonable grounds to believe that a crime has been committed to report promptly the suspected crime to law enforcement authorities.” (C.R.S. § 18-8-115) Students, faculty and staff are encouraged to accurately and promptly report all crimes to University Police and appropriate police agencies, when the victim of a crime elects to, or is unable to, make such a report. (University Policy 3002.)

Auraria Campus Police take all reports seriously. Reports will be accepted in any manner, including in person, in writing, and at the Auraria Campus Police Department located at 1201 5th Street, Suite 110. Reports will be accepted anonymously, by phone or via email, or on the Department’s website.

Criminal offenses reported to the following sources assist AHEC in keeping accurate records regarding the number of reported incidents on campus, and on property owned or controlled by the university, determine where there is a pattern of crime and evaluate if an alert to the Campus Community is warranted. Reports filed in this manner are counted and disclosed in the university’s annual crime statistics without identifying information.

Criminal actions or other emergencies occurring on campus should be reported to the Auraria Campus Police Department 24-hours a day, 365 days a year. For immediate, direct access call 9-1-1 from any campus phone for emergencies or call 303-556-5000 for other police assistance. To reach the Auraria Campus Police Department by cellphone dial 303-556-5000. Auraria Campus Police have access to campus emergency protocol and departmental emergency contact numbers.

The Emergency Communication Center shall ensure acknowledgment and response of assisting units when an officer requests emergency assistance or when the available information reasonably indicates that the public is threatened with serious injury or death and an immediate law enforcement response is needed.

Officers may request emergency assistance when they reasonably believe there is an imminent threat to the safety of officers, or assistance is needed to prevent imminent serious harm to a citizen.

## Reporting Emergencies on Campus

Campus Telephone .....9-1-1  
Cell Phone on Campus .....9-1-1  
Or- ..... 303-556-5000

The Auraria Campus Police Department Emergency Communications Center is available 24 hours a day, every day of the year.

## Reporting Non-Life-Threatening Incidents and Safety Issues

Auraria Campus Police Non-Emergency .... 303-556-5000  
Campus Phones (desk, red, yellow, etc.) .....6-5000  
Text-a-Tip.....720-593-TIPS

## Red Light Poles

There are Red Emergency Pole call stations located in or near parking areas and on pedestrian pathways. These emergency call stations may be used to report crimes in progress, suspicious persons, medical emergencies, or to request personal safety assistance. Pressing the call button on the emergency call station initiates a direct call to the Auraria Campus Police Emergency Communications Center.

Initiation of the alert also activates the light strobe to help police locate you more quickly. These phones may be used in emergencies or to request other assistance. Students, faculty, and staff are asked to take a moment when navigating the campus, to note the location of red emergency pole call stations.

## Reporting Suspicious Activity

Report all suspicious activity to police. Examples include, but are not limited to:

- Specific threats to inflict harm
- Use of any object to attack or intimidate another
- You witness someone committing a crime
- You need to report an old crime
- You see fire or smell smoke
- You think you observe a drunken driver
- You have knowledge of a chemical spill
- Someone is injured or ill
- You see anyone or anything suspicious

## Response

When contacting Auraria Police by telephone, campus phone, cellphone, or red emergency pole, you will be connected to the Emergency Communications Center (“dispatch”). The Emergency Communications Center will obtain as much information as available by caller and will typically send a police response, as appropriate, to the location of the incident being reported. Officers may request additional assistance when it is reasonably believed that there is an imminent threat to the safety of officers, or assistance is needed to prevent imminent serious harm to a citizen.

## Reporting Concerning Behavior

The Campus Assessment, Response & Evaluation (CARE) Team and the Faculty and Staff Threat Assessment and Response Team (FaST) address the health and safety needs of students, faculty and/or staff. Disruptive or concerning behaviors should be reported immediately. CARE and FaST intervene, when necessary, and more generally, to identify and provide assistance to those in need. The teams take a preventative approach to risk assessment by offering resources, referrals, and support to both the concerned individual and those impacted by their behavior.

To report a concern regarding **faculty or staff** contact **FaST** at 303-315-3278 (303-315-FAST) or by email at [FASTDenver@ucdenver.edu](mailto:FASTDenver@ucdenver.edu).

If you encounter a **student** who appears to be exhibiting concerning behavior, contact the **CARE** Team by email at [shareaconcern@ucdenver.edu](mailto:shareaconcern@ucdenver.edu), or call 303-315-7306.

## Campus Security Authorities

It is important for the Campus Community to report criminal incidents that occur on campus directly to the Auraria Police. However, some victims of crimes may be more inclined to report a crime to someone other than the Auraria Police. Under the Clery Act, a crime is “reported” when it is brought to the attention of a Campus Security Authority (CSA). If a CSA receives crime information and believes it was provided in good faith, he/she shall document it as a crime report and report it to Auraria Police for the purpose of making Timely Warning reports and for inclusion in the annual statistical disclosure and inclusion in the daily crime log.

Campus Security Authorities encompass four groups of individuals and organizations associated with an institution, as follows:

- Auraria Police department employees,
- Any individual(s) 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 into institutional property),
- Any individual(s) or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses,
- 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.

Individuals are designated as CSAs based on whether they perform the following functions:

- Their official job responsibilities involve significant interaction with students and/or campus activities,

- They serve as informal or unofficial mentors to students,
- They serve as a member in an office or of a committee to whom students are instructed and informed to report or discuss crimes, allegations of crime, and other troubling situations, and/or,
- They have oversight for disciplinary procedures.

## Examples of Campus Security Authorities

- Law Enforcement Officers
- Security Officers
- Emergency Communications Staff
- Deans of Students
- Faculty Advisors to Student Groups
- Program Directors
- International Studies Staff
- Disability Resources and Service Staff
- Department Chairs
- Financial Aid Advisors
- Multicultural/Diversity Staff
- Office of Inclusion and Outreach Staff
- Title IX Coordinators

## Anonymous Reporting

The university offers several ways to report crimes while preserving privacy. Crimes reported on a voluntary, anonymous basis will be included in the annual disclosure of crime statistics, however, no personal identifying information will be included.

Victims who do not wish to pursue campus disciplinary or criminal action, but who wish to document the details of an incident with the university, may file a report with the Auraria Police Department anonymously at:

### Auraria Campus Police Online Crime Report:

<http://www.ahec.edu/about-auraria-campus/police-department-about-auraria/submit-a-crime-report-about-auraria/>

**CU Ethics Line Link:** [https://secure.ethicspoint.com/domain/en/default\\_reporter.asp](https://secure.ethicspoint.com/domain/en/default_reporter.asp)

This site does not require your name or other identifying information. It does not track the identity of the computer you use. Use "CU" as the organization name. You may also call 800-677-5590. For more information regarding CU Ethics Line, please visit: <http://www.cu.edu/internalaudit%20/frequently-asked-questions>. This reporting method's goal is to ensure that you can communicate issues and concerns associated with unethical or illegal activities safely and honestly with University leadership while maintaining your anonymity and confidentiality.

University personnel are not involved in handling phone calls initiated through the toll-free number or in initially processing the on-line reports. When you phone CU Ethics Line, your message is handled by an independent company (EthicsPoint). They have trained professionals who will assist you through the process. Online reports are interactive and maintained by EthicsPoint.

The university's Internal Audit Department or other designated contact receives notifications of reports filed via the toll-free number or the Web-based system within one business day. The contact accesses the information and has the knowledge to investigate your concern or may assign the report to someone qualified to investigate the concern.

**Safe to Tell:**

<https://secure.ethicspoint.com/domain/media/en/gui/14973/index.html> or Safe to Tell Colorado at <https://safe2tell.org/>.

If you choose an anonymous reporting option, please be aware the information will not be received immediately. If there is an immediate threat to life or safety, please call 9-1-1 or 303-556-5000 immediately.

## Confidential Reporting Exemption for Pastoral and Professional Counselors

There are two types of individuals who, although they may have significant responsibility for student and campus activities, are not Campus Security Authorities under the Clery Act who can provide confidential assistance:

**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. This definition applies even to professional counselors who are not employees of the institution but are under contract to provide counseling at the institution.

CU Denver does not currently have any pastoral counselors available on campus. Resources for confidential professional counselor services are:

- Health Center at Auraria..... 303-615-9999
- CU Denver Psychology Clinic..... 303-315-7080

A professional counselor is an employee of the University of Colorado whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her counseling license or certification. Professional Counselors, who work with Student Mental Health Services, or Campus Health Center, when acting as such, are not considered a Campus Security Authority. As a matter of practice, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. Although it is encouraged, pastoral and professional counselors who receive confidential reports of crime are not required to report these crimes to CUPD for inclusion into the annual disclosure of crime statistics or for the purpose of a timely warning.

## Advocates

Advocates can help determine what steps to take and what choices you may need to make when you have been impacted by a crime. Victim advocates include paid and unpaid service providers working in a variety of settings



to respond to crime victims' mental, physical, financial, social, emotional, and spiritual needs. Advocates can offer advice on how to stay safe and give you information on medical, mental health, and victim services in your community.



CU Denver Advocates:

The Phoenix Center at Auraria..... 303-315-7250  
24/7 Helpline ..... 303-556-2255

**Reporting Crimes Occurring at  
Non-Campus Properties**

Crimes that occur at non-campus properties should be reported to the local law enforcement agency for that jurisdiction.

**Denver Police Department**

Emergency .....9-1-1  
Non-Emergency ..... 720-913-2000

**Denver County Sheriff**

Emergency .....9-1-1  
Non-Emergency ..... 720-913-2000

**Adams County Sheriff**

Emergency .....9-1-1  
Non-Emergency ..... 303-288-1535

**City of Lone Tree Police**

Emergency .....9-1-1  
Non-Emergency ..... 303-799-0533

**EMERGENCY COMMUNICATION PLAN**

Communication plays a critical role before, during, and after any emergency or disaster. CU Denver and the Auraria Higher Education Center will immediately notify the Campus Community upon confirmation of a significant emergency or dangerous situation occurring on the Auraria campus that involves an immediate threat to the health or safety of students, faculty, staff, or visitors. This notification can be disseminated through a variety of communications methods as dictated by the incident.

Auraria will, without delay, and taking into account the safety of the community, determine the content of an emergency notification, and initiate the notification system, unless issuing a notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain and respond to, or otherwise mitigate the emergency.

Disasters, emergencies, and crises disrupt the normal activities of the campus and may require activation of the Auraria Emergency Operations Plan. The Auraria Crisis Communications Plan describes the role of

Communications and Campus Relations in communicating vital information to members of the Auraria community and the public.

This plan is to be flexibly used with emergency decision-making procedures of the campus.

Elements should be tested annually in conjunction with campus-wide emergency drills. Appendices should be checked for accuracy and completeness at least annually, and as often as necessary. Documentation for each test, including the date, time, whether it was announced or unannounced, and a description of the exercise will be maintained by the Auraria Emergency Manager.

## Objectives

1. Determining whether the situation requires invoking this plan.
2. Assembling the Crisis Communications Team to recommend responses.
3. Implementing immediate actions to:
  - A. Identify key constituencies who need to be informed.
  - B. Communicate facts about the situation and minimize rumors.
  - C. Restore a sense of confidence and order.

## Assessment

The Chief Operating Officer (CEO) or their designee will be made aware of a potential crisis or emergency by the Chief of the Auraria Police Department or their designee. The Chief of Police and CEO or their designees then determines whether it is appropriate to invoke this plan and activate all or part of the Crisis Communications Plan. Once activated, the Director of Communications will notify each of the institutional Communications Directors/Public Information Officers or their backups as soon as practical.

These advisories may also be made using one or a combination of the following methods:

- Press releases
- Crime advisories
- Making reports available to the Campus Community and media through campus websites and newspapers, and radio and television news stations
- Advertising in campus publications

The campus Emergency Preparedness Manager maintains records of all tests, drills, and exercises that include a description of the exercise, the date, time and whether it was announced or unannounced.

## **Emergency Notifications**

CU Denver-specific Emergency Notification System is commonly referred to as ***CU Denver Alerts!***

CU Denver/Auraria may utilize one or more of the following methods to disseminate emergency messaging to the Campus Community:

- ***CU Denver Alerts!*** notification system, which includes:
  - Text
  - Email
  - Social media

- CU Denver web page (<https://www.ucdenver.edu/emergencymanagement/alerts>)
- Auraria Higher Education Center Information Line 877-556-EMER (877-556-3637)
- Posted notices in key locations throughout the campus

The CU Denver Chancellor has mandated all student, faculty, and staff university-issued email addresses be registered to receive emergency alerts and campus closure notifications via the *CU Denver Alerts!* system.

In order to receive text alerts from *CU Denver Alerts!*, students, faculty, and staff should add (or update) “CELLULAR” contact information in the student or faculty/staff CU Denver Portal. Log in using your university credentials and select the “my info” tile.

In an effort to keep information current during an evolving situation, email and text emergency notifications will be brief and may direct the reader to the CU Denver/Auraria Information Line. Follow-up information will be disseminated by the aforementioned methods for emergency messaging, as necessary.

The larger community may tune in to local media, CU Denver web alerts, the information line, posted notices and social media.

The following are examples of significant emergencies and dangerous situations that may occur on campus:

- Armed/hostile intruder
- Bomb/explosives (threat)
- Communicable disease outbreak
- Severe weather
- Terrorist incident
- Civil unrest
- National disaster
- Hazardous materials incident
- Structure fire

Prior to emergency notifications, the significant emergency must be confirmed. Confirmation may come from several sources, including the Auraria Campus Police Department staff, campus constituents and/or partner agencies, depending on the type of emergency. To evaluate the significance of the threat, the university may consult with subject matter experts, for example: Denver Police Department, Denver Fire Department, Federal Bureau of Investigations, World Health Organization, Colorado Department of Public Health and Environment, University Health and Safety, National Weather Service, etc. Due to the time sensitivity of emergency alerts, the decision to initiate the *CU Denver Alerts!* system will be determined as quickly and thoroughly as possible.

Once a significant emergency is confirmed, the university may utilize the *CU Denver Alerts!* to communicate with the Campus Community.

Follow-up information about the incident and end of the threat declaration will be disseminated to the campus community, as appropriate. Follow-up information may be made by any of the emergency messaging methods as listed previously (e.g., e-mail, text, information line, etc.).

## Timely Warnings

Timely Warnings notify the campus community of potentially dangerous criminal situations so that students, faculty, and staff have the time and information necessary to take appropriate personal protective measures. Timely Warnings are issued as soon as possible after pertinent information is available to aid in the prevention of similar occurrences.

Auraria will consider all the facts surrounding Clery Act Crimes that occur within the Auraria's Clery Geography to determine whether to issue a Timely Warning to the campus community. The determination to issue a Timely Warning is evaluated on a case-by-case basis considering all the facts surrounding a crime, including:

- The nature of the crime
- The continuing danger to the Campus Community
- The possible risk of compromising law enforcement efforts

The Chief of the Auraria Campus Police Department, or designee, shall make the decision as to whether an incident poses an ongoing threat and if a "Timely Warning" advisory is required. In the event an advisory is required, the Chief of Police, or designee, shall provide the AHEC CEO or their designee with the specifics of the case for the purpose of drafting the "Timely Warning" advisory. In all cases, Timely Warning advisories are sent by Auraria staff via electronic mail directly to all staff, faculty, and students on the Auraria Campus using their institution-provided email accounts.

A Timely Warning may be issued for non-Clery Act crimes if it is believed the crime poses a serious or continuing threat to the Campus Community. Timely Warnings may be issued to the Campus Community by any of the emergency messaging methods, but most commonly are disseminated by e-mail. The university withholds the names of victims as confidential. Crimes reported to a pastoral or professional counselor are exempt from reporting requirements.

The intent of a Timely Warning is to enable members of the Campus Community to protect themselves. Typically, a Timely Warning will include the following information:

- Reported offense
- Date/time of crime (if known)
- Suspect information (if known)
- Solicitation of witness or suspect information
- Information that would promote safety and would aid in the prevention of similar crimes

An institution may, in appropriate circumstances, include personally identifiable information in a Timely Warning. Although personally identifiable information is generally protected from disclosure under the Family Educational Rights and Privacy Act (FERPA), such information may be released in an emergency situation. The U.S. Department of Education's FERPA regulations 34 CFR 99.36 describe the rule relating to this disclosure of information in health and safety emergencies.

## Public Alerts

An informational notification that may be sent to the campus community for general safety purposes is called a Public Alert. These alerts are not generally time sensitive or considered to be an on-going threat, but the information is important and informs the campus of events occurring on, around, or even off campus that do not meet the requirements or specifications for distribution of an Emergency Notification or Timely Warning.

## EMERGENCY RESPONSE AND EVACUATION PROCEDURES

### Campus Emergency Response

CU Denver maintains an all-hazards, comprehensive emergency management plan for the campus. The CU Denver Comprehensive Emergency Management Plan (CEMP) establishes the basis for providing emergency response resources and assistance to the campus community if impacted by emergencies or disasters. The CEMP and its supporting annexes may be activated by the on-scene incident commander or University Crisis Leadership Team (UCLT) or designees.

The CEMP covers all five phases of emergency management: Prevention, Protection, Response, Recovery, and Mitigation.

In support of the campus CEMP, University affiliates and stakeholders develop and implement internal response standard operating procedures for their departments, schools, colleges, etc. The procedures define and express how tasks, functions and activities are accomplished as they relate to the CEMP. The procedures may be administrative, routine, or tactical in nature.

Copies of the plan are available on the University of Colorado Denver Emergency Management Division office and Emergency Management Website (base plan only) at: [https://www.ucdenver.edu/docs/librariesprovider34/default-document-library/cu-denver-comprehensive-emergency-management-plan-draft-06262020-final.pdf?sfvrsn=2740a8ba\\_2](https://www.ucdenver.edu/docs/librariesprovider34/default-document-library/cu-denver-comprehensive-emergency-management-plan-draft-06262020-final.pdf?sfvrsn=2740a8ba_2).

The Emergency Management Division for CU Denver also has a Preparedness Planning Handbook that provides guidelines and resources for handling a variety emergencies or disasters.

The Preparedness Planning Handbook can be found on the Emergency Management website at: [https://www.ucdenver.edu/docs/librariesprovider34/default-document-library/cu-denver-community-preparedness-plan.pdf?sfvrsn=9f41a8ba\\_2](https://www.ucdenver.edu/docs/librariesprovider34/default-document-library/cu-denver-community-preparedness-plan.pdf?sfvrsn=9f41a8ba_2)

A Campus Safety Video is also available outlining emergency guidelines for the Auraria campus. The video is played continuously on the cable channel for the campus, at new student/faculty/staff orientations, and in classrooms during the first two weeks. To view the video, please visit: <https://www.youtube.com/watch?v=E6T5LYrjT3A&feature=youtu.be>

### Evacuation

#### Evacuation Routes and Floor Plans

During campus emergencies, it may become necessary to evacuate and or close one or more buildings or facilities on campus. Campus police can control key ingress and egress routes of campus facilities during emergency situation to safeguard the campus community.

Building exits are located by following green illuminated EXIT signs that have directional arrows pointing to the nearest exit. Exit doors have illuminated green EXIT signs posted over them without directional arrows. Floor

plans, which will include evacuation paths, locations of fire extinguishers, fire alarm pulls, and AEDs are posted in each campus building classroom, office suite and workspace.

## **General Building Evacuation**

A general evacuation is used to leave the building quickly through the nearest exit. An evacuation means that ALL Students, Faculty, and Staff MUST evacuate the building.

Example: A fire alarm activated or another non-specific emergency.

### Personal Responsibilities

- Do not take time to gather your books, computer, or other large items. Take only the essentials, (e.g., purse, wallet, and keys, etc.);
- Form small groups of three, and initiate the buddy system for evacuation,
- Evacuate quickly and calmly to the nearest, safe exit,
- Close the door behind you; and,
- Stay out of the building until you are given the “ALL CLEAR” by emergency responders.

### Faculty and Staff Responsibilities

- As a group, leave the building immediately, in a calm and orderly manner using the nearest exit available.
- Count your students as they leave the room and then recount them once you reach the safe zone or designated evacuation point.
- For safety of persons with disabilities, consider that they may need assistance evacuating and/or help locating a safe area.
- Move (and remain) at least 500 feet away from the building.
- Stay with students, keeping them in a group.
- Account for all students and remain together, if possible.
- Immediately report any missing students to an Auraria Campus Police Officer or an Emergency Responder on scene.
- Wait to be contacted. Do not return to the building or move to another side of the building unless told to do so by emergency personnel.

## **Directed Building Evacuation (Non-Fire Emergency)**

A directed evacuation is used to exit the building by a route designed to avoid contact with a potential threat. This type of evacuation is coordinated by first responders or Facilities Services personnel.

Example: A suspicious package, a bomb threat, or an active shooter.

### Personal Responsibilities

- Evacuate quickly and calmly to the nearest, safe exit.
- Listen closely, and follow instructions given to you by emergency responders.
- Stay out of the building until you are given the “ALL CLEAR” by emergency responders.

### Faculty and Staff Responsibilities

- As a group, leave the building immediately in a calm orderly manner, using only the exits and directions given by first responders.
- For safety of persons with disabilities, consider they may need assistance evacuating.
- Move (and remain) at least 500 feet away from the building.
- Stay with students, keeping them in a group.
- Account for all students and remain on the same side of the building or area to which you were evacuated.
- Immediately report any missing students to an Auraria Campus Police Officer or emergency responder on scene.
- Wait to be contacted. Do not return to the building or move to another side of the building unless told to do so by emergency responders; and,
- Refer all media who want to speak with you or students to on-site media spokesperson.

## **Campus Evacuation**

A Campus evacuation is used in the event of a severe emergency in the area.

Example: A severe incident in downtown Denver, such as a major hazardous materials situation, or other catastrophic activity.

### Students, Faculty, and Staff Responsibilities

#### By Vehicle:

- If the road is usable, leave by a main exit, following direction from emergency personnel.
- Drive with caution and courtesy, and follow directions.
- Do not block the way for other vehicles.
- Some vehicles may be selected for emergency transportation; please cooperate if yours is chosen.
- If the road is not usable, leave your vehicle and evacuate on foot.

#### On Foot:

- The best choice, if usable, is to leave by a main exit.
- Proceed to a safe location, as directed.

#### By Mass Transit:

- In some cases, bus or light rail may be the best way to leave the area.
- If there is a hazard at a roadway exit from campus, go to the nearest RTD station to evacuate by mass transit.

NOTE: During some evacuation events, mass transit may be unavailable.

## SEXUAL MISCONDUCT PROCEDURES FOR CU DENVER

CU Denver prohibits sexual assault, dating violence, domestic violence, and stalking. [Administrative Policy Statement \(APS\) 5014](#), the CU system wide Sexual Misconduct, Intimate Partner Violence, and Stalking Policy and the [Office of Equity Resolution Procedures](#) provide CU Denver's programs to prevent and respond to sexual assault, dating violence, domestic violence, and stalking.

### Definitions Regarding Domestic Violence, Dating Violence, Sexual Assault, and Stalking

Sexual assault, domestic violence, and stalking are criminal offenses in the state of Colorado. Dating violence is not a criminal offense under Colorado Revised Statutes. Definitions of these crimes are included below in an effort to provide a better understanding of what actions constitute violations of the law in Colorado.

**Domestic Violence** – Colorado Revised Statute § 18-6-800.3 – Domestic violence means 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** - Dating Violence is included within the broader definition of Domestic Violence. There is not a separate law in Colorado that addresses dating violence separately.

**Sexual Assault** – Colorado Revised Statute § 18-3-402 (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.

**Unlawful Sexual Contact** – Colorado Revised Statute § 18-3-404 (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 appointing/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.

**Stalking** – Colorado Revised Statute § 18-3-602 (1)(a)-(c)

A person commits stalking if directly, or indirectly through another person, the person knowingly:

- (a) 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
- (b) 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
- (c) 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.

**Consent** - Colorado Revised Statute § 18-3-401 (1.5) for sexual activity 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. 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.

**University's Definition of Consent** - Means affirmative consent, which is unambiguous and voluntary agreement to engage in a specific sexual activity.

Consent is clear, knowing, and voluntary words or actions that create mutually understandable clear permission of willingness to engage in, and the conditions of, sexual activity. Consent must be active; silence by itself cannot be interpreted as consent.

Consent is not effectively given if it results from the use of force, including threats or intimidation, or if it is from someone who is incapacitated:

- Force is the use of physical violence or imposing on someone physically to gain sexual access.
- Threats exist where a reasonable person would have been compelled by the words or actions of another to give permission to sexual contact they would not otherwise have given. For example, threats to kill or harm someone, kill or harm themselves, or kill or harm someone for whom a person cares constitute threats.
- Intimidation occurs when someone uses physical presence to menace another, although no physical contact occurs, or where knowledge of prior violent behavior by an assailant, coupled with menacing behavior, places someone in fear as an implied threat.
- **Incapacitation** may result from alcohol or other drug use, unconsciousness, or other factors. The use of alcohol or drugs, in and of itself does not render a person incapacitated. Incapacitation is a state beyond drunkenness or intoxication. Incapacitation is a state where a person cannot make a rational, reasonable decision because they lack the ability *to understand the who, what, when, where, why or how of sexual interaction*. Incapacity can also result from illness, sleep, mental disability, and other circumstances.

Consent will be determined using both objective and subjective standards. The objective standard is met when a reasonable person would consider the words or actions of the parties to have manifested an agreement between them to do the same thing, in the same way, at the same time, with one another. The subjective standard is met when a party believes in good faith that the words or actions of the parties manifested an agreement between them to do the same thing, in the same way, at the same time, with one another. The following standards also apply to consent:

- A person who does not want to consent to sex is not required to resist.
- Consent to some forms of sexual activity does not automatically imply consent to other forms of sexual activity.
- Silence, previous sexual relationships, or the existence of a current relationship do not imply consent.
- Consent cannot be implied by attire or inferred from the giving or acceptance of gifts, money, or other items.
- Consent to sexual activity may be withdrawn at any time, as long as the withdrawal is communicated clearly.
- Withdrawal of consent can be manifested through conduct and need not be a verbal withdrawal of consent.
- In order to give effective consent, the person giving consent must be of legal age under Colorado law for the purposes of determining whether there was a sexual assault.
- A respondent's intoxication resulting from intentional use of alcohol or drugs will not function as a defense to engaging in sexual activity without an individual's consent.



## Violence Against Women Act (VAWA) Offenses Definitions

**Domestic Violence** is defined as a felony or misdemeanor crime of violence committed—

- By a current or former spouse or intimate partner of the victim,
- By a person with whom the victim shares a child in common,
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner,
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Dating Violence** is defined as 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 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** is defined as 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 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.

**Sexual Assault** is defined as an offense that meets the definition of Rape, Fondling, Incest or Statutory Rape as used in the FBI’s Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is “any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.”

- 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.
- Fondling: The touching of the private 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.

## Safe and Positive Options for Ethical Bystander Intervention and Risk Reduction

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

This information provides a basic overview of important considerations from CU Denver's Ethical Bystander Intervention educational programming.

### Steps for Ethical Bystander Intervention: The 5 Ds

Everyone has their unique personality and comfort level when it comes to intervention. Some people naturally prefer one of the 5 Ds over the others. It's also possible to use multiple Ds at the same time, as they often overlap. To request training in bystander intervention, contact the Office of Equity at [equitytraining@ucdenver.edu](mailto:equitytraining@ucdenver.edu). If someone's safety is in immediate danger, call 9-1-1.

**Direct:** Intervene directly by confronting/calling out the individual(s) about their inappropriateness and/or check-in with the person being harassed. Use caution with this intervention tactic. Ensure you and the person being harassed are safe and your engagement will not escalate the harassment.

**Distract:** Create some form of distraction and interrupt the flow of violence. A key to this step is to engage directly with the person *being targeted*.

**Delegate:** Empower other allies to become accomplices as active bystanders by asking for assistance, finding a resource, or receiving help from a third party. Those involved should get the victim to a more public place.

**Delay:** Follow up with the impacted party after the event. It may not be safe to check-in with the person being harassed in the moment. Comfort the person(s) and provide reassurance that it isn't their fault; accountability is on the person(s) enacting the inappropriate/violent behavior.

**Document:** Record inappropriate behavior or violence so there is a record available from a third-party witness to provide as evidence if necessary. Use this option **only** if there are folks already assisting the impacted party. If the impacted party is not receiving other assistance, the other 4 D's should be used first. Be sure to 1) film landmarks, state the date and time of the film clearly, descriptions of harasser, descriptions of the event, and 2) record important shots for at least 10 seconds.

There are safe and helpful ways to intervene. One person doesn't need to solve the entire problem or confront someone directly to be an effective Ethical Bystander!

## PREVENTION OF SEXUAL VIOLENCE

Risk reduction programs typically focus on ways that can identify potentially harmful situations and risks. Risk reduction programming sometimes includes self-defense classes and safety programs, which examine the tactics that perpetrators use to compromise situations and force or coerce attacks. While risk reduction programs may

assist in mitigating some known risks, they cannot prevent an attacker from committing acts of violence. Recognizing that the perpetrator of violence or abuse is the sole party responsible for that behavior and that victims are never to blame, the following are some strategies to reduce the risk for perpetration:

- A person who is intoxicated, asleep, or unconscious does not have the capacity to consent to engage in sexual activity.
- If you are unsure whether someone is incapacitated due to alcohol or drugs, do not engage in sexual activity.
- Consent for sexual activity must be free of force, threat, intimidation, or coercion.
- Neither silence nor a prior relationship is sufficient to indicate consent.
- If a person is non-participatory or states that they want to be doing something else, stop. If you are unsure, stop.
- If someone talks about planning to target another person at a party, confront them or get help from a friend, parent or other trusted person to intervene.
- Be active in supporting a safe and respectful community. If you see others engaging in disrespectful or inappropriate actions, speak up and get involved, or contact someone else to assist.
- If someone looks like they may need help, ask if they're okay. Enlist a friend, RA, bartender, or host to help you step in if needed.
- Trust your instincts. If something feels wrong, it probably is; intervene if it is safe to do so.

The CU Denver Office of Equity engages in comprehensive educational programming to prevent and raise awareness about sexual assault, domestic violence, dating violence, and stalking.

These programs 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
- Tailored to each campus and educational environment in order to foster an environment that is welcoming to all faculty, staff, students, volunteers, and affiliates with consideration of environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and social levels.

**Students:** The OE provides prevention and awareness presentations during new student orientation, for all incoming first year, transfer, and graduate students. The OE also invites all incoming students to complete their online *Respect Expected* course.

*Respect Expected* Canvas Course Description: This training covers policies and procedures administered by the OE, how to respond and report misconduct to the OE, tactics to intervene in harmful situations (when safe/appropriate), and available campus support resources for anyone experiencing any form of discrimination, harassment, and/or sexual misconduct. The course is free and not for credit. New students are auto enrolled into the course which takes 30 minutes to complete.

**Faculty/Staff:** The OE provides prevention and awareness presentations during new employee orientation for all new employees. All new employees are also required to complete an online *CU: Discrimination and Sexual Misconduct* course.

*CU: Discrimination & Sexual Misconduct* Course Description: This training covers policies and procedures administered by the OE, how to respond and report misconduct to the OE, and mandatory reporting obligations for “responsible employees”. Employees are required to complete the training within the first 90 days of employment and must retake the training every three years.

In addition to the above online trainings that all CU Denver students, staff, faculty, volunteers, and affiliates are invited to complete, the following optional trainings are provided when requested by the campus community:

## **Equity 101: What We Do**

**Length:** 1 – 1.5 hours

**Audience:** All

**Topics:** OE's contact information, role on campus, and how to report  
Protected Class Nondiscrimination and Sexual Misconduct Policies  
Intro to consent and ethical bystander intervention  
Responsible employee reporting requirements  
Contact information and campus resources

## **No Longer on Standby: Ethical Bystander Training**

**Length:** 1.5 hours

**Audience:** All

**Topics:** Intro to identity, bias, and micro-aggressions  
Bystander effect history and cognitive and behavioral processes  
Ethical bystander intervention strategies  
Experiential learning (scenarios/role-play)  
Responsible employee reporting requirements

## **Discrimination & Sexual Misconduct Employee Training**

**Length:** 2 hours, online

**Audience:** Required for all employees

**Topics:** OE's contact information, role on campus, and how to report  
Sexual Misconduct and Protected Class Nondiscrimination Policies  
Retaliation and related violations  
Case Studies  
Consent, ethical bystander intervention, and prevention  
Information for pregnant and parenting employees  
Responsible employees reporting requirements

## **Respect Expected**

**Length:** 30 minutes, online

**Audience:** Required for all students

**Topics:** OE's contact information and role on campus  
Reporting process  
Sexual Misconduct and Protected Class Nondiscrimination Policies  
Consent, ethical bystander intervention, and prevention  
Responsible employees reporting requirements

## **Prevention Together**

**Length:** 1 hour, online

**Audience:** Students

**Topics:** OE's and PCA's role on campus  
Sexual misconduct definitions and prohibited behavior  
Interpersonal violence (IPV) definitions  
Healthy vs. unhealthy relationships  
Techniques for safely intervening as a bystander  
How to support a survivor and respond to disclosures of interpersonal violence  
Reporting options and processes  
Campus support resources

CU Denver is committed to providing a safe and non-discriminatory environment for all members of the University community. The University prohibits all forms of Sexual Misconduct, including sexual assault, dating violence, domestic violence, and stalking, and all other conduct prohibited by Title IX and other sexual misconduct. These forms of misconduct and Related Violations are defined in APS 5014, the CU systemwide Sexual Misconduct, Intimate Partner Violence, and Stalking Policy.

The university uses the Office of Equity Resolution Procedures to investigate and resolve any such allegations and to impose disciplinary sanctions against individuals found responsible for violating the Policy. The Office of Equity's administration of the Policy is conducted in accordance with Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and other applicable federal and state laws.

## PROCEDURES FOR SURVIVORS AFTER EXPERIENCING VIOLENCE:

### Sexual Assault

Students on the CU Denver campus who have experienced sexual assault or harassment can attain services, guidance, and intervention through an appointment with the Phoenix Center at Auraria (PCA). The PCA can be reached at **303-315-7250** during business hours, after hours on their 24/7 Crisis Line **303-556-2255**, or in Tivoli Student Union, Suite 227, 900 Auraria Parkway, Denver, CO 80204.

After an incident of sexual assault, the survivor may consider seeking medical attention as soon as they are able at **Denver Health Medical Center (303-602-8100)**. **For a list of all Medical Forensic Exam (MFE, formerly "SANE") locations in Colorado Please visit <https://www1.ucdenver.edu/offices/equity/support-resources/sexual-misconduct-resources>.**

In Colorado, physical evidence can be collected through a forensic exam even if the survivor chooses not to make a report to law enforcement. A survivor can choose one of three reporting options: law enforcement report, medical report, or anonymous report. Mandatory reporting laws prevent minors under 18 and adults over 70 from anonymously reporting a sexual assault.

It is recommended that a survivor of sexual assault avoid bathing, showering, using the restroom, combing their hair, douching, or otherwise cleaning the vaginal or anal cavity, smoking, washing clothing or cleaning the bed/linen/area where the assault occurred so evidence may be preserved to substantiate their report. **If a survivor has done any of the above things, they can still obtain a forensic exam.** Evidence collection may be possible up to 120 hours after the assault. If a forensic exam is not elected, a health care provider can still treat any injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. No survivor of sexual assault is responsible for the costs associated with obtaining a forensic exam or medical treatment related to experiencing violence. If help is needed navigating costs, please contact the PCA.

**Preservation of Evidence:** Regardless of whether a complainant wants to report an incident(s), it is important to preserve any evidence of the sexual assault, so that if a complainant decides at any point in time to report the incident, that evidence is still available. Examples of evidence to preserve include but are not limited to: the clothing the individual was wearing, bedding, text message correspondence discussing the incident (either with the respondent or with friends or family), photographs, screenshots, emails, social media correspondence/posts (Facebook, Tinder, Snapchat, Instagram, Grindr, etc.), correspondence via other messaging applications (WhatsApp, Kik, GroupMe, WeChat, etc.).

Regardless of whether an individual wants to report the incident to the police, a medical exam can be requested to preserve evidence. Medical Forensic Exams (MFEs) conducted by a Forensic Nurse Examiner, which include a Sexual Assault Nurse Exam are available in the Emergency Department at Denver Health Medical Center, University of Colorado Hospital, Children’s Hospital, Porter Adventist Hospital, Medical Center of Aurora – South Campus, Saint Anthony North Hospital, Saint Anthony Hospital 84th Avenue Location, Littleton Adventist Hospital, are available to conduct a Medical Forensic Exam (“MFE,” previously called a Sexual Assault Nurse Exam), ideally within five (5) days of the sexual assault. It is best if an individual does not bathe, shower, eat, drink, douche, or change clothes. However, evidence can be collected if an individual has done any or all of these things. Please note that if some or all evidence is unavailable or does not exist, making a report of sexual assault is still encouraged. The lack of evidence does not preclude an investigation from taking place.

## Domestic Violence and Dating Violence

Victims of domestic violence and/or dating violence should go to a safe place, seek medical attention, and contact law enforcement. Tell someone. It is never the victim’s fault. No one deserves to be battered or abused. Victims could consider seeking the support of caring family or friends. Too often victims become accustomed to denying the danger they live with. It is hard to accept that their abuser will never change, often focusing on what is good in the relationship. After a time, “normal” is completely skewed in the mind of a victim of domestic violence or dating violence. Contact the **National Domestic Violence Hotline at 800-799-7233**. Seeking a protection order may also be appropriate.

*Possible options for those who are currently experiencing dating or domestic violence:*

**If someone is not ready to leave the relationship:** The university understands there are many reasons why someone may not be able to leave their relationship. However, personal safety is the top priority. Victims are encouraged to speak with the Office of Equity at 303-315-2567 to create a safety plan. Whether or not the person responsible is part of the CU Denver community, the Office of Equity and Phoenix Center are here to help.

## Stalking

**Safety plan:** Individuals who have experienced stalking are encouraged to develop a safety plan. This may involve altering daily routines and having a friend along when going out. It is crucial to avoid communicating with the stalker and preserve all evidence. It is helpful to maintain a log recording the date/time of calls, keep e-mails, texts, and letters, and photograph any damage and/or injuries. Witnesses should be asked to document what they observed. It is never the victim’s fault. Everyone deserves to be safe and free from fear. Visit [www.victimsofcrime.org](http://www.victimsofcrime.org) for tips and information. Seeking a protection order may also be beneficial.

Some options for individuals who have experienced stalking:

**Keep documentation:** Even if reporting to the university or police is uncertain, documenting all incidents of stalking behavior is helpful. Save text messages, voicemails, emails, and other contacts from the stalker, or documenting any in-person contact, including the date, time, location, and type of contact.

**File for a protection order:** A protection order is issued by a court to restrict a person from certain behaviors. A protection order can be requested requiring the stalker to cease contact. Often a protection order can include



certain locations that the person is not allowed to go to, such as the victim's home, work, or school. Contact the Office of Equity for additional information or support for obtaining a protection order.

## REPORTING OPTIONS

The procedures set forth below are designed to provide a prompt response to charges of sexual assault, domestic violence, dating violence, stalking, and hate crimes: to maintain confidentiality and fairness in accordance with legal requirements; and to impose appropriate sanctions on individuals who are found to be in violation of the University of Colorado Sexual Misconduct, Intimate Partner Violence, and Stalking Policy.

### Confidential Reporting

If a victim is not sure about making a police report or initiating a university investigation, the individual can receive free, confidential information, advocacy, and support by calling the Phoenix Center at Auraria at 303-315-7250 to make an appointment. The Auraria Phoenix Center also has a free and confidential helpline available 24/7 at 303-556-CALL (2255).

### Office of Equity

To notify the university of any prohibited conduct under the Sexual Misconduct Policy, Nondiscrimination Policy, or Amorous Relationships Policy, as well as to request supportive measures related to such conduct, or to initiate Office of Equity Resolution Procedures, please contact the Office of Equity directly via email at [equity@ucdenver.edu](mailto:equity@ucdenver.edu) or via phone at 303-315-2567, or Elizabeth Schrock, Assistant Vice Chancellor and Title IX Coordinator

CU Denver Office of Equity, Mailing Address: Lawrence Street Center Campus Box #187, 12th Floor, Denver, CO 80204. Phone: 303.315.2567, email: [mailto: elizabeth.schrock@ucdenver.edu](mailto:elizabeth.schrock@ucdenver.edu).

For a full list of reporting options, please refer to the Office of Equity's website: (<https://www.ucdenver.edu/offices/equity/resolutions/make-a-report>).

### Law Enforcement

Individuals who have experienced sexual assault, domestic violence, dating violence and stalking are not required, but do have the right, to file a criminal complaint with law enforcement and the University/Office of Equity simultaneously. The Office of Equity can assist individuals in making a report to law enforcement.

In some instances, the Office of Equity is obligated to report the alleged conduct to the appropriate law enforcement agency. In those instances, the Office of Equity will make a reasonable effort to notify potential complainants prior to reporting to law enforcement.

Individuals may contact law enforcement to report the incident independently at any time. If an individual wishes to contact law enforcement on their own, they should contact the law enforcement agency where the incident took place; below is information on how to contact law enforcement agencies who may have jurisdiction over areas on, near or around the CU Denver campus.

- 9-1-1 (for emergencies)
- Auraria Police on the CU Denver Campus (for non-emergencies) 303-556-5000
- Denver Police (for non-emergencies) 720-913-2000

The statute of limitations in Colorado for reporting sexual assault is 20 years after the assault occurred, unless the person who was assaulted was under 18 at the time. In those cases, there is no statute of limitations.

Reporting to the Auraria Campus Police Department will constitute notice to the University Office of Equity and may result in an Office of Equity resolution process subject to applicable state law.

## **Involvement of Law Enforcement and Campus Authorities**

Although the university strongly encourages all members of its community to report violations to law enforcement (including campus law enforcement or local police), it is the victim's choice whether to make such a report. Furthermore, victims have the right to decline to notify law enforcement. However, the university Title IX Coordinator and Office of Equity Staff will assist any victim with notifying law enforcement if the victim so desires. Auraria Police Department may also be reached directly by calling 303-556-5000 or in person at 1201 5<sup>th</sup> Street, Denver, CO 80203. Additional information about the Auraria Police department may be found online at: <https://www.ahec.edu/services-departments/police>.

**Can I report to both the Office of Equity and Police simultaneously?** Absolutely! Individuals can inform the Office of Equity if they also wish to report to the police. The Office of Equity will then contact the appropriate law enforcement unit on their behalf. The Office of Equity may be able to set up a shared meeting to coordinate the reporting to both the university and law enforcement. Understanding that discussing such incidents can be difficult, the Office of Equity and the police often collaborate to make the process easier.

## **Orders of Protection, Restraining Orders, or Similar Lawful Orders**

A protection order is only one part of a safety plan. Having a protection order does not ensure safety. A protection order is only as good as the abuser's or assailant's willingness to obey it. A protection order should not give a victim a false sense of safety.

Individuals who are interested in obtaining an Order of Protection, or any other order issued by a court, must pursue those options on their own behalf. Such orders are obtained through the court with applicable jurisdiction. More information on obtaining a Protection Order in Colorado is located in the State of Colorado County Court Restraining Order Brochure: <https://www.courts.state.co.us/userfiles/File/Media/Brochures/restraining.pdf>.

Staff members in the Phoenix Center at Auraria can assist individuals free of charge with the process of obtaining a restraining order. CU Denver complies with Colorado law in recognizing orders of protection. Any person who obtains an order of protection from Colorado or any other state should provide a copy to the Auraria Police Department and the Title IX Coordinator or designee.

Students and employees may also request a No Contact Order through the Office of Equity which will be subject to a risk assessment and appeal opportunity.

## Privacy and Information Disclosure

The university will not release any institutional records related to the investigation of Sexual Misconduct, including sexual assault, dating violence, domestic violence, and stalking or findings of Sexual Misconduct investigations, subject to limited exceptions, or unless otherwise required by law.

CU Denver will complete publicly available recordkeeping, including Clery Act reporting and disclosures without inclusion of personally identifying information about the victim.

These recordkeeping protections are also applicable to any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the university to provide the accommodations or protective measures.

CU Denver students may request that directory information be withheld from public release by contacting the Office of the Registrar by email Registrar@ucdenver.edu or by calling 303-315-5969. The Office of the Registrar is located in the Student Commons Building, 1201 Larimer Street, #1107, Denver, CO 80204.

## Information Provided to Victims

When a student, faculty, or staff member reports a possible incident of Sexual Misconduct, whether it occurred on or off campus, the campus shall provide the complainant with written notification of the following:

1. Reporting rights and options, including:
  - a. To whom and how to report an alleged offense, including campus authorities and local law enforcement authorities,
  - b. How to file a formal complaint,
  - c. To be assisted by campus authorities in making a report; and
  - d. To decline to notify such authorities.
2. The importance of preserving evidence that may assist in proving that an alleged criminal offense occurred or may be helpful in obtaining a protection order,
3. The method by which the individual can seek orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a court or other competent authority,
4. Counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, availability of forensic nurses to administer forensic sexual assault nurse exams ("SANE"), and other services available for victims within the campus and the community; and
5. Options for, and available assistance in, obtaining supportive measures, including changing transportation and working situations, in addition to any available academic and residential accommodations. This notification shall be made, and supportive measures afforded if they are reasonably available, regardless of whether the person who reported experiencing Sexual Misconduct chooses to participate in any campus grievance process or report the alleged crime to law enforcement.

## Resources for Survivors and Victims

Following are several resources victims/survivors may find helpful after experiencing instances of Sexual Assault, Domestic Violence, Dating Violence and Stalking. The Office of Equity can assist victims in connecting with the right resources on campus and in the greater community. This is not intended to represent all resources available.

*Note\*: Confidential resources are identified by an asterisk.*

## **CU Denver Student and Employee Resources:**

### [Auraria Campus Police Department](https://www.ahec.edu/services-departments/police)

<https://www.ahec.edu/services-departments/police>  
24/7 Emergency Line ..... 9-1-1 or 303-556-5000  
Text-a-Tip ..... 720-593-TIPS (8477)  
Campus Information Hotline 1-877-556-EMER (3637)  
Location .....Administration Building, 1201 5th Street  
.....Suite 110, Denver, CO 80217

### [The Phoenix Center at Auraria\\*](https://www.thepca.org/)

<https://www.thepca.org/>  
The Phoenix Center at Auraria (PCA) provides free and confidential advocacy to survivors of interpersonal violence and their families and friends.  
24/7 Helpline ..... 303-556-2255  
Office..... 303-315-7250  
Location .....Tivoli Student Union, Room 227

### [The Ombuds Office](https://www.ucdenver.edu/offices/ombudsoffice) \*

<https://www.ucdenver.edu/offices/ombudsoffice>

The Ombuds Office is an independent resource, which will provide informal, confidential, and neutral services to members of the University community in resolving conflicts, complaints, and disputes.

Phone ..... 303-315-0046  
Location ..... Lawrence Street Center, Room 1003

## **CU Denver Student Resources:**

### [Student and Community Counseling Center\\*](https://www.ucdenver.edu/counseling-center)

<https://www.ucdenver.edu/counseling-center>

The CU Denver Student and Community Counseling Center provides mental health counseling services to CU Denver students

Phone ..... 303-315-7270  
Location .....Tivoli Student Union, Room 454

### [CARE \(Campus Assessment, Response, and Evaluation\) Team](https://www.ucdenver.edu/student/wellness/care-team)

<https://www.ucdenver.edu/student/wellness/care-team> (submit a concern at this site)

The CU Denver CARE Team provides a preventative approach to risk assessment by offering resources, referrals, and support to both concerning individuals and those impacted by their behavior.

Phone ..... 303-315-7306

### [Office of Case Management](https://www.ucdenver.edu/student/wellness/case-management)

<https://www.ucdenver.edu/student/wellness/case-management>

# UNIVERSITY OF COLORADO DENVER

The CU Denver Office of Case Management services includes providing intervention, advocacy, resources, and referrals for CU Denver Students.

Phone ..... 303-315-7306

Location .....Tivoli Student Union, Room 309

[Student Conduct and Community Standards](#)

<https://www.ucdenver.edu/student/wellness/student-conduct> (report an incident at this site)

The CU Denver Office of Student Conduct and Community Standards serves as a resource to the entire University community through its efforts to meet the developmental and educational needs of students related to community expectations, civility and respect for self and others. They function to support community members with conflict management and resolution and responding to inappropriate and threatening behaviors.

Phone ..... 303-315-7311

Location .....Tivoli Student Union, Room 309

## CU Denver Affinity Services and Centers

[Center for Identity and Inclusion](#) <https://www.ucdenver.edu/offices/diversity-and-inclusion/our-offices/center-for-identity-inclusion> Phone ..... 303-315-1877

American Indian Student Services ..... 303-315-1882

Asian American Student Services ..... 303-315-1879

Black Student Services ..... 303-315-1881

Latinx Student Services ..... 303-315-1878

Undocumented Student Services ..... 303-315-1883

Women and Gender Center ..... 303-315-7262

[Disability Resources and Services](#)

<https://www.ucdenver.edu/offices/disability-resources-and-services>;

..... 303-315-3510

[LGBTQ Student Resource Center of Auraria](#)

<https://www.msudenver.edu/lgbtq/>

.....303.615.0515

[International Student & Scholar Services](#)

<https://www.ucdenver.edu/services/international-student-and-scholar-services>

..... 303-315-2230

## CU Denver Employee Resources

Employee Real Help Hotline\*

The Real Help Hotline gives you access to professional counselors who can offer assistance finding local resources or provide immediate crisis counseling.

24/7 Hotline ..... 833-493-8255

[State Employee Assistance Program CSEAP\\*](#)

24/7 Emergency Line ..... 303-866-4314

[Request an Appointment](#): <https://cseap.colorado.gov/contact-us>

[CU Denver Faculty and Staff Threat Assessment and Response Team \(FaST\)](#)

https://www.ucdenver.edu/offices/human-resources  
Provides safety and support for employees who are referred.  
Phone ..... 303-315-0182  
Email ..... FacultyStaff.Assessment@ucdenver.edu

**Off-Campus Sexual Assault Resources**

[The Blue Bench](#)\*

https://thebluebench.org/about-us/who-we-are/overview.html  
Denver-area comprehensive sexual assault prevention and survivor support center providing low to no-cost client services including a 24-hour hotline, individual and group therapy, and case management.  
Phone ..... 303-329-9922  
24/7 Sexual Assault Hotline ..... 303-322-7273

[WINGS Foundation](#)\*

https://www.wingsfound.org/  
Wings supports adult survivors of childhood sexual abuse to transcend trauma and lead their fullest, healthiest lives.  
Phone ..... 303-238-8660

**Medical Forensic Exam (MFE) and Sexual Assault Nurse Examination (SANE) Programs**

Sexual Assault Nurse Examiner (SANE) and Medical Forensic Exam (MFE) programs have medical professionals trained in sexual assault response and care. These programs provide medical care and evidence collection, if desired, for sexual assault victims.

Individuals can receive a forensic/SANE without first talking to the University or a confidential resource by calling the police directly and telling the dispatcher that they want to report a sexual assault and would like to preserve evidence. The police can provide transportation to the hospital.

View a list of all [MFE/SANE Locations in Colorado](https://cdpsdocs.state.co.us/ovp/SARP/SANELocations2016.pdf): <https://cdpsdocs.state.co.us/ovp/SARP/SANELocations2016.pdf>

[Deaf Overcoming Violence Through Empowerment \(DOVE\)](#)\*

https://deafdove.org/  
DOVE works with Deaf, Deaf-blind, Deaf-disabled, and Hard of Hearing (DDBDDHH) people of all ages and backgrounds who have experienced abuse. Abuse includes: domestic violence, family violence, sexual assault, child abuse, adult survivors of childhood sexual abuse, bullying, stalking, and teen dating violence.  
24/7 Crisis Line ..... 303-831-7874

[RAINN: National Sexual Assault Hotline](#)\*

https://www.rainn.org/resources  
Phone ..... 800-656-HOPE (4673)  
Chat online at: <https://hotline.rainn.org/online>

## Off-Campus Dating and Domestic Violence Resources

### [Rose Andom Center\\*](#)

<https://roseandomcenter.org/>

The Rose Andom Center is a place for domestic violence victims to find the safety, support, and services needed to rebuild their lives and heal their families.

Phone ..... 720-337-4400

Location ..... 1330 Fox St. Denver, CO 80204

### [Deaf Overcoming Violence Through Empowerment \(DOVE\)\\*](#)

<https://deafdove.org/>

DOVE works with Deaf, Deaf-blind, Deaf-disabled, and Hard of Hearing (DDBDDHH) people of all ages and backgrounds who have experienced abuse. Abuse includes domestic violence, family violence, sexual assault, child abuse, adult survivors of childhood sexual abuse, bullying, stalking, and teen dating violence.

24/7 Crisis Line..... 303-831-7874

### [National Domestic Violence Hotline\\*](#)

<https://www.thehotline.org/>

Phone ..... 800-799-SAFE (7233)

Chat online: <https://www.thehotline.org/#>

## Additional Off-Campus Resources

### [211](#)

<https://unitedwaydenver.org/>

211 is a multilingual and confidential service that connects individuals to critical resources including food, shelter, rental assistance, childcare, and more.

24/7 Phone ..... 2-1-1

### [Colorado Legal Services](#)

<https://www.coloradolegalservices.org/>

Legal help for low-income Coloradans seeking assistance with civil legal needs.

Phone ..... 303-866-1019

### [The Center for Trauma and Resilience](#)

<http://traumahealth.org/>

The Center for Trauma & Resilience provides culturally and linguistically responsive programs, health promotion and crime prevention education. Translation and interpretation services available.

Phone (English) ..... 303-894-8000 (ENG)

Phone (Spanish) ..... 303-718-8289 (ESP)

Phone (Deaf/Hard of Hearing)

..... 711 for Relay Colorado Access

### [Colorado Network to End Human Trafficking](#)

<https://combathumantrafficking.org/hotline/>

24/7 Phone ..... 866-455-5075

## [Cyber Civil Rights Initiative](https://cybercivilrights.org/)

<https://cybercivilrights.org/>

CCRI's mission is to combat online abuses that threaten civil rights and civil liberties, such as image-based sexual abuse.

Phone: 844-878-2274

## **State and Federal Civil Rights Compliance Offices (for reports or complaints of harassment or discrimination):**

### [Colorado Civil Rights Division](https://ccrd.colorado.gov/) (CCRD)

<https://ccrd.colorado.gov/>

CCRD is charged with enforcement of the Colorado Anti-Discrimination Act (CADA).

Phone ..... 303-894-2997

Voicemail ..... 800-262-4845

TTD – Relay ..... 711

Email ..... <https://ccrd.colorado.gov/>

### [U.S. Equal Employment Opportunity Commission](https://www.eeoc.gov/) (EEOC)

<https://www.eeoc.gov/>

The U.S. Equal Employment Opportunity Commission (EEOC) is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy and related conditions, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information.

Phone ..... 800-669-4000

TTY ..... 800-669-6820

ASL Video ..... 844-234-5122

Email: <mailto:info@eeoc.gov>

### [U. S. Department of Education, Office for Civil Rights](https://www2.ed.gov/about/offices/list/ocr/index.html) (OCR)

<https://www2.ed.gov/about/offices/list/ocr/index.html>

OCR's mission is to ensure equal access to education and to promote educational excellence through vigorous enforcement of civil rights in our nation's schools.

Phone ..... 800-421-3481

Fax ..... 202-245-8392

Email: ..... <mailto:ocr@ed.gov>

### [U.S. Department of Justice Civil Rights Division](https://civilrights.justice.gov/)

<https://civilrights.justice.gov/> (file a complaint at this site)

The Civil Rights Division enforces federal laws that protect you from discrimination based on your race, color, national origin, disability status, sex, religion, familial status, or loss of other constitutional rights.

Phone ..... 202-514-2000

## **EXPLANATION OF CU DENVER PROCEDURE FOR DISCIPLINARY ACTION FOR PROHIBITED CONDUCT**

The university does not tolerate and will be responsive to any report or complaint of Prohibited Conduct listed below and is committed to providing prompt, fair, impartial, and equitable resolutions of any complaint that the university knows, or in the exercise of reasonable care should have known, about. The primary concern is the



safety of all University community members. The University, through the OE, will take steps to prevent the recurrence of any Prohibited Conduct and remedy any discriminatory effects on the complainant and others if appropriate. The following Procedures will apply to resolution of all reported complaints of Prohibited Conduct related to the CU Sexual Misconduct Policy.

## **Prohibited Conduct**

The CU Sexual Misconduct Policy (APS 5014) prohibits “Sexual Misconduct,” meaning both conduct on the basis of sex specifically prohibited by Title IX as well as conduct that falls outside of Title IX’s jurisdiction. Specifically, the Sexual Misconduct Policy prohibits sexual assault (rape, fondling, statutory rape, and incest), dating violence, domestic violence, Title IX stalking, stalking, sexual exploitation, Title IX hostile environment, hostile environment, Title IX quid pro quo sexual harassment, and quid pro quo sexual harassment. The Sexual Misconduct Policy also prohibits retaliation and other related violations.

## **Policy Jurisdiction Procedures**

The Sexual Misconduct Policy applies to all students, faculty, staff, contractors, patients, volunteers, affiliated entities, and other third parties, regardless of sex, gender, sexual orientation, gender expression or gender identity. Subject to any rights of appeal, any person found responsible for engaging in Sexual Misconduct may be subject to disciplinary action, up to and including expulsion or termination of employment. The university will consider what potential actions should be taken, including contract termination and/or property exclusion, regarding third-party conduct alleged to have violated the Sexual Misconduct Policy, but those options may be limited depending on the circumstances of the arrangement.

The Sexual Misconduct Policy applies to conduct that occurs within an educational program or activity of the University, or if the complainant or respondent are affiliated with the University community. This includes off-campus conduct, including online or electronic conduct.

The Title IX Coordinator or designee is authorized to determine whether the Sexual Misconduct Policy applies to alleged Prohibited Conduct and whether the University has jurisdiction to take any action pursuant to the Sexual Misconduct Policy.

Alleged conduct may be considered either Title IX Sexual Misconduct or Sexual Misconduct, depending on the following jurisdictional requirements:

### **Title IX Sexual Misconduct**

Title IX Sexual Misconduct applies to conduct that occurs in an education program or activity against a person in the United States. If the Prohibited Conduct falls under Title IX Sexual Misconduct jurisdiction and definitions, the Title IX Coordinator or designee must utilize the Title IX Sexual Misconduct Procedures as prescribed by the Title IX Regulations.

### **Sexual Misconduct (A)**

Sexual Misconduct applies to conduct that does not otherwise meet the jurisdictional standard or definition of Title IX Sexual Misconduct, but where the conduct occurred in the context of an employment or education program or activity of the University or where both the complainant and respondent are affiliated with the University.

## **Sexual Misconduct (B)**

For all allegations of Sexual Misconduct not falling under Sexual Misconduct (A) in Section VI(B)(2), the Title IX Coordinator or designee will consider the degree of the University's control over the respondent and the relationship between the complainant and respondent, and assess the surrounding circumstances of the alleged conduct for the presence of the following factors:

- Targets or causes harm to an individual connected with the university,
- Threatens further sexual or other violence against the complainant or others and there is reasonable fear that such further conduct could target or cause harm to someone connected to the university,
- Is of a violent nature or was frequent or severe,
- Prior or current similar, misconduct complaints about the respondent, or if the respondent has a known history of records from a prior school indicating a history of sexual or other violence,
- Use of, or threat to use, a weapon, access to or attempts to access weapons, or a history of bringing weapons to the university,
- Multiple alleged complainants or respondents,
- Facilitation by the incapacitation of the complainant through alcohol, drugs, disability, unconsciousness, or other means,
- The complainant is a minor,
- Whether the alleged Sexual Misconduct reveals a pattern of perpetration at a given location or by a particular group; or
- Any other signs of predatory behavior.

If the Title IX Coordinator or designee determines that at least one of the above factors is present, then the Title IX Coordinator or designee may determine that the University may exercise jurisdiction, and the Sexual Misconduct Policy standards apply.

The Title IX Coordinator or designee is authorized to determine whether the Sexual Misconduct Policy applies to alleged Prohibited Conduct and whether the University has jurisdiction to take any action pursuant to the Sexual Misconduct Policy.

## **Supportive and Safety Measures**

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent that are designed to restore or preserve equal access to the university's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the university's educational or work environment, or deter Prohibited Conduct. Supportive measures should be individualized and appropriate based on the information available to the Title IX Coordinator or designee.

Some safety measures involve restricting a respondent's access to university programs and activities and may not become available until after the completion of Formal Grievance Process, unless emergency removal action is determined to be appropriate.

Whether supportive or safety measures are appropriate is determined after an individualized assessment by the Title IX Coordinator or designee and every effort should be made to avoid depriving any student of educational access. Supportive or safety measures may be kept in place, lifted, or modified as additional information is obtained, or may be extended permanently, as appropriate.

Complainants and respondents may request supportive or safety measures from the Title IX Coordinator or designee. Supportive measures should be provided to complainants or respondents whether the complainant files a formal complaint or engages in another resolution process. Witnesses or other participants in a Formal Grievance Process may also request supportive or safety measures. The Title IX Coordinator or designee will maintain oversight of these requests and the provision of any such measures.

The university will keep confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality will not impair the university's ability to provide the supportive measures.

*Types of supportive and safety measures:*

- Academic support measures (arranging for a party to retake a course, excusing related absences, requesting extensions on assignments or exams, changing sections when available or withdrawing from a class without penalty),
- Assistance accessing medical services,
- Assistance accessing counseling services,
- Employment modifications,
- Transportation changes,
- Campus safety escort services and/or increasing security and monitoring of certain areas of campus,
- No-contact orders enforced by the university,
- Discussing options for obtaining criminal or civil orders of protection or restraining orders, or
- Residential relocations in CU Denver Housing and Dining and/or offering resources for housing off-campus.

## **Emergency Removals**

The Office of Equity may remove a respondent from an educational program or activity on an emergency basis after the university (1) undertakes an individualized safety and risk analysis, (2) determines that an immediate threat to the physical health or safety of any students or other individuals arising from the allegations of Sexual Misconduct justifies removal, and (3) provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

The Office of Equity must initiate the Formal Grievance Procedures before or within a reasonable timeframe after an emergency removal is initiated.

### **Types of Emergency Removals**

- Interim student suspension
- Interim exclusion order for parts of or entire campus, residence halls, classes, etc.
- Administrative Leave (Decisions to place a non-student employee on administrative leave during the pendency of a Formal Grievance Process are made in consultation with Assistant Vice Chancellor of the OE or designee and Chief Human Resource Officer or designee and appointing/disciplinary authority.)
- Temporary suspension of supervisory or evaluative authority for employees in consultation with Associate Vice Chancellor and Chief Human Resource Officer or designee and appointing/disciplinary authority.

## Individualized Safety and Risk Analysis

When considering an emergency removal, the OE will conduct an individualized safety and risk analysis and may consult with other University offices, such as the CARE Team and FaST Team, when conducting the individualized safety and risk analysis. The factors considered in an emergency removal decision include:

- Seriousness of the alleged conduct,
- Location of alleged incident(s),
- The risk that the alleged *respondent* will commit additional acts of sexual or other violence,
- Whether the alleged *respondent* threatened further sexual or other violence against the alleged *complainant* or others,
- Whether there have been other misconduct complaints about the same alleged *respondent*
- or whether the *respondent* has a known history of sexual or other violence,
- The existence of multiple alleged *complainants* and/or *respondents*,
- Whether the conduct was facilitated by the incapacitation of the *complainant* (through alcohol, drugs, disability, unconsciousness, or other means);
- Whether the alleged conduct was perpetrated with force, violence, or weapons,
- Whether the alleged *complainant* is a minor,
- Whether the alleged conduct reveals a pattern of perpetration (by the alleged *respondent* or group or organization, around a particular recurring event or activity, and/or a particular location); and/or
- Whether any other aggravating circumstances or signs of predatory behavior are present.

## Opportunity to Challenge an Emergency Removal Decision

In the case of an emergency removal, the respondent will be provided written notice of the alleged Prohibited Conduct and the opportunity to meet, if the respondent chooses, with the Assistant Vice Chancellor of the Office of Equity or designee. The Assistant Vice Chancellor of the Office of Equity or designee will ensure that the student is afforded the opportunity to meet within ten (10) business days of the notice of emergency removal. This does not preclude additional meetings after the ten (10) business days have passed to review the emergency removal.

It is the responsibility of the respondent to schedule the meeting if requested. After providing the respondent with notice of the allegations and an opportunity to be heard, the Assistant Vice Chancellor of the Office of Equity or designee may decide to lift or continue the emergency removal, potentially until the completion of the Formal Investigation. The Assistant Vice Chancellor of the Office of Equity or designee may also determine whether any exceptions may be appropriate. The emergency removal may be re-evaluated during the course of the Formal Grievance Process if new information is presented that mitigates the threat to health and physical safety of the complainant or campus safety.

In the case of an emergency removal that includes campus exclusion, Procedures outlined in the CU Denver | Anschutz Exclusion of Persons from University Property will be concurrently followed, including the right to a hearing by the Chief of Police or designee within five (5) business days and the right to a written Appeal within thirty (30) calendar days. Please see the Exclusion of Persons from University Property policy for more details.

The following procedures will apply to resolution of all reports of complaints of Prohibited Conduct:

The university has authority to conduct at least a preliminary inquiry upon receiving a report or complaint alleging Prohibited Conduct. A preliminary inquiry may include, but is not limited to, evaluating whether the report or complaint implicates a policy enforced by the Office of Equity, whether the complaint and parties are within the jurisdiction of the Office of Equity, and whether the report or complaint presents a safety threat such that the Office of Equity must report the concern to law enforcement. The Office of Equity shall then determine the most appropriate means for addressing the report or complaint. Options include, but are not limited to:

1. Formal Grievance Process.
2. Policy Education Remedies.
3. Determining that the facts of the complaint or report, even if true, would not constitute a violation of the Policy and closing the matter following a preliminary inquiry.
4. No limitation on existing authority: Referring the matter to an employee's appointing/disciplinary authority or supervisor. These Procedures do not limit the authority of a disciplinary authority to initiate or impose disciplinary action as necessary.
5. Other referral: Determining a complaint does not fall within the jurisdiction of the Policy and referring the complaint to appropriate office(s) on campus best suited to address the reported concerns.

## OVERVIEW OF RESOLUTION PROCEDURES AND OPTIONS

The University has authority to and will conduct at least a Preliminary Inquiry upon receiving a report or complaint alleging Prohibited Conduct. A Preliminary Inquiry may include, but is not limited to, evaluating whether the report or complaint implicates a policy enforced by the OE, whether the complaint and parties are within the jurisdiction of the OE, and whether the report or complaint presents a safety threat such that the OE must report the concern to law enforcement. After a Preliminary Inquiry is conducted, the OE shall then determine the most appropriate means for addressing the report or complaint. Options include, but are not limited to:

- Educational Policy Compliance Remedies
- Informal Resolution Process
- Formal Grievance Process
- No Limitation on Existing Authority: Referring the matter to an employee's appointing/disciplinary authority or supervisor. These Procedures do not limit the authority of a disciplinary authority to initiate or impose disciplinary action as necessary.
- Other Referral: Determining a complaint does not fall within the jurisdiction of the Policy and referring the complaint to appropriate office(s) on campus best suited to address the reported concerns.

### Educational Policy Compliance Remedies

The Office of Equity may determine that the most prompt and effective way to address a concern is through an Educational Policy Compliance Meeting. For example, the Office of Equity may resolve a report or complaint through an Educational Policy Compliance Meeting if the alleged conduct, even if true, would not be considered Prohibited Conduct under the Policy.

The primary focus during an Educational Policy Compliance Meeting remains the welfare of the parties and the safety of the campus community, but this process does not involve a written report or a determination as to whether the Policy has been violated. This type of approach provides the University with a "remedies-based" resolution option that allows the university to tailor responses to the unique facts and circumstances of an

incident, particularly in cases where there is not a broader threat to individual or campus safety. In these cases, the OE may do one or more of the following:

- Provide interim or long-term supportive measures to the complainant and the respondent,
- Provide a referral to other campus-based resolution processes as appropriate based on the specific facts of the complaint,
- Provide targeted or broad-based educational programming or training; and/or
- Conduct an Educational Policy Compliance Meeting with the respondent to (1) discuss the behavior as alleged and provide an opportunity to respond; (2) review Prohibited Conduct under the Sexual Misconduct, Intimate Partner Violence, and Stalking Policy; (3) identify and discuss appropriate future conduct and behavior as well as how to avoid behavior that could be interpreted as retaliatory; (4) inform the complainant of the respondent's responses if appropriate; and (5) notify Student Conduct and Community Standards or the respondent's appointing or disciplinary authority of the allegations and responses if necessary, who will determine whether any other disciplinary action is appropriate.

The Office of Equity retains discretion to conduct an Educational Policy Compliance Meeting. Additionally, the Office of Equity retains discretion to proceed with a Formal Grievance Process for allegations that, if proven true, would violate the Sexual Misconduct Policy. OE will notify the complainant of the need to end the Educational Policy Compliance Meeting process at any time and to commence or resume a Formal Grievance Process.

## **Informal Resolution Process**

After a Preliminary Inquiry, the Assistant Vice Chancellor of the Office of Equity, or designee, may initiate the Informal Resolution Process instead of the Formal Grievance Process. The Informal Resolution Process is designed to resolve complaints while meeting the needs and interests of the parties. The Informal Resolution Process is entirely voluntary and will not occur unless the complainant and respondent agree in writing to participate. A complainant or the Title IX Coordinator or designee must file a document alleging a violation of misconduct under the Sexual Misconduct Policy against the respondent for the University to initiate the Informal Resolution Process. The Formal Complaint must contain the complainant's or the Title IX Coordinator or designee's physical or digital signature. The Formal Complaint form is available upon request.

The Informal Resolution Process may not be facilitated by the investigator of the Formal Complaint within the Formal Grievance Process and new information provided by the parties during the Informal Resolution Process will not be used if the complaint is referred back to the Formal Grievance Process. The Assistant Vice Chancellor of the Office of Equity or designee will oversee the Informal Resolution process, conduct an initial and on-going assessment as to whether the Informal Resolution Process should continue, and make the final determination on all Informal Resolutions facilitated by the Office of Equity regarding whether the terms agreed to by the complainant and respondent are appropriate in light of all of the circumstances of the complaint.

In some circumstances, depending on the nature and/or severity of the allegations, an Informal Resolution may not be appropriate, and the Assistant Vice Chancellor of the OE or designee will not approve an Informal Resolution. The Informal Resolution Process is not available when a complaint alleges that a University employee sexually harassed a student.

## **Notice of Agreement to Engage in Informal Resolution**

Prior to engaging in an Informal Resolution Process, the campus will obtain the complainant's and respondent's voluntary, written consent. For employee respondents, their appointing/disciplinary authority must also provide their voluntary, written consent.

Parties who choose to participate in the voluntary Informal Resolution Process will be sent a Notice of Agreement to Engage in Informal Resolution. The Notice will include the following:

- The allegations,
- The requirements of the Informal Resolution Process including the circumstances under which it precludes the parties from resuming a Formal Grievance Process arising from the same allegations, provided however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the Informal Resolution Process and resume the Formal Grievance Process,
- Any consequences resulting from participating in the Informal Resolution Process, including the records that will be maintained or could be shared,
- The parties' right to consult with an advisor,
- That any resolution must be in writing and signed by both parties and the Assistant Vice Chancellor of the OE or designee; and
- That once the Informal Resolution process is finalized, neither party is permitted to file another complaint arising from the same allegations.

## **Timeframe**

The Informal Resolution Process may take place at any time before a determination of responsibility is made, but typically within 90 days after both parties provide voluntary, written consent to participate in the Informal Resolution Process, unless the parties and the Assistant Vice Chancellor of the OE or designee agree to an extension.

## **Informal Resolution Options**

The Informal Resolution Process may include:

- Mediation,
- Restorative Justice (when available),
- Separating the parties,
- Safety and supportive measures,
- Referring the parties to counseling,
- Disciplinary sanctions,
- Conducting targeted preventive educational and training programs; or
- Conducting a follow-up review to ensure that the resolution has been implemented effectively.

## **Effect of Informal Resolution**

Any agreed-upon remedies and disciplinary sanctions agreed to in an Informal Resolution have the same effect as Remedies given and sanctions imposed following an investigation or hearing.

## Final Written Agreement

The terms of any Informal Resolution must be in writing and signed by the parties, any appropriate appointing/disciplinary authorities, and the Assistant Vice Chancellor of the OE or designee. Use of electronic signatures is permitted. A signed agreement to an Informal Resolution is enforceable, final, and is not appealable by either Party.

## Formal Grievance Process

An individual (referred to as the complainant) or Title IX Coordinator or designee must file a Formal Complaint document alleging a violation of misconduct under the Policy against an individual (referred to as the respondent) for the university to initiate a formal grievance. The Formal Complaint must contain the complainant's or Title IX Coordinator's physical or digital signature. The Formal Complaint form is available from the Office of Equity. A complainant who reports allegations of misconduct with or without filing a Formal Complaint may receive supportive measures.

## Who May File a Formal Complaint?

To initiate the grievance process under the policy, either the complainant or the Title IX Coordinator or designee must file and sign a formal complaint.

1. Title IX Sexual Misconduct: To file a formal complaint, a complainant must be participating in or attempting to participate in the university's education program or activity. "Attempting to participate" can include a complainant who (1) is applying for admission or employment; (2) has graduated from one program but intends to apply to another program and/or intends to remain involved with the university's alumni programs or activities; or (3) has left school because of Sexual Misconduct but expresses a desire to re-enroll. A complainant who is on a "leave of absence" may also be participating or attempting to participate in a university education program or activity.
2. Sexual Misconduct: To file a formal complaint, a complainant may or may not be a member of the university community who alleges to be a victim of conduct that would violate the policy. Complainants are encouraged to meet with an investigator(s) prior to filing a formal complaint, but are not required to do so.

## Evaluation of a Formal Complaint

Once a formal complaint has been filed, the Title IX Coordinator or designee will evaluate whether the conduct alleged in the formal complaint, if proved, would constitute a violation of the policy. If additional information is needed to evaluate jurisdiction, the Title IX Coordinator or designee will make reasonable efforts to obtain that information.

The Title IX Coordinator or designee will notify the complainant if additional time is needed to consider the complaint, such as when gathering additional information is necessary to determine whether dismissal is appropriate.

The Office of Equity may, but is not required to, dismiss a formal complaint at any time during the investigation if the complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein, if the respondent is no longer enrolled or employed at the university,



or if specific circumstances prevent the university from gathering evidence sufficient to reach a determination as to the formal complaint or the allegations therein (discretionary dismissal).

1. Title IX Sexual Misconduct: The Title IX Coordinator or designee must dismiss a formal complaint, subject to appeal, if the alleged conduct would not constitute Title IX Sexual Misconduct or the university lacks jurisdiction under the requirements of Title IX. If the Title IX Coordinator or designee dismisses a formal complaint pursuant to these Procedures, the Title IX Coordinator or designee will consider whether the conduct alleged in the formal complaint violates other provisions of the Policy and any other university or campus policies, procedures, or conduct codes.
2. Sexual Misconduct: The Title IX Coordinator or designee must dismiss a formal complaint, subject to appeal, if the alleged conduct would not constitute Sexual Misconduct or the university lacks jurisdiction to pursue the matter. If the Title IX Coordinator or designee dismisses a formal complaint pursuant to these Procedures, the Title IX Coordinator or designee will consider whether the conduct alleged in the formal complaint constitutes a violation of any other university or campus policies, procedures, or conduct codes.

If the alleged conduct would not violate the Policy, the Title IX Coordinator or designee will dismiss the formal complaint with regard to that conduct (mandatory dismissal).

The Title IX Coordinator or designee will notify both the complainant and the respondent of the complaint either by issuing a Notice of Allegations and Investigation, or a Notice of Complaint and Dismissal, which will include a summary of the allegations reported and an explanation as to the reason for the dismissal from the Formal Grievance Process.

## **Appeal of Dismissal of Formal Complaint**

If a formal complaint is dismissed, either party may appeal. To file an appeal of the dismissal, the complainant or respondent must submit the written appeal to the Title IX Coordinator or designee within five business days of the Notice of Complaint and Dismissal. The appeal must include an explanation as to why the alleged misconduct, if true, would violate the Policy and why the formal complaint should not be dismissed.

An administrator within the Office of Equity, separate from the Title IX Coordinator or decision-maker for the initial dismissal, will consider the appeal and issue a determination in writing to both parties either upholding the appeal or overturning the dismissal within five business days.

## **Notice of Allegations and Investigation**

If a formal investigation is commenced, the respondent and complainant shall receive a Notice of Allegations and Investigation. The written notice may be sent to the respondent and complainant by email or via U.S. mail to the permanent address appearing in the university's information system or the address appearing in a police report, or may be physically delivered. Notice will be considered furnished on the date of physical delivery or on the date emailed. For employee respondents, the employee's supervisory up-line may receive a copy of the written Notice of Allegations and Investigation. This may include the Chancellor and the employee's appointing/disciplinary authority, as well as Human Resources.

The Office of Equity requests that the respondent contact the investigator(s) within five business days of the issuance of the notice to schedule a meeting.

If, in the course of an investigation, a complainant alleges additional violations or the Title IX Coordinator or designee decides to investigate additional allegations about the complainant or respondent that are not included in the initial Notice of Allegations, the Office of Equity will issue an Amended Notice of Allegations to both parties.

The Notice of Allegations and Investigation (and any Amended Notices of Allegations and Investigation) will include:

1. The identity of the parties involved in the incident,
2. The specific section(s) of the Policy allegedly violated,
3. The conduct allegedly constituting Prohibited Conduct,
4. The date and location of the alleged incident, to the extent known and available,
5. Information about the university's grievance process,
6. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process,
7. Information about the provisions that prohibit knowingly making false statements or knowingly submitting false information during the grievance process,
8. Information that the parties have equal opportunity to inspect and review evidence; and
9. Information that the complainant and respondent may have an advisor of their choice, including an attorney. The advisor may not engage in any conduct that would constitute harassment or retaliation against any person who has participated in an investigation and may be denied further participation for harassing or retaliatory conduct.

The Notice of Allegations and Investigation may also include information concerning any interim protective measures, which may include no-contact orders or location or campus exclusions, as well as other supportive measures.

## General Investigation Process

The Office of Equity's grievance process and Procedures provide for equitable resolution of any formal complaint of Prohibited Conduct within an average of 90 days, except that such time frame may be extended for good cause with prior written notice to the complainant and respondent of the delay and reason for the delay. The Office of Equity will also provide the complainant and respondent with regular written updates on the status of the investigation throughout the process until conclusion.

A formal grievance process includes four major stages:

1. filing and evaluation of the formal complaint,
2. investigation, investigative report,
3. hearing and determination regarding responsibility (including sanctions, if applicable), and
4. appeal, if applicable and described below.

## Investigators

The investigative process will be conducted by trained officials who do not have a conflict of interest or bias for or against complainants or respondents. An official shall recuse themselves from any role in the grievance process in

those instances where the official believes that their impartiality might be reasonably questioned by an independent, neutral observer due to the official's personal bias or prejudice against the complainant or respondent, or against complainants or respondents generally, or where the official has a personal or professional relationship with one of the parties that would adversely affect the official's ability to serve as an impartial finder of fact.

Investigations will be conducted by staff who are appropriately trained and have qualifications and experience that will facilitate a prompt, fair, equitable and impartial resolution. The Title IX Coordinator or designee shall ensure that OE Investigators and other members involved in the Formal Grievance Process will receive annual training on issues related to sexual assault, intimate partner violence, stalking, sexual harassment, and retaliation. The Title IX Coordinator or designee shall determine if one or more Investigators shall be assigned to each case depending on the specific circumstances and as warranted.

### *Outside Investigators*

The Title IX Coordinator or designee may also designate other individuals (either from within the University, including an administrator, or from outside the University) to conduct or assist with an investigation. Circumstances which may warrant such outside resolutions include, but are not limited to, conflict of interest, allegations of bias, or workload. The Title IX Coordinator or designee retains the discretion to determine whether the use of outside investigator(s) is warranted and reasonable given the circumstances and information known at the time.

Outside investigator(s) shall have adequate training, qualifications, and experience that will, in the judgment of the Title IX Coordinator or designee, facilitate a prompt, fair, and impartial resolution. Any outside investigator(s) designated to address an allegation must adhere to the requirements of these Procedures and confer with the Title IX Coordinator or designee on a regular basis about the progress of the investigation.

### **Formal Investigative Process**

The formal Investigative process is the procedure the Office of Equity uses to investigate allegations of Prohibited Conduct and to determine whether an individual more likely than not engaged in conduct that violates the Policy. Individuals found responsible for violating the Policy are subject to sanction, up to and including expulsion or termination of employment.

### *Information Gathering During Investigation*

After the Notice of Allegations and Investigation has been issued to the parties, the Office of Equity's investigator(s) will seek to obtain all available evidence directly related to the allegations at issue.

During the course of the investigation, investigator(s) interview the complainant(s), respondent(s), and witness(es) separately.

The parties and witnesses may have an advisor of their choosing, including an attorney, advocate, or other person, to provide support and advice throughout the formal grievance process, including but not limited to, being present for any meetings with the Office of Equity personnel. The advisor is not authorized to participate

instead of the complainant or respondent. The advisor may not engage in any conduct that is disruptive to the meeting or interview, or that would constitute harassment or retaliation against any person who has participated in an investigation. Advisors may be denied further participation for harassing or retaliatory conduct.

The complainant, respondent, and witnesses are expected to respond to the investigator(s) request to schedule an interview or to provide other evidentiary materials within a timely manner, generally within five business days of the investigator's request. If a party or witness fails to respond within a reasonable time, the investigator may continue the investigation without the benefit of information the party or witness might have provided.

The Office of Equity will provide, to a complainant, respondent, or witness whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

Parties may suggest questions to be posed by the investigator(s) during interviews with other parties and/or witnesses during the course of the investigation. The investigator(s) may decline to ask a question when the question is not reasonably calculated to lead to the discovery of probative evidence, when the probative value is outweighed by the danger of unfair prejudice, or in consideration of undue delay or needless presentation of cumulative evidence. Questions about a complainant's prior sexual history are normally not probative and will be asked only when directly relevant to the incident where the alleged Prohibited Conduct occurred.

The university, and not the parties, holds both the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility for Prohibited Conduct.

Both parties may present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. Neither party is restricted from discussing the allegation under investigation or from gathering or presenting relevant evidence. The Office of Equity will also contact individuals who may have potentially relevant information related to allegations under investigation even if these individuals are not proposed by the parties.

The Office of Equity will not use any party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and 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 a grievance process.

The investigator(s) will prepare a written summary of each interview taken to include complainant(s), respondent(s), and witness(es). The investigator will send the summarized interview to the individual party or witness for a review of accuracy. Unless the complainant(s), respondent(s), and witness(es) requests additional time, the summarized interview will be deemed accurate if the party or witness does not provide feedback on the statement within two business days of the investigator emailing it to the party or witness.

Information may be developed during the course of the investigation that indicates additional Policy violations to those initially identified in the Notice of Allegations and Investigation. In such circumstances, the investigator shall review such additional potential violations with the Title IX Coordinator or designee, who shall assess whether reasonable cause exists to believe the respondent engaged in the newly discovered Prohibited Conduct. If so, the Title IX Coordinator or designee shall send a written Amended Notice of Investigation which includes relevant additional information.

Preliminary and Final Investigation Reports may be submitted to the Office of University Counsel to review for legal sufficiency.

## *Preliminary Investigative Report*

When the investigator determines that the investigation is reasonably complete, the investigator will prepare a preliminary investigation report that includes the directly related evidence. The investigator will also prepare the full investigative file that includes the evidence. The evidence subject to inspection and review in an electronic or a hard copy, along with the preliminary investigation report will be available for review by the complainant(s), the respondent(s), and each party's advisor. The preliminary investigation report will include:

- A description of the allegations
- Procedural history and jurisdiction
- Factual agreements and disputes
- Summaries of the interviews conducted
- Summaries of other relevant evidence and information
- A list of all relevant Exhibits
- Witness identities via witness name key

The full investigative will include:

- Interview notes and summaries
- Documentary evidence
- Email communication relevant to the investigation

The complainant(s) and respondent(s) will have the opportunity to respond to the information in the preliminary investigation report with further information, but only as it pertains to factual disputes or clarifying information they provided. Parties are unable to change the information provided by other parties or witnesses; rather, they may respond to the information. If either the complainant(s) or respondent(s) are reminded of further evidence they have, they may provide this to the investigator(s). Additionally, the parties may:

- Provide any additional information that they believe is relevant to the investigation or to seek clarification from the investigator on aspects of the draft investigation report,
- Identify any new witnesses who should be interviewed (including a description of what topics/issues the witness should be asked to address and why this is necessary for the investigation),
- Identify any additional evidentiary materials that should be collected and reviewed to the extent that such items are reasonably available (e.g., text messages, social media postings, etc.), understanding that the investigator lacks the power to subpoena evidence; and,
- Identify any information that they believe was inappropriately included or excluded in the draft report.

While the university will not restrict the ability of the parties to discuss the allegations or gather evidence, the university will seek to ensure that the parties and their respective advisors, advocates, or support persons as applicable maintain the privacy of disclosed information, particularly in electronic and/or hard copy format.

Parties receiving such private information should only distribute it to those individuals with a legitimate need to know. The university will continue to enforce prohibitions against harassment and retaliation.

The parties will have at least ten (10) business days to submit a written response to the preliminary investigation report to the investigator(s). The investigator(s) will consider the parties' responses, if any, prior to completing the final investigative report.

Where the investigator(s) receives information that warrants further investigation or review, the investigator(s) may extend the investigation in order to collect additional information. If an investigation is extended for this purpose, the parties will be notified in writing. Following such an extended investigation, the investigator(s) will issue an amended preliminary investigation report to include newly gathered information being considered.

The decision to extend the investigation shall be at the discretion of the investigator(s) and made in consultation with the Title IX Coordinator or designee.

### *Extension Request – Response to Preliminary Investigation Report*

Should a complainant or respondent, intending to provide a response to the preliminary investigation report, believe they do not have adequate time to prepare their written response, a written request for extension of time may be submitted to the investigator(s). The request must be submitted within the 10-business day deadline for responding to the preliminary investigation report and should include the rationale for requesting the extension along with the proposed date by which all response documents will be submitted. Requests for extension of time will be considered on their merits and will not automatically be granted. When an extension is granted, other parties will be notified and provided the same extension, if granted.

### *Requests to Inspect the Investigative File*

Requests to inspect directly related information gathered by the investigator(s) can be made at any time during the investigative process. The opportunity to inspect the investigative file will be provided equally to both parties. Requests must be made in advance and in writing (via email) to the investigator(s). The investigator(s) will arrange for the viewing of information contained in the file within a reasonable amount of time following receipt of such a request. Access to information contained in the investigative file shall be made available in person or via electronic means.

### *Final Investigation Report*

After the preliminary investigation report has been reviewed by the parties and following the completion of any additional investigation if applicable, the investigator(s) will incorporate any responses to the preliminary investigation report to create the final investigation report. This report will fairly summarize relevant evidence without reaching any findings of fact or conclusions.

The final investigation report will be provided to each party and their advisor and shared with the Title IX Coordinator and Hearing Officer at least ten (10) business days prior to the hearing for the parties' review and written response.

The parties will have at least ten (10) business days to submit a written response to the final investigation report to the investigator(s). The written response will be provided to the Hearing Officer for the purpose of the live hearing and there is no opportunity to provide additional written responses.

## Hearing and Determination Regarding Responsibility

A trained Hearing Officer will preside over a live hearing. Nothing precludes the Office of Equity from utilizing a single decision-maker (Hearing Officer) or a panel of decision-makers (including the Hearing Officer) for the hearing and determining responsibility.

Each party may bring one advisor of their choosing to the live hearing to conduct cross examination, with prior notice to the Office of Equity that the advisor will attend and the advisor's name. The Office of Equity will inform both parties of the identity of the other party's advisor. If a party does not have an advisor present at the live hearing, the Office of Equity will provide that party an advisor, without fee or cost.

Upon notice that a party needs an advisor, the Office of Equity will endeavor to assign an advisor at least ten business days prior to the scheduled pre-hearing conference so the advisor may prepare. The advisor provided by the Office of Equity to conduct cross-examination on behalf of that party may be, but is not required to be, an attorney.

Live hearings will be conducted virtually, with parties (and their respective advisors) located in separate locations. Technology will enable the Hearing Officer or panel of decision-makers and parties to simultaneously see and hear the party or witnesses answering questions. Hearings are closed to the public.

The Hearing Officer must create an audio or audiovisual recording, or transcript, of any live hearing and the university must make it available to the parties for inspection and review.

### *Pre-Hearing Conference*

To effectuate an orderly, fair, and respectful hearing, the Hearing Officer will convene a prehearing conference with each party and party's advisor to plan for the hearing. Attendance is required, at minimum, by each party's advisor. The parties will be provided the name(s) of the Hearing Officer and panelists, if applicable, prior to the pre-hearing conference.

Prior to the pre-hearing conference, the parties will provide the Hearing Officer with a list of witnesses they may call and evidence they may use during the hearing.

At the pre-hearing conference, the Hearing Officer and the advisors will discuss, at minimum, the following topics:

- Identification of each party's advisor who will be attending the live hearing,
- The procedures to be followed at the hearing;
- Identification of witnesses who will appear at the hearing; and
- Identification of exhibits that will be presented for the cross-examination process.

### *Hearing Decorum*

The Hearing Officer is responsible for maintaining an orderly, fair, and respectful hearing. The Hearing Officer will direct the order of the proceeding and may engage in direct questioning of parties and witnesses during the hearing.

The Hearing Officer has broad discretion and authority to respond to disruptive or harassing behaviors, including adjourning the hearing or excluding the offending individual. The following rules apply:

- Advisors must be respectful of all participants and the hearing process. Abusive, intimidating, and harassing conduct will not be tolerated.
- Advisors may only make objections to questions on the grounds of relevance or to assert a privilege. Advisors must signal for the Hearing Officer's attention, calmly state their objection, and wait for a determination.
- Repetitive or redundant questioning may be deemed both lacking in relevancy and harassing.
- Should an advisor need to confer with their party, they may request that the Hearing Officer grant them a recess. A mid-hearing conferral may not exceed 10 minutes. Every effort should be made to conduct conferrals privately and to not be overly disruptive.
- Parties and advisors may not create audio or audiovisual recordings of the hearing.
- Advisors and parties must acknowledge the rules of decorum in advance of a hearing, including an acknowledgement that failure to abide by the rules may result in adjournment of the hearing and a postponement until the party whose advisor failed to abide by the rules may secure a new advisor.

### *Cross-Examination Procedure*

At the live hearing, the Hearing Officer must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Each party's advisor must ask questions directly, orally, and in real time. A party's advisor may only ask a party or witness relevant questions.

A relevant question seeks information that has any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the information sought in the question.

Before a complainant, respondent, or witness answers a cross-examination or other question, the Hearing Officer must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

### *Submission to Cross-Examination*

Any individual (complainant, respondent, or witnesses) may choose to not participate in the live cross-examination hearing. If a complainant or respondent declines to submit to cross-examination, the party's advisor may still ask questions on their behalf. The Hearing Officer cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions. The Hearing Officer may consider any relevant prior statement of a party or witness, whether or not they submit to cross-examination at the live hearing. The Hearing Officer may decide how much weight to give the prior statements, considering all the evidence in the case and the issues to be decided.



## *Determination Regarding Responsibility*

Consistent with the standard of proof in other conduct proceedings, the Hearing Officer and panelists, if applicable, must apply the preponderance of the evidence standard when making findings and conclusions as to whether the Sexual Misconduct Policy violations has occurred. A preponderance of the evidence exists when the totality of the evidence demonstrates that an allegation of Prohibited Conduct is more probably true than not. If the evidence weighs so evenly that the Hearing Officer and panelists, if applicable, is unable to say that there is preponderance on either side, the Hearing Officer and panelists, if applicable, must determine that there is insufficient evidence to conclude there has been a violation of the Sexual Misconduct Policy.

In applying the preponderance of the evidence standard, the Hearing Officer and panelists, if applicable, may consider both direct and circumstantial evidence. The Hearing Officer and panelists, if applicable, may determine the credibility of parties and witnesses and the weight to be given their statements, taking into consideration their means of knowledge, strength of memory and opportunities for observation, the reasonableness or unreasonableness of their statements, the consistency or lack of consistency of their statements, their motives, whether their statements are contradicted or supported by other evidence, any evidence of bias, prejudice or conflict of interest, and the person's manner and demeanor when providing statements.

It is the responsibility of the Hearing Officer, not the parties or the investigators, to make a determination based on the totality of the available information to determine whether or not the preponderance of the evidence has been met. Neither party bears a burden of proof. The ultimate determination of factual findings and responsibility rests with the Hearing Officer after full consideration of all available evidence.

The Hearing Officer must issue a written determination regarding responsibility that will be sent to the Office of Equity. The written determination regarding responsibility may be submitted to the Office of University Counsel to review for legal sufficiency prior to being issued to the parties.

The written determination must include:

- Identification of the allegations potentially constituting Prohibited Conduct.
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held.
- Findings of fact supporting the determination.
- Conclusions regarding the application of the Sexual Misconduct Policy to the facts.
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the university imposes on the respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided by the university to the complainant; and
- The university's Procedures and permissible bases for the complainant and respondent to appeal.

In cases resulting in no Sexual Misconduct Policy violation, the Office of Equity will provide the written determination to the parties simultaneously after it is prepared by the Hearing Officer. Both parties have the opportunity to appeal the written determination regarding responsibility.

In cases resulting in a Sexual Misconduct Policy violation, prior to the issuance of the written determination to the parties, the Hearing Officer will refer the matter to the appropriate sanctioning authorities (for either a student or employee respondent) for a disciplinary sanction to be determined. After the sanction has been incorporated into the written determination regarding responsibility, the Office of Equity will provide the written determination and

sanction to the parties simultaneously. Both parties have the opportunity to appeal the written determination, including the sanction, if applicable.

If the respondent is a student employee and the alleged misconduct occurs outside the employment capacity, the Office of Equity may determine that the respondent's supervisory up line has a legitimate need to know information related to the grievance process.

The determination regarding responsibility becomes final either on the date that the university provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Office of Equity will also provide any applicable notices to the complainant following the conclusion of any subsequent corrective or disciplinary action pursuant to the State Personnel Board Rules for respondents who are classified employees and the Professional Rights and Duties procedure and Privilege and Tenure process for respondents who are faculty.

In the event that no Sexual Misconduct Policy violation is found, there is no preclusion of discipline for other student or employee misconduct under applicable university policies, procedures, or codes of conduct.

### *Opportunity for Optional Impact Statement*

Following the hearing, but prior to the issuance of the determination regarding responsibility, both parties will be separately invited by the Title IX Coordinator or designee to submit an optional impact statement for the sanctioning decision maker(s) to consider regarding the incident(s) under investigation. This opportunity will be made available to both parties regardless of whether either party participated in the live cross-examination process. The Title IX Coordinator will review any submitted information and include it in the case file but will not share this information with the Hearing Officer as it does not have any bearing on the factual findings. Optional impact statements will only be shared with the sanctioning decision maker(s) if the Hearing Officer determines that a policy violation has occurred so that the sanctioning decision maker(s) may consider it in making the sanctioning determination.

The optional impact statement should contain information about the factors considered in sanctioning. The optional impact statement may include reasons why the sanction should be increased (aggravating circumstances) or decreased (mitigating circumstances).

### **Sanctioning Process for Student Respondents**

In cases where the Formal Grievance Process results in a determination that a student respondent is responsible for a Sexual Misconduct Policy violation, the matter will be referred, with the written determination (prior to the inclusion of the sanction), to the Sanctioning Board prior to the issuance of a final written determination.

#### *Student Sanctioning Board*

The Sanctioning Board is composed of three (3) members who are collectively authorized to impose sanctions for student respondents and to remedy the effects of discrimination and/or harassment. The Board shall decide sanctions and/or remedies by unanimous decision and simultaneously notify the complainant and the respondent of any sanctions and/or remedies. A representative from the OE is a member and the Chair of the Sanctioning

Board for student respondents and will appoint two additional University employees who are not affiliated with the OE and do not have a conflict of interest to serve on the Sanctioning Board.

## *Factors Considered in Sanctioning*

The Sanctioning Board members conduct an individualized review, including review of the Hearing Officer's written Determination Regarding Responsibility, similarly situated cases, assessment of the factors below, and may review the entire file and consult as necessary with Office of Equity staff, Student Conduct and Community Standards, or any other University staff as needed in making a sanctioning determination.

Factors pertinent to a sanctioning decision may include, as applicable:

- Severity and/or pervasiveness of conduct and whether it escalated during the incident.
- The impact of separating a student from their education.
- Whether the complainant was incapacitated at the time of the conduct.
- Relationship between the parties, including degree of control of one party over another.
- Whether there was force/violence, weapons, or threats of force/violence.
- Any prior history of related criminal, conduct, or policy violations; including but not limited to the University Code of Conduct and any active disciplinary sanctions in place at time of the conduct.
- Impact of incident on complainants.
- Acceptance of responsibility by respondent.
- On-going safety risk to complainant or community.

## *Possible Sanctions*

Sanctions may include one or more of the following:

- **Warning/Written Reprimand:** A warning/written reprimand is a written statement from the Board or designee that the behavior was inappropriate and that more serious action will be taken should subsequent infractions occur.
- **Educational Sanctions:** The student may be required to attend a class, evaluation, or program (e.g., alcohol or anger management classes or training on sexual misconduct or protected-class discrimination and harassment). This is not an exhaustive list but should serve as a reference for the types of educational sanctions that may be imposed.
- **Meeting with the Assistant Vice Chancellor of the Office of Equity or designee:** The student may be required to meet with a university official to review the terms of the sanction and ensure compliance prior to eligibility to apply for readmission, as applicable.
- **Residence Hall Reassignment:** A student who resides in a residence hall is assigned to a different residence hall room or floor.
- **Residence Hall Termination:** A student's residence hall agreement is terminated through the Office of Equity process, and the student is prohibited from residing in any university residence on either a permanent or temporary basis. Specific exclusion from the residence halls may also be imposed.
- **Probation:** A student is placed on probation. Probation lasts for a specific period of time and is implemented by semesters. Any violation of university policies or the conditions of probation committed during the probationary period will result in further disciplinary action.
- **Restriction or Denial of University Services:** The student is restricted from using or is denied specified university services, including participation in university activities.
- **Suspension:** The student is required to leave the university for a specific period of time. A suspension notation appears on the student's transcript until the period of suspension has expired and all other sanctions are

complete. The student is required to apply for readmission to the university after their suspension period. Suspension from the University includes an exclusion from university property during the period of suspension. A suspension decision results in the student being suspended from all campuses of the University of Colorado system.

- **Exclusion:** The student is denied access to all or a portion of university property. When a student is excluded from university property, that student may be permitted on university property for limited periods and specific activities with the permission of the Assistant Vice Chancellor of the Office of Equity or designee. Should the student enter university property without permission, the police may charge the student with Trespass and the student may be charged with additional policy violations.
- **Expulsion:** The student is required to permanently leave the University. A notation of expulsion remains permanently on the student's transcript. Expulsion from the University typically include an automatic exclusion from University of Colorado property. However, for Student Sanctioning Boards making recommendations for CU Anschutz respondents, an exclusion recommendation shall be made to the Chief of Police, who makes the final determination regarding exclusions. An expulsion decision at CU Denver results in the student being expelled from all campuses in the University of Colorado.
- **Disciplinary Hold:** A disciplinary hold shall be placed on a student's record if they are suspended as the outcome of the OE proceedings. A disciplinary hold is honored by all University of Colorado campuses and prohibits a student from being admitted to any of the campuses and from registering for classes until the suspension period is over and the student has reapplied and has been re-admitted. A disciplinary hold may also be placed if a student fails to complete assigned sanctions, which has the same impact on a student's records and registration as described above. The disciplinary hold will not be removed until all sanctions are completed.
- **Additional Sanctions:** The Board has the discretion to impose any additional sanctions that may be warranted and appropriate given the circumstances of the case.

## **Sanctioning Process for Employee Respondents**

In cases where the Formal Grievance Process results in a determination that an employee respondent is responsible for a Sexual Misconduct Policy violation or acted inappropriately or unprofessionally, the matter will be referred, with the written determination (prior to the inclusion of the sanction), to the appointing/disciplinary authority. If the respondent is a student employee and the alleged misconduct occurs outside the employment capacity, the Office of Equity may determine that the respondent's supervisory up line has a legitimate need to know information related to the case resolution.

Any applicable sanctioning meeting pursuant to these Resolution Procedures does not replace any additional meetings that may be required under other applicable personnel processes (e.g., State Personnel Board Rules for classified employees; Professional Rights and Duties procedure and Privilege and Tenure process for faculty).

### *Office of Equity's Formal Recommendation to Disciplinary Authority*

The Assistant Vice Chancellor of the Office of Equity or designee will provide a formal recommendation to the appointing/disciplinary authority as to applicable sanctions. A formal recommendation will be consistent with the factors set forth below.

### *Factors Considered in Sanctioning*

Factors pertinent to a sanctioning decision may include, as applicable:

- Severity and/or pervasiveness of conduct and whether it escalated during the incident.
- Whether the complainant was incapacitated at the time of the conduct.
- Relationship between the parties, including degree of control of one party over another.
- Whether there was force/violence, weapons, or threats of force/violence.
- Any prior history of related criminal, conduct, or policy violations; including but not limited to the University Code of Conduct and any active disciplinary sanctions in place at time of the conduct.
- Impact of incident on complainants.
- Acceptance of responsibility by respondent; and
- On-going safety risk to complainant or community

### *Sanction Required*

In order to remediate the effects of Prohibited Conduct, the appointing/disciplinary authority will impose sanctions. Sanctions for classified staff in the written determination may include either a corrective action or a notice of disciplinary action, issued pursuant to the State Personnel Rules.

The appointing/disciplinary authority will determine the type of sanctions in consultation with the Chief Human Resources Officer or designee, the Assistant Vice Chancellor of Office of Equity or designee, and any other administrative staff with a need to know.

The appointing/disciplinary authority may have access to the formal grievance process records and may consult with the adjudicative staff in order to determine action.

The Title IX Coordinator or designee will notify the hearing facilitators of the determined sanctions so that the facilitators can include the sanction within the written determination.

### *Potential sanctions include:*

- Letter of Expectation/Reprimand: A warning/written letter of expectation or reprimand is a statement from the disciplinary authority that the behavior was inappropriate and that more serious disciplinary action will be taken should subsequent infractions occur.
- Mandatory Training: The employee may be required to attend a training, class, or program as relevant to the misconduct.
- Demotion: The employee is demoted from their current position.
- Job Duty Modifications: The disciplinary authority may modify the employment responsibilities of the employee.
- Reduction in Salary/Ineligibility for Merit Increases: The employee's salary is reduced either permanently or temporarily, or the employee is not eligible for merit increases either permanently or temporarily.
- Ineligibility for Rehire: The employee is no longer eligible for employment at the university.
- Exclusion: The employee is denied access to all or a portion of university property. When an employee is excluded from university property, that employee may be permitted on university property for limited periods and specific activities with the permission of the university official or designee who imposed the exclusion. Should the employee enter university property without permission, police may charge the employee with Trespass and the employee may be charged with additional policy violations.
- Termination of Employment Contract or Termination of Employment: Pursuant to applicable laws and policies specific to the employee's status, the disciplinary authority recommends or terminates employment.

- Additional Sanctions: The disciplinary authority has the discretion to impose any additional sanctions that may be warranted and appropriate given the circumstances of the case.

## Appeals

Either the complainant or respondent may file a written appeal of the determination regarding responsibility. All appeals must be made in accordance with the Procedures outlined in this section.

Basis for appeal of a determination regarding responsibility:

- To determine whether there were procedural irregularities that affected the outcome of the matter.
- If new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter.
- The Title IX Coordinator, investigators, or Hearing Officer, and panelists, if applicable, had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

In the appeal, both parties must have a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

The decision-maker(s) for the appeal (Appeal Board) may not be the same Hearing Officer that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator. All Appeal Board members must be trained.

The Appeal Board will issue a written decision describing the result of the appeal and the rationale for the result. The appeal decision must be provided simultaneously to both parties.

### *How to File an Appeal and Timeframe*

Appeals must be submitted in writing to the Title IX Coordinator or designee within 10 business days after the determination regarding responsibility is issued. The appeal should indicate the specific basis for the appeal (see above), supporting arguments and documentation, and any other relevant information the appealing party wishes to include. The appealing party should be aware that all appeals are documentary reviews, and no interviews are conducted. Generally, appeals are determined solely on the merits of the documents submitted. Appeal documents therefore should be as complete and succinct as possible. All sanctions imposed in the case will not go into effect until either the deadline for filing an appeal passes and no appeal is filed or, if a timely appeal is filed, the appeal is decided, whichever comes first.

The appealing party may not present any new evidence unless the party can demonstrate that it could not, with reasonable diligence, have been discovered or produced during the course of the investigation.

### *Extension Request*

Should an appealing party, intending to provide a response to the preliminary investigation report, believe they do not have adequate time to prepare their written response, a written request for extension of time may be submitted to the Title IX Coordinator or designee. The request must be submitted within the ten (10) business day deadline for responding to the appeal, and should include the rationale for requesting the extension along with

the proposed date by which all response documents will be submitted. Requests for extension of time will be considered on their merits and will not automatically be granted. When an extension is granted, other parties will be notified and provided the same extension, if granted.

## *Appeal Process and Appeal Board*

The Title IX Coordinator or designee will notify the other party to the original complaint (complainant or respondent) in writing, and the party will be provided five business days to respond in writing to the appeal. The response should be sent to the Title IX Coordinator or designee. Neither party is required to respond to an appeal. Not responding to an appeal does not imply agreement with the appeal.

After the submission of all documentation related to the appeal, or the passage of the five-day deadline for response has passed, the Title IX Coordinator or designee will appoint university employees (who may include staff from the CU Boulder and Colorado Springs campuses) who are not otherwise affiliated with the Office of Equity at CU Denver to serve on the Appeal Board.

## *Appeal Decision*

Upon review of the appeal, the Appeal Board may:

- Uphold the initial decision in its entirety,
- Direct that there be reconsideration by the Hearing Officer (or a new Hearing Officer) based on the existing evidence; or
- Direct that there be re-investigation (by the same or different investigators) followed by a second live cross-examination hearing process conducted in accordance with the process outlined above.

The Board members shall not make new findings of fact. The Board shall review all documentation submitted, make the final decision upon appeal, and concurrently provide the parties with a written Notice of Appeal Decision within fifteen (15) business days of its receipt of all final documentation. This deadline may be extended upon good cause by the Board and upon notification to the parties.

## **THE PHOENIX CENTER AT AURARIA**

### **What is the Phoenix Center at Auraria?**

The Phoenix Center at Auraria (PCA) is a tri-institutional office that serves students, faculty, staff from CU Denver, MSU Denver, and the Community College of Denver, and residents affiliated with the campus who are experiencing or have experienced interpersonal violence. Interpersonal violence (IPV) includes relationship violence, family violence, sexual violence (including childhood sexual abuse), and stalking and harassment. The PCA trains and maintains a team of confidential advocates pursuant to CRS § 13-90-107(k). This means that the advocates working for the PCA are legally prohibited from sharing information shared with them by a survivor seeking support, except in cases of child abuse and neglect.

**Trainings, Outreach and Education**

The PCA is committed to preventing instances of relationship or intimate partner violence, sexual violence (including sexual harassment), and stalking through comprehensive education and awareness programming. The available curricula offerings are:

Title	Length	Intended Audience	Description
PCA Overview	15 – 30 minutes	All	The PCA Overview presentations review the services available to students, faculty, staff and residents of CU Denver, Metro State University-Denver and Community College of Denver.
Supporting Survivors	1.5-2 hours	All	This skill-building session breaks down myths about survivorship, discusses the origins of victim blaming, and dives into how to respond when receiving a disclosure. This workshop can also be combined with the Office of Equity’s Responsible Employee training.
Interpersonal Violence 101	1-1.5 hours	Students	This session provides a general overview of all aspects of interpersonal violence and includes activities to help participants think about the dynamics of violence and issues such as consent, healthy relationships, and how to help a friend.
Supporting Survivors		All	This skill building session breaks down some survivor myths, discusses victim blaming, and dives into how to respond when someone discloses to you.

The mission of the PCA is to implement campus response services, provide education, and facilitate dialogue related to interpersonal violence in the Auraria community.

**Where is the Phoenix Center at Auraria?**

The PCA is conveniently located in the Tivoli Student Union, Room 227. They offer appointments in person and via Zoom video conferencing.

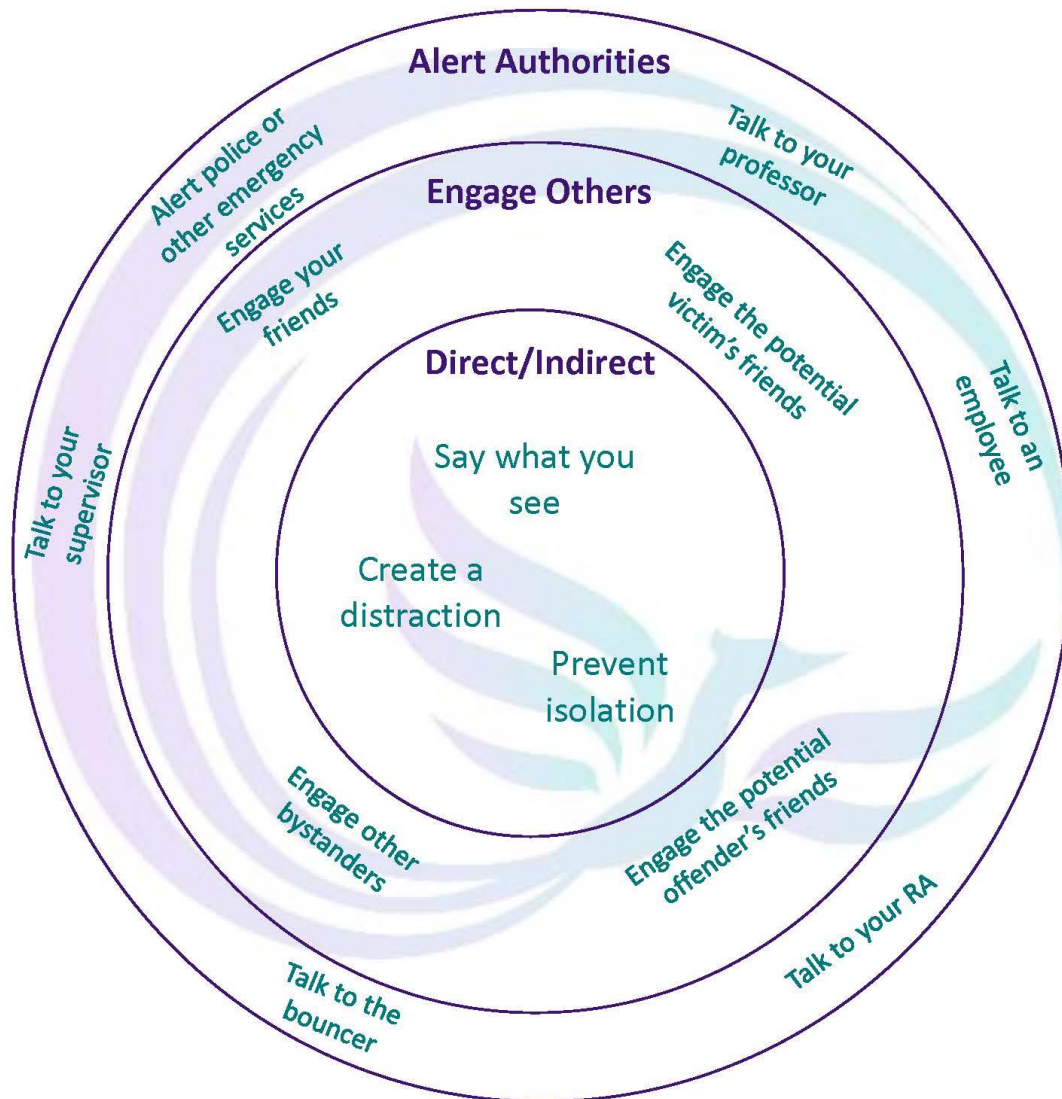
The office is open Monday-Friday from 8:00 am-5:00 pm. The PCA operates during most breaks including summer, winter, spring, and fall break. When not physically open, you can reach a trained advocate 24/7 through our free and confidential helpline, managed through the PCA at 303-556-2255.



Title	Length	Intended Audience	Description
Interpersonal Violence 301	2 hours	Graduate students, faculty, staff	Interpersonal Violence (IPV) 301 is a graduate-level curriculum addressing interpersonal violence in our society through collaborative discussions regarding identity and privileges, and the intersections with interpersonal violence, effective bystander intervention, media literacy, and developing professional and empowering responses to survivor disclosures
Healthy Relationships: What's healthy? What's hurting?	1-1.5 hours	Students	An interactive discussion in which facilitators and participants work to create a shared definition of healthy relationships (intimate or otherwise) by placing emphasis on the importance of our personal values, boundaries and needs. The group also explores healthy ways love is expressed, harbingers of relationships in trouble, and power and control dynamics. In this way, the course works to empower participants with the knowledge and ability to differentiate among healthy, unhealthy, and abusive relationships.
Bystander Intervention	1 – 1.5 hours	All	This workshop discusses bystander intervention and works to develop strategies to intervene in difficult situations. The focus of this workshop is on incidents of stalking, sexual violence (including harassment) and relationship violence; but these principles can be applied to almost any situation requiring active by standing.
Gender Construction	1 – 1.5 hours	All	This workshop is designed to highlight how language and societally constructed gender roles can contribute to sexism and interpersonal violence. Facilitators lead an exploration of how and why a binary gender system contributes to interpersonal violence and how we can help disarm and shift harmful gender stereotypes. This workshop aims to deconstruct the social construction of gender and help attendees think critically about gender privilege, inequality, and interpersonal violence.

The PCA can also create specific curriculum related to your needs on a variety of topics involving interpersonal violence. To schedule a workshop, contact Rachael Reed-Maloney at the Phoenix Center Auraria at [racheal.reed-maloney@ucdenver.edu](mailto:racheal.reed-maloney@ucdenver.edu) or visit <https://thepca.org/workshops>.

## Circles of Safe Intervention



The Phoenix Center at Auraria is a 24/7 free and confidential resource for any Auraria community member who has been impacted by relationship violence, sexual violence, and/or stalking. If you or someone you know is in need of assistance, please stop by our office at **Tivoli Student Union, Suite 227** or call the front desk at **(303)315-7250**. For 24/7 crisis support, please call our free and confidential helpline at **(303) 556-CALL (2255)**.

## Victim/Survivor Rights, Options and Assistance

When a student, faculty, or staff member reports they have experienced sexual misconduct (dating violence, domestic violence, sexual assault, and stalking), whether it occurred on or off-campus, the university shall provide them with written notification of the following:

1. Reporting rights and options, including to whom and how they should report an alleged offense, including law enforcement authorities (any on-campus and local police) and to be assisted by campus authorities in doing so, but also of their option to decline to notify such authorities.
2. The importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order.
3. Responsibilities for orders of protection, no-contact orders, restraining orders or similar lawful orders issued by a criminal, civil or tribal court, or by the campus.
4. Counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, availability of forensic nurses to administer forensic sexual assault nurse exams ("SANE") and other services available for victims within the campus and in the community.
5. Options for, and available assistance in, changing transportation and working situations, in addition to any available academic and residential accommodation. This notification shall be made, and accommodations afforded if they are reasonably available, regardless of whether the person who experienced sexual misconduct chooses to participate in any campus investigation or disciplinary proceeding or report the crime to law enforcement.

The university has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, financial aid and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The university will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the Auraria Campus Police or local law enforcement. Students and employees should contact the Title IX Coordinator/designee or the Police Department's Community Resource Officer.

The Title IX Coordinator/designee and/or an Auraria Campus Police Department staff member will liaison for victims in obtaining reasonable accommodations within the university and community.

Suspects/Respondents who wish to seek reasonable accommodations should contact the Title IX Coordinator/designee.

## ANNUAL DISCLOSURE OF CAMPUS CRIME STATISTICS

### Preparation and Disclosure of Campus Crime Statistics and Security Report

CU Denver, in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. 1092(f)), publishes and distributes, to all current students and employees, and to any applicant for enrollment or employment, information on how to obtain the Annual Security Report. This report provides information regarding campus crime statistics and campus security policies for CU Denver/Auraria.

The Annual Security Report is prepared in cooperation with the local law enforcement agencies surrounding the CU Denver main campus and non-campus locations. CRS 18-8-115, "Duty to Report a Crime", requires all persons who believe a crime has been committed to promptly report the suspected crime to law enforcement authorities. This report has been prepared by the CU Denver Clery Compliance Manager.

The Clery Act requires the university to include in this report a statement of policy concerning the monitoring and recording through local police agencies of criminal activity by students at non-campus locations of student organizations officially recognized by the institution, including student organizations with non-campus housing facilities.

The university relies on its working relationships with local law enforcement agencies to receive information about incidents involving CU Denver students and recognized student organizations on and off campus. The university may become involved in the off campus conduct of recognized student organizations or individual students when such conduct is determined to affect a substantial university interest.

Campus crime, arrest and referral statistics include those reported to the CU Denver/ACPD, by designated campus officials (including but not limited to directors, deans, department heads, designated employees, judicial affairs, and advisors to students/student organizations), and local law enforcement agencies. A procedure is in place to anonymously capture crime statistics disclosed at CU Ethics Line phone and web based anonymous reporting systems 800-677-5590 or [www.ethicspoint.com](http://www.ethicspoint.com). Institutions must disclose reported offenses, not the finding of a court, coroner or jury or the decision of a prosecutor.

Each year, an e-mail notification is sent to all enrolled students, faculty, and employees, which provides a direct link to and the website address for the Annual Security Report. Copies of the Annual Security Report may also be obtained from the Clery Compliance Manager at 303-724-2215, 13309 E. 17<sup>th</sup> Place, Aurora, CO 80045. All prospective employees may obtain a copy from Human Resources by calling 303-315-2700. The link to the Annual Security Report is provided at the University of Colorado careers website.

It is the responsibility of the CU Denver Clery Compliance Manager to ensure that the required Clery Act disclosures are properly forwarded to campus administration and community members in accordance with the institution's procedures. This report has been prepared by the CU Denver Clery Compliance Manager.

### Reports

CU Denver believes a well-informed community remains a safety conscious one. Numerous efforts are made to keep members of the Campus Community informed about campus crime and crime-related problems. Written reports are made of all crimes reported to the Auraria Police Department.

Police reports are maintained by the Auraria Police Department Records Division and are used to compile year-end statistics for the FBI's Uniform Crime Report. In addition, the Police Department prepares annual and daily reports of campus crime related information. Copies of these reports are available by contacting the Auraria Police Department Records Manager at 303-556-2219.

## Definitions of Clery Act Crimes

**Criminal Homicide:** These offenses are separated into two categories: Murder and Non-Negligent Manslaughter, and Manslaughter by Negligence.

- a. **Murder and Non-negligent Manslaughter** is defined as *the willful (non-negligent) killing of one human being by another. Count one offense per victim.*
- b. **Manslaughter by Negligence** is defined as the killing of another person through gross negligence.

**Sexual Assault:** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

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

**Robbery:** Robbery is 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:** Aggravated Assault is 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:** Burglary is the unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle Theft:** Motor Vehicle Theft is the theft or attempted theft of a motor vehicle.

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

**Weapon Law Violations:** 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. This classification encompasses weapons offenses that are regulatory in nature.

**Drug Abuse Violations:** The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any

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

The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics—manufactured narcotics that can cause true addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**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.

**Violence Against Women Act Offenses:** Any incidents of Domestic Violence, Dating Violence and Stalking. (Note: Sexual Assault is also a VAWA offense but is included in the Criminal Offenses category for Clery Act reporting purposes). The VAWA Offenses are defined earlier in this report.

According to Section 16 of title 18 of the United States Code, the term ***“crime of violence”*** means:

- An offense that has an element of the use, attempted use, or threatened use of physical force against the person or property of another, or
- Any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

## Hate Crimes

The University of Colorado does not discriminate on the basis of race, color, national origin, sex, pregnancy, age, disability, creed, religion, sexual orientation, gender identity, gender expression, veteran status, political affiliation, or political philosophy in admission and access to, and treatment and employment in, its educational programs and activities. The university takes action to increase ethnic, cultural, and gender diversity, to employ qualified disabled individuals, and to provide equal opportunity to all students and employees.

Qualification for the position and institutional need shall be the sole basis for hiring employees, and the criteria for retaining employees shall be related to performance evaluation, assessment of institutional need, fiscal constraints, and/or, in the case of university staff, the rational exercise of administrative prerogative.

All students shall have the same fundamental rights to equal respect, due process, and judgment of them based solely on factors demonstrably related to performance and expectations as students. All students equally share the obligations to perform their duties and exercise judgments of others in accordance with the basic standards of fairness, equity, and inquiry that should always guide education.

In accordance with the Americans with Disabilities Act of 1990, no individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of the university. Further, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of the university or be subjected to discrimination by the university. (Regent Law, Article 10)

Statistics for Hate Crimes must also be included in the annual disclosure of crime statistics. A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim.

Although there are many possible categories of bias, under the Clery Act, only the following eight categories are included in the disclosure: race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, and disability.

For Clery Act crime disclosure purposes, in addition to the previously defined “Clery Act Crimes,” Hate Crime identification must also include the crimes of Simple Assault, Larceny-Theft, Intimidation and Destruction/ Damage/Vandalism of Property when committed due to a bias motivation.

2021: Zero hate crimes reported

2022: Zero hate crimes reported

2023: Seven hate crimes reported

## Unfounded Crimes

A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless.

2021: One unfounded crime

2022: Zero unfounded crimes

2023: One unfounded crime

## Clery Geography Definitions

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

**On-Campus Residential:** Campus Village, became known as Lynx Crossing in Spring of 2020, located at 318 Walnut Street in Denver, provides residential housing for students attending CU Denver. Another residential facility, City Heights, located at 1191 Larimer Street in Denver, opened just prior to the fall semester of 2021.

**Public Property:** Property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

**Non-Campus:** (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

# UNIVERSITY OF COLORADO DENVER

## CU Denver Crime Statistics

Criminal Offenses	On-Campus			Residential Housing			Public Property			Non-Campus Locations		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder and Non -Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Rape	7	6	6	4	3	4	0	0	0	0	0	0
Fondling	2	5	3	1	5	2	1	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	1	0	0	0	0	0	0	0	0	0	0	0
Robbery	1	1	2	0	0	0	3	0	0	0	0	0
Aggravated Assault	6	3	4	0	1	1	6	3	1	0	0	0
Burglary	21	12	9	1	0	0	0	0	0	0	0	0
Motor Vehicle Theft	20	31	28	0	0	0	3	0	3	0	0	0
Arson	1	4	2	0	0	0	0	2	10	0	0	0
Domestic Violence	4	3	6	0	1	2	6	2	2	0	0	0
Dating Violence	0	5	7	0	4	2	0	0	1	0	0	0
Stalking	3	11	13	0	7	3	0	0	0	0	0	0
Illegal Weapons Possession Arrests	8	3	7	0	0	0	4	4	2	0	0	0
Drug Law Arrests	17	4	20	0	0	0	14	2	20	0	0	0
Liquor Law Arrests	10	1	6	0	0	0	5	0	13	0	0	0
Illegal Weapons Possessions Referrals	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Referrals	6	17	15	5	0	15	0	0	0	0	0	0
Liquor Law Referrals	33	118	27	33	118	25	0	0	0	0	0	0



## SELF-SECURITY AND CRIME PREVENTION

### Lighting, Vines, Trees, and Shrubs

Each fall semester, a Campus Safe Night event is held, which tours the campus after dark and provides suggestions for security enhancements.

Work orders noting security issues with campus facilities can be filed online at:

<https://www.ahec.edu/for-campus-faculty-staff/facilities-services/work-order-requests/>

or reported by telephone at 303-556-3260. For any urgent facility issue, call 303-556-3260 (smell of gas, etc.).

### Security and Access to Facilities

Exterior door locks on the Auraria Campus are fully electronic, programmed by the Access Control Department in Facilities Services. The system also has the ability to be placed directly into “lockdown” by Campus Police. The Auraria Campus Police Department has the primary responsibility for ensuring the lock hardware is functioning properly. Established facility hours are coordinated and maintained by the Auraria Academic Services. Auraria Campus Police also works closely with the Facilities Services Department to maintain building security and key control. Access to facilities after normal building hours is limited and coordinated with Facilities Services Access Control and Auraria Campus Police.

### Security Awareness

*A community and its police must do more than simply react to crime. It is important to look for opportunities to deter and/or prevent crime. The Auraria Campus Police Department provides the following services and programs to improve safety on campus and to make the community aware of campus crime and efforts to reduce criminal activity, as well as to minimize their chances of becoming a victim.*

*Safety is everyone's responsibility.*

*Follow these 10 tips to keep yourself and the Auraria Campus Community safe:*

- 1. Program your phone:** Program the Auraria Campus Police Department number in your cell phone so you have it at your fingertips in the event of an emergency on campus: 303-556-5000. (Use 9-1-1 from any campus phone to be connected with the ACPD Dispatch).
- 2. Trust your instincts:** If you suspect something is wrong, or a situation seems dangerous, you're probably right. If you see something; say something. Don't dismiss suspicious situations; report them to the ACPD immediately.
- 3. Use the buddy system:** The Auraria Police Department will provide a ride to your building or vehicle. Contact the Police Department at 303-556-5000 for a ride.
- 4. Protect your property:** Unattended items like backpacks, laptops, and cell phones are easy targets. Make it a habit to take all valuables with you; don't leave your property unattended.
- 5. Report solicitors:** Magazine subscriptions and donation requests are common types of solicitations that criminals use to lure community members into giving illegitimate donations. Avoid solicitors' scams by politely saying no and immediately notifying the ACPD.

6. **Stay alert on transit:** Stay awake and keep your personal belongings close to you. Avoid isolated bus or light rail stops. Don't tell strangers where you are going.
7. **Lock it:** Parking lots and garages are common targets. Never leave valuables in your car in plain view. Make sure your windows are up, the doors are locked, and if you have a security system, ensure it is set.
8. **Keep personal information private:** Avoid becoming a victim of identity theft by carrying only the necessary items in your wallet or purse. Don't give personal information to solicitors.
9. **Locate Emergency Phones:** The Auraria Campus is equipped with emergency telephone call stations. Each emergency phone is equipped with a call button that immediately connects to Auraria Campus Police Dispatch. Outdoor phones are located in parking lots and pedestrian areas—they are red and stand approximately 9 feet high. Indoor emergency phones are located throughout the main buildings in common areas.
10. **Protect your bike:** Lock your bike with a U-lock and record your serial number. Always park your bike at a rack, locking your frame and wheel to the rack.

## Crime Prevention Programs

The Auraria Campus Police Department offers a number of programs that promote security awareness and crime prevention. Students, faculty, and staff are encouraged to be responsible for their own security and the security of others. Efforts of the Police Department are oriented toward crime prevention education. In addition to departmental programs, the Police Department cooperates with other campus organizations to present security and safety programs. The coronavirus pandemic has affected the scheduling of some programs.

Programs presented by the Auraria Police Department may be requested by contacting the Community Relations Unit at 303-556-5000.

CU Denver is operating a hybrid model, supporting remote and on-campus working and learning due to the novel coronavirus pandemic. As a result, some prevention programs could not be conducted as usual in 2020, while others were presented in a digital, on-line format.

## Weekly

**New Employee Orientation** - A healthy work and learning environment free from discrimination and harassment is a key value at CU Denver. To that end, it is required that employees (faculty and staff) be familiar with discrimination and harassment protections, the types of discrimination and harassment that occur in employment and education environments, understand reporting requirements, and the university employees who address discrimination and harassment. This presentation also includes an overview of the Auraria Police Department, the services it provides, and how and when to call the police. Crime on campus is discussed, and personal safety and security information is presented to new students and employees. Employees are required to complete CU: Discrimination & Sexual Misconduct on-line course within 90 days of hire.

## Monthly

**CU Denver Emergency Management Division presents Run>Hide>Fight** -This presentation offers information about surviving an active harmer situation on campus. The discussion portion allows for questions and campus specific information. Auraria Campus Police Department also offers this class.

## Semesterly

**New Student Orientation** - CU Denver conducts a new student orientation at the beginning of each school year and/or the start of a program. In addition to academic and school/college information, the orientation typically provides new students with information about the student code of conduct for their program which includes discrimination and harassment, an overview of the Auraria Police Department, crime prevention, public safety, and campus security procedures and practices.

## On-Going and Upon Request

**Crime Analysis** - Auraria Campus Police staff will review reported crimes and determine if focused patrol activity may be required for repeated offenses in any given area.

**Drug Information Seminars** - These talks cover recognition of controlled substances, their effects on people, and what to do if one suspects that someone is using or selling drugs.

**Personal Safety on Campus** - This program, usually given to small groups, covers ways to avoid being the victim of physical or sexual assault.

**Active Harmer Preparedness** - This presentation offers information about surviving an active harmer situation on campus. The discussion portion allows for questions and campus specific information.

**Stop the Bleed** – Instead of being a witness, you can become an immediate responder. Attendees will learn controlling and stopping life-threatening bleeding.

**Robbery Prevention** - This seminar, given to cashiers, gives tips on how to survive an armed robbery and be a good witness.

**Escort** - After hours, the Auraria Campus Police will provide a limited escort service for people walking on campus. Students, staff, and faculty are always encouraged to walk with others when possible and to choose paths that are well illuminated.

**Security Surveys** - Upon request, officers will evaluate a facility's physical security and make recommendations for improvements.

**Theft and Fraud Seminars** - These presentations are usually given to people working in areas where check and credit card fraud occurs (such as the Bookstore, Bursar's Office, Recreation Center, etc.). The talk covers commonly used scams, how to recognize them, and what to do when they occur.

**Crisis Follow-ups** - Offered through Counseling Services of each institution, crisis follow-up sessions are provided for mental health concerns and to individuals who have been victims of violence. Information is presented regarding personal safety and coping with traumatic events.

**Bike Theft Prevention** - Community Services hosts Bicycle Clinics each semester providing helpful tips on preventing bike thefts and the bike theft problem on campus.

**Preventing Workplace Violence** - Critical to preventing violence from happening in your workplace is recognizing the warning signs and behaviors that can lead to it. This session provides understanding of the many forms those

warning signs can take and the situations that can spawn them. Learn how to assess those indicators and how to appropriately respond to a crisis situation.

## **POLICIES – ALCOHOL & OTHER DRUGS**

As an academic community, the CU Denver Campus is committed to providing an environment in which learning and scholarship can flourish, which includes a drug-free educational environment and drug-free workplace.

The possession or use of illegal drugs, or the abuse of those which may otherwise be legally possessed, seriously affects the university environment, as well as the individual potential of our students and employees. The university enforces state laws and related university policies, including those prohibiting the following activities on campus:

- A. Providing alcoholic beverages to individuals under 21 or possession or consumption of alcoholic beverages by individuals under 21.
- B. Distribution, possession, or use of illegal drugs or controlled substances.
- C. Possession of firearms or other dangerous weapons.

The abuse of alcohol and other drugs by students, regardless of age and location (on-campus or off-campus), is prohibited by the Student Code of Conduct and Ethics and Professionalism codes for CU Denver. This includes on- or off-campus activities sponsored by the university, such as officially sanctioned field trips, student-sponsored social activities, club sports travel, as well as activities of a student organization recognized by the institution. Professional meetings attended by employees and institution-sponsored activities abroad also fall under this code of conduct. The university can, and will, impose disciplinary sanctions for violations. Students are also subject to city ordinances and state and federal laws. A separate policy addresses violations by university staff.

The university strongly encourages students and staff members to voluntarily obtain assistance for dependency or abuse problems before such behavior results in an arrest and/or disciplinary referral, which might result in their separation from the institution.

The use of, or addiction to, alcohol, marijuana, or controlled substances is not considered an excuse for violations of the Student Code of Conduct or staff expectations and will not be a mitigating factor in the application of appropriate disciplinary sanctions for such violations.

The Auraria Campus Police Department enforces all state, and local laws associated with the possession, use, and sale of drugs and alcohol.

Help is available both on campus and within the community for students and staff members who are dependent on, or who abuse the use of alcohol or other drugs. Services are available at the Student and Community Counseling Center, 303-315-7270 for CU Denver students and The Colorado State Employee Assistance Program 303-866-4314 for CU Denver employees. These resources, as well as other professional agencies, will maintain the confidentiality of persons seeking help for personal dependency and will not report them to institutional or state authorities. The CU Denver Health Promotion and Engagement Coordinator, 303-315-4009, provides educational and awareness programming, information, and assistance for CU Denver students.

**Student Sanctions**

Underage students confronted by the institution for the possession or use of alcohol or illegal drugs will face disciplinary sanctions including, but not limited to, a warning, bystander class, online class, face-to-face class, reflection paper, personal success plan, counseling referral, alcohol assessment, disciplinary probation, disciplinary probation with loss of good standing, suspension, and expulsion.

Students whose use of alcohol or drugs results in harm or the threat of harm to themselves or others, or to property, regardless of the location of the incident, may face disciplinary action by the university up to and including expulsion.

Testing for the presence of illegal substances may be a condition of any probationary status imposed by the university for Violations of drug-related provisions of this policy. CU Denver students sanctioned for testing does require the student to find and pay for the testing outside of the campus community as the campus does not have the resources to conduct the testing on campus. Any student with a positive result, as described above, may face disciplinary action by the university up to and including expulsion.

**Commonly Imposed Disciplinary Sanction for On-Campus Policy Violations for Denver Students:**

<b>Policy Violation</b>	<b>Other Typical Sanctions 1<sup>st</sup> Offense</b>	<b>Typical Sanctions 2<sup>nd</sup> Offense</b>
Underage possession of alcohol	Online alcohol education program, written reflection, parental notification if under 21.	Face-to-face alcohol education class, counseling referral, personal success plan, possible disciplinary probation.
Open alcohol in a public area	Warning.	Online alcohol class.
	Same as alcohol possession.	Same as alcohol possession.
Single incident of possession of marijuana for personal use	Online marijuana class, written reflection, parental notification if under 21.	Face-to-face marijuana class, counseling referral, personal success plan, possible disciplinary probation.
Possession of more than one ounce of marijuana	Same as marijuana possession.	Same as marijuana possession.
Possession of any amount of "hard" drugs (cocaine, PCP, etc.)	Drug assessment and follow recommendations.	Suspension or expulsion.
Conveying marijuana or a controlled substance to another person	Drug assessment, possible suspension, or expulsion.	Suspension or expulsion.
Possession of firearms or other dangerous weapons (not concealed carry permit holder).	Suspension or expulsion.	Suspension or expulsion.

## Employee Sanctions

The university prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance (illicit drugs and alcohol). These prohibitions cover any individual's actions, which are part of university activities, including those occurring while on university owned or leased property or in the conduct of university business away from the campus.

It is a violation of university policy for any member of the faculty, staff, or student body to jeopardize the operation or interests of the University of Colorado through the use of alcohol or drugs. Sanctions that will be imposed by the University of Colorado for employees who are found to be in violation of this policy may include expulsion and/or termination of employment. Compliance with this policy is a condition of employment for all employees.

## Counseling and Treatment

Short-term alcohol and other drug counseling is available through the CU Denver Student and Community Counseling Center (303-315-7270) for Denver students.

Campus services may refer students to other treatment programs for more intensive treatment if deemed appropriate. The CU Denver and the State of Colorado Employee Assistance Program offer employees additional education and counseling, as well as appropriate referrals. Below is an abbreviated list of services and treatment centers. The list includes a brief summary of the agency name, services offered at various levels of treatment, and contact information.

### ACI Counseling Services

1301 E. 58<sup>th</sup> Ave., Unit F, Denver, CO 80216

720-641-9627

Service Type: Outpatient

Services: Offender programs, relapse prevention, groups/classes. Adults/Adolescents/Children

### Addiction Research and Treatment Services (ARTS)

University of Colorado Hospital Outpatient Psychiatry Office

3738 W. Princeton Circle, Denver, CO 80236

303-336-1600

[www.artstreatment.com](http://www.artstreatment.com)

Services: Inpatient and outpatient substance abuse treatment with specialized programs for adolescents, men, women, and the offender population. ARTS is the clinical program of the Division of Substance Dependence, Department of Psychiatry at the University of Colorado School of Medicine. ARTS is on the cutting edge of scientific research, medical education, and clinical care for the purpose of reducing death and dying from addictive disorders.

### CeDAR – Center for Dependency Addiction and Rehabilitation

1693 N. Quentin St., Aurora, CO 80045

720- 848-3000

<https://www.cedarcolorado.org>

Services: Intensive Residential, Intensive Outpatient CeDAR provides a full continuum of care including:

- Intensive, medically managed detoxification and stabilization

- Intensive residential
- Extended residential
- Day treatment
- Intensive outpatient treatment
- Outpatient counseling
- Addiction psychiatry
- Integrated addiction medicine and primary care
- Recovery management and support services

## **Centennial Peaks Hospital**

2255 S. 88th Street, Louisville, CO, 80027

303-673-9990

<https://www.centennialpeaks.com>

Service Type: Intensive Outpatient

Services:

- Adult psychiatric services
- Adult chemical dependency services
- Adult/adolescent chemical dependency including dual diagnosis
- Intensive outpatient treatment -IOP for adults and adolescents including dual diagnosis
- Adult/adolescent mental health intensive outpatient treatment
- Electroconvulsive therapy
- Inpatient detoxification

## **West Pines (Chemical Dependency and Behavioral Health)**

3400 N Lutheran Parkway, Wheat Ridge, CO 80033

303-467-4080

<http://www.westpinesrecovery.org/>

Services: Integrated treatment for people with co-occurring diagnoses who are affected by both chemical dependency and an emotional or psychiatric disorder. A holistic approach to treatment focuses on the physical, emotional, social, and spiritual well-being of each of our patients.

Interested individuals are encouraged to contact each agency for additional information regarding specific services and costs.

For a comprehensive list of services, students and employees are encouraged to visit the following website:

<https://rmcrisispartners.org/>.

## **Prevention and Education**

The Office of Health Promotions offers prevention and education programming on alcohol and drug use at CU Denver. Additional programming and education is offered through the Auraria Health Center and the Student and Community Counseling Center. As mandated by the Drug-Free Schools and Communities Act, the Drug and Alcohol Abuse Prevention Program (DAAPP) report is distributed to all students, staff, and faculty on an annual basis, and during every even year, a biennial review of the comprehensive alcohol and other drug program is conducted. For more information concerning current programs, interventions and policies, contact: Student Wellness Center by email at [lynxwellness@ucdenver.edu](mailto:lynxwellness@ucdenver.edu), or by calling 303-315-9355.

## On-Campus Resources

### Student and Community Counseling Center

303-315-7270 <https://www.ucdenver.edu/life/services/counseling-center/Pages/default.aspx>

### Collegiate Recovery Community at Auraria

Recoverycommunityinfo@gmail.com

### Health Center at Auraria

303-615-9999

<https://www.msudenver.edu/healthcenter/>

### Office of Student Conduct & Community Standards

303-315-7310

<https://www.ucdenver.edu/life/services/standards/Pages/default.aspx>

### Auraria Campus Police Department

303-556-5000

<https://www.ahec.edu/for-campus-faculty-staff/auraria-campus-police-department>

### Colorado Employee Assistance Program

303-866-4314

<https://www.colorado.gov/c-seap>

### Wellness & Recreation Services

303-315-9355

<https://www.ucdenver.edu/wellness>

## Off-Campus Resources

### Colorado Crisis Centers

844-493-8255

[www.coloradocrisiservices.org](http://www.coloradocrisiservices.org)

### Denver Health

303-436-6000

<http://www.denverhealth.org>

### CeDAR – Center for Dependency, Addiction, and Rehabilitation

720-848-3000

<https://www.cedarcolorado.org>

### Peer Assistance Services

303-369-0039

<https://www.peerassistanceservices.org/>



## **CPHP Colorado Physician Health Program**

303-860-0122

<https://www.cphp.org>

## **Denver Police Department**

Emergency 911

Non-Emergency 720-913-2000

<https://www.denvergov.org/content/denvergov/en/police-department.html>

## **Denver Sheriff's Department**

720-337-0400

<https://www.denvergov.org/content/denvergov/en/sheriff.html>

In accordance with Americans with Disabilities Act of 1990, no individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of the university. Further, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of the university or be subjected to discrimination by the university.

## **WEAPONS POLICY**

### **University of Colorado**

The Board of Regents recognizes, in systemwide [Policy 14-I](#), that the unauthorized possession of firearms, explosives, and other dangerous and illegal weapons on or within any University of Colorado campus, leased building, or areas where such possession interferes with the learning and working environment of the University of Colorado is inconsistent with the academic mission of the university.

Article 14.B.3 of the Laws of the Regents authorizes the chancellors of each campus to adopt procedures governing the use of university grounds, buildings, and facilities. Regent Policy 1.C further recognizes that the possession of firearms, explosives, and other weapons on university premises compromises the safety of the university community.

During the 2024 session, the Colorado Legislature passed a law prohibiting the carrying of firearms and deadly weapons on college or university property (excluding parking areas). Following the implementation of this new law, the University of Colorado Denver | Anschutz Medical Campus policy "Campus Weapons Control" was updated to be in alignment with the new law (C.R.S. 18-12-105.5).

Nothing in this policy limits the ability of the University of Colorado to enter into contracts for access to events or facilities that are not generally open to the public that limit the ability of students, employees, guests, or other visitors to the campus to carry a concealed handgun.

### **Auraria Higher Education Center Campus Weapons Policy**

**Legislative Declaration** - The Auraria Board owns and manages the Auraria campus for the use and benefit of its constituent institutions of higher education – the Community College of Denver (CCD), Metropolitan State University of Denver (MSU Denver), and the University of Colorado Denver (CU Denver) – and to facilitate and further their respective educational missions. Section 23-70-106, C.R.S., authorizes the Auraria Board to promulgate rules and regulations for the safety of students, employees and property on the Auraria campus.

As a result of recent legislative changes, the Auraria Campus is in the process of revising Policy 7.2.2 Weapons on Campus Policy. Auraria policies can be found at <https://www.ahec.edu/search/results/eyJyZXN1bHRfcGFnZSI6InNlYXJjaFwvcmVzdWx0cyIsImtleXdvcmRzIjoia2VhcG9ucyJ9>.

## SEX OFFENDER REGISTRY INFORMATION

In compliance with section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921) and Colorado Revised Statutes 16-22-102 through 16-22-115, and 23-5-125, registered sex offender information may be obtained at:

Colorado Bureau of Investigation

<https://www.colorado.gov/apps/cdps/sor/search-agreement.jsf>

The CBI does not post information concerning (1) sex offenders only convicted of misdemeanor sex offenses, or (2) juveniles adjudicated for sex crimes.

According to the CBI website: You may contact your local Police Department, County Sheriff's office, or the CBI for a COMPLETE list of registered sex offenders that reside in your city, county, or state. Some Police Departments and Sheriff's Offices maintain websites containing information about sex offenders in their jurisdiction, consistent with Colorado Revised Statutes (CRS) 16-22-112. Please select the Information tab for links to view specific Colorado Police and Sheriff sex offender websites.

The Denver Police Department would be the agency of record for anyone registered who resides on campus. Additional information from their department may be found on their website at:

<https://denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Police-Department/Crime-Information/Sex-Offenders>. The telephone number for their hotline is 720-913-6511.

## MISSING RESIDENTIAL STUDENT NOTIFICATION

CU Denver developed a missing student notification policy for students who reside in CU Denver Campus Housing. Each residential student shall be informed of the university's policy and procedure at the time he or she signs a CU Denver housing contract and anytime the residential student updates his or her personal contact information. The university's policy will also be published semi-annually in CU Denver Campus Housing newsletters and available on university websites.

In addition to registering emergency contact information, residential students shall have the opportunity to identify a confidential contact and provide his or her confidential contact information to be used in the event the residential student is determined missing at any time ("confidential contact"). This contact information will only be accessible by authorized campus officials.

A residential student will be deemed missing:

- If under the age of eighteen (18) years of age, and not considered a runaway: when the residential student's whereabouts cannot be determined by the student's associates including friends, family, or residential staff; or

- If eighteen (18) years of age or older: when the residential student's whereabouts cannot be determined, and the absence is both a deviation from normal behavior patterns and cannot be explained.

The university will notify the appropriate law enforcement agency not later than 24 hours after the time that the residential student is determined missing.

The university will notify a custodial parent or guardian for any student under 18 years of age who is not an emancipated individual not later than 24 hours after the time the residential student is determined to be missing.

The university will make contact with residential student's confidential contact if the residential student has been deemed missing by the campus security or law enforcement agency for more than 24 hours and that residential student has not been located.

## Reporting and Notification

A residential student may be reported as missing by any acquaintance of the student. The report can be made to:

- Lynx Crossing professional staff,
- City Heights professional staff,
- CU Denver Campus Assistant Vice Chancellor for University Life and Dean of Students,
- Auraria Higher Education Center Police Department ("AHEC PD"), or
- Denver Campus Office of Community Standards and Wellness ("OCSW").

The recipient of the report shall immediately notify Lynx Crossing or City Heights professional staff who will subsequently notify the OCSW.

The report can be made at any time the reporting party feels that the residential student is missing but shall be made if the residential student has been missing for more than 24 hours.

The appropriate campus officials will immediately make attempts to contact or locate the student who is the subject of the report. Those attempts will include, but may not be limited to, the following:

- A visual check of the residential student's apartment shall be conducted. A member of the residential facility shall enter the student's room to perform this check.
- Attempts shall be made to contact the residential student through any and all forms of communication including, but not limited to, telephone number(s), e-mail, text messaging, social networking sites, and contacting all known associates. The goal of the contact is to have the residential student communicate with those reporting or investigating the allegation.
- Attempt to determine the residential student's whereabouts using resources such as key logs, area desk sign-out sheets, meal plan access, computer or e-mail access, class records, and security cameras.
- Other techniques, as necessary, given the circumstances of the individual case.
- If initial attempts to contact the student fail, then the campus officials will notify the AHEC police or other appropriate law enforcement officials so that an investigation on the report can commence.

An investigation into the missing student report shall commence immediately and shall be conducted by the AHEC PD or other appropriate law enforcement officials in cooperation with university and CU Denver Campus Housing personnel.

If, on investigation of the official report, the AHEC PD or other law enforcement officials determine that the missing student has been missing for more than 24 hours and the student is under 18, and not an emancipated individual, the confidential contact or parent/guardian shall be notified.

If the student is over 18, not an emancipated individual and has not provided a confidential contact then the appropriate law enforcement agency shall be notified.

Information regarding the case will be communicated to the Campus Community, as necessary or permitted, during or post investigation as warranted by the circumstances.

Parties affected by the incident may be referred to campus or community resources if necessary, during or post incident.

# 2024 ANNUAL FIRE SAFETY REPORT



Housing & Dining

UNIVERSITY OF COLORADO **DENVER**

THIS REPORT CONTAINS STATISTICS FOR THE **2021-2023** CALENDAR YEARS IN COMPLIANCE WITH THE JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTIC ACT

**FIRE REPORTING**

CU Denver is required to annually disclose statistical data on all fires that occur in on-campus student residential facilities. To ensure accurate statistical data, all fires must be reported even if they are small and have been extinguished.

All fire emergencies should be reported to the Denver Fire Department by calling 9-1-1. Extinguished fires should be reported to the Resident Life Coordinator at 303-315-5278, or the Director of Housing at 303-315-5272.

**Fire Statistics**

**2023 Fires Reported**

<b>Residential Facility</b>	<b>Nature/Cause of Fire</b>	<b>Number of Fire-Related Injuries</b>	<b>Number of Fire-Related Deaths</b>	<b>Value of Property Damage</b>
318 Walnut Street-Lynx Crossing	No reported fires	0	0	\$0
1191 Larimer Street-City Heights	No reported fires	0	0	\$0
<b>Total</b>		<b>0</b>	<b>0</b>	<b>\$0</b>

**2022 Fires Reported**

<b>Residential Facility</b>	<b>Nature/Cause of Fire</b>	<b>Number of Fire-Related Injuries</b>	<b>Number of Fire-Related Deaths</b>	<b>Value of Property Damage</b>
318 Walnut Street-Lynx Crossing	No reported fires	0	0	\$0
1191 Larimer Street-City Heights	No reported fires	0	0	\$0
<b>Total</b>		<b>0</b>	<b>0</b>	<b>\$0</b>

**2021 Fires Reported**

<b>Residential Facility</b>	<b>Nature/Cause of Fire</b>	<b>Number of Fire-Related Injuries</b>	<b>Number of Fire-Related Deaths</b>	<b>Value of Property Damage</b>
318 Walnut Street-Lynx Crossing	No reported fires	0	0	\$0
1191 Larimer Street-City Heights	No reported fires	0	0	\$0
<b>Total</b>		<b>0</b>	<b>0</b>	<b>\$0</b>

## LIFE SAFETY AND FIRE SUPPRESSION SYSTEMS

### Fire Detection

Residential facilities have two fire detection systems in place. The first is a BRK Smoke Detector. These smoke detectors are AC powered (hardwired) with battery back-up. Smoke detectors are located in common spaces and in all bedrooms of each apartment. Batteries of the smoke detectors are inspected during quarterly inspections of the building completed by the Maintenance Staff. Residents may notify the Maintenance Staff when a battery needs to be replaced as well. In addition to the smoke detectors, enunciator panels are located in apartments and hallways throughout the building. The location of the enunciator panels is in accordance with the Denver City Fire Code. The enunciator panels are electrically powered and have both an audible sound and strobe light to alert residents. In the event of an evacuation, exit signs are located throughout all hallways and at all exit areas on each floor. Placement of exit signs is in accordance with the Denver City Fire Code.

### Fire Suppression

Residential facilities have two fire suppression devices located throughout the buildings. The first fire suppression device is an ABC Fire Extinguisher. This extinguisher can be used to put out any type of fire. Fire extinguishers are located throughout the building. Please refer to the floor plan of the building for specific locations. The second fire suppression device is the sprinkler system. Sprinkler heads are located in common spaces and in all bedrooms of each apartment, as well as, in the hallways, community spaces throughout the building, and office spaces.

Each suite is equipped with a fire extinguisher for use on a smaller scale (i.e., kitchen fire). These extinguishers are checked and maintained by CU Denver Maintenance staff on a regular basis.

### Resident Assistant Fire Safety Training

All Resident Assistants participate in fire safety training including how to use a fire extinguisher in a live burn. The training is completed in August during the Fall Semester RA Training. The session is hosted by the Denver Fire Marshall's Office. All Resident Assistants also receive training in Fire Drill and Building Evacuation procedures during the Fall Semester RA Training. This training includes reviewing the CU Denver Housing & Dining Emergency Procedures Manual and identifying building/floor specific emergency exits and assembly points. All residents and student staff members are provided access to the CU Denver Housing & Dining Resident Handbook which details instructions for fire safety as well as emergency evacuation procedures.

### Drills

There shall be a minimum of one fire drill during the fall semester and spring semester in each residential hall. Fire drills were conducted at each residence hall on January 26, 2023, and September 8, 2023. These drills measured how long it took to evacuate and provided an opportunity to determine ways to improve communication. Each drill was determined to be successful.

## Fire Log

CU Denver Housing & Dining maintains a Fire Log; this log tracks any fires that occurred at either Lynx Crossing or City Heights residential facilities. The logs contain information related to the date a fire was reported, the nature/cause of the fire, the date and time the fire occurred, and the general location of the fire in the building or facility. The log is actively maintained. Reported fires will be added to the log within two (2) business days of the report. The Fire Log contains any fires reported in the most recent 60 days and is located at the front desk of each residential facility and is available for public review upon request during normal business hours. Upon request CU Denver Housing & Dining will provide any portion of the report older than 60 days within 2 business days of request for public inspection.

## Fire Alarms and Evacuations

The fire alarms alert community members of potential hazards, and community members are required to heed their warning and evacuate buildings immediately upon hearing a fire alarm in a facility. Use the nearest stairwell and/or exit to leave the building immediately. Community members should familiarize themselves with the exits in each building. The Fire Department can levy fines and penalties to individuals who fail to evacuate a building promptly – but a more important reason for evacuating is safety! When a fire alarm is activated, the elevators in Lynx Crossing will stop automatically. Occupants should use the stairs to evacuate the building. If you are caught in the elevator, push the emergency phone button. After a false alarm in Lynx Crossing, an email message is distributed to building residents, typically the next business day, informing them of the cause of the activation and the reason for the evacuation. The purpose of providing follow-up information is to use those instances as a teaching moment to point out the reason for the alarm activation, the evacuation routes, and instructions and guidelines for evacuations. CU Denver publishes this fire safety report as part of its annual Clery Act Compliance document, which contains information with respect to the fire safety practices and standards for CU Denver and Lynx Crossing. This report includes statistics concerning the number of fires, the cause of each fire, the number of injuries and deaths related to a fire, and the value of the property damage caused by a fire (see charts for more information). The compliance document is available for review 24 hours a day at the Lynx Crossing front desk.

In case of an emergency, there are specific instructions that must be adhered to. First, dial AHEC Police at 303-556-5000 or the local authorities at 9-1-1. Each staff member should then follow the chain of command in reporting the incident to the Housing & Dining Leadership Team as well as the Greystar Home Office. Management and staff members should be familiar with all aspects of the fire prevention system. They should be familiar with all prevention systems in the resident rooms, (i.e., sprinklers, smoke alarms, intercom speakers, etc.) and in public areas (i.e. smoke alarms, fire extinguishers, pull stations, strobe lighting, exit signs, etc.) Community.

Managers and staff should also be familiar with all fire alarm monitoring systems on the property. This includes panels at the front desks that may indicate smoke alarm or pull station activations. Fire extinguishers, hoses, sprinklers, etc. should be provided if the local code requires them. Residents should be informed of the severe penalties associated with tampering and/or vandalizing fire equipment. RAs should also be familiar with how to operate a fire extinguisher, respond to the fire panel alarms/instructions and sprinkler activation and all evacuation policies and procedures.

## RESIDENTIAL FACILITIES EMERGENCY PROCEDURES

All staff members are required to be thoroughly familiar with all evacuations policies and procedures in the event of fire or emergencies.



When the fire alarm sounds instruct the RAs to respond as follows:

1. Immediately look outside of your suite to determine if you see any signs of smoke or fire. If it is determined that there is smoke or fire outside your building, call the fire department and evacuate the floor/building by banging on doors on your way out. Keep anyone from entering the building until the fire department arrives and says it is ok to re-enter the building.
2. Instruct residents to LOCK THEIR DOORS and quickly evacuate their rooms/apartments by use of the stairwells. Residents should be instructed NEVER TO USE THE ELEVATORS in the event of a fire alarm. When residents exit the building, they should be instructed to proceed and gather away from the building in their assigned designated areas.
3. RAs should report to the Lead RA On-Call and/or other professional staff members and proper authorities any resident(s) that fail(s) to follow evacuation instructions.
4. Once off of their floor/out of their suite, RAs should report to their assigned evacuation duty area (stairwells, exit doors, main entrance areas) to assist in the evacuation process.
5. In the event of an emergency, RAs should obtain a list of residents present and report missing residents to the Lead RA On-Call and/or other professional staff members and emergency response personnel.
6. Fire extinguishers should be inspected monthly and serviced annually. Fire drills should be conducted quarterly or annually. Consult with the Fire Marshall in your area to clarify the number of tests required.

## Evacuation Assembly Areas

RAs should instruct all residents to exit the building and proceed to the designated areas. Residents that fail to follow evacuation instructions will be referred to the Office of Student Conduct and Community Standards for failure to abide by Health and Safety Procedures. The Community Manager (Director of Housing & Dining) may elect to notify the Fire Department for assistance in prosecuting residents that fail to follow RA instructions concerning evacuation of the building during a fire.

## Fire Extinguisher Operation Procedures

All staff members should be familiar with the location of fire extinguishers on their floors as well as throughout the building and in common areas. In addition, they should be instructed in the proper operation of fire extinguishers. To use an extinguisher:

1. Remove pin from handle.
2. Stand back approximately eight feet.
3. Aim at the base of the fire and squeeze the handle.
4. Move nozzle side to side and spray to cover the source of the flames.

## Fire Sprinkler System Operation Procedures

If the property is equipped with a sprinkler system, it is important that all staff members are familiar with all operations of the system. This includes the monitoring of the alarm system panel, and all emergency pumps. In addition, all RA's and other staff members should know the location and how to turn off all shut off valves. This is especially important in the event of a water discharge due to accident, vandalism, or some other non-fire related

activity. It should be noted that the longer it takes to turn off the water flow, the more extensive the water damage will be in the actual area of discharge as well as all floors below.

## Staff Response to Fire Alarm

All on-site staff members must respond.

1. Highest ranking staff member is point of contact for emergency personnel.
  - a. Only the point staff member is authorized to communicate with emergency personnel.
  - b. If no pro-staff member is onsite during the alarm, the Lead RA On-Call is point until a pro-staff member arrives on-site.
  
2. All staff on-site must assist with evacuating residents from buildings to approved locations.
  - a. Approved locations are 100 feet away from building:
    - Zone 1: Low W Parking Lot
    - Zone 2: Viaduct Parking on North Side of building across Walnut
    - Zone 3: Overflow Parking Lot
    - Zone 4: Far corner of Southwest parking lot (behind basketball court)
  - b. There must be at least one RA or pro-staff member escorting residents to these locations. No information may be relayed to residents other than we are waiting to hear from emergency response crews when it is safe.
  - c. DO NOT MAKE STATEMENTS ASSUMING WHAT HAPPENED. THIS OPENS LIABILITY TO YOURSELF AND COULD PUT YOUR JOB IN JEOPARDY.
  - d. The point staff members will stay in communication with all zones and advise the staff when the building is safe to enter, or any necessary updates.

## PLANS FOR FUTURE IMPROVEMENT

Fire safety features in Lynx Crossing and City Heights are maintained and serviced when needed. The fire alarm system at Lynx Crossing was upgraded in 2021. City Heights is a new facility that opened for residents at the beginning of Fall semester 2021. No additional improvements to the devices are planned at this time.

Continued education is planned on fire drill and evacuation policies for residential students, including the placement of evacuation maps on the back of all suites/bedrooms in the residence halls. Emergency response guides are also posted in each residence hall and are regularly updated by the Office of Emergency Management. Regular updates of the Housing & Dining Emergency Management Plan are made that includes data from quarterly safety walks conducted in the residence halls.

## SECTIONS FROM RESIDENT HANDBOOK AND LEASE AGREEMENT

### Fire & Life Safety

All fire and life safety equipment must remain intact, installed and functioning. Any individual found responsible for tampering with, removing, damaging, or inappropriately possessing any fire/life safety equipment, (including

EXIT signs, fire extinguishers, sprinklers, smoke detectors, etc...) will be referred to the Office of Conduct and Community Standards and will be administratively fined a minimum of \$500. Additional and/or multiple offenses may result in increased fines and possible termination of the housing contract.

Part of living in a community is reporting any equipment that is failing, or being tampered with, or destroyed. Failure to report any vandalism or damage to the property, specifically, fire/life safety equipment can result in a referral to the Office of Conduct and Community Standards, in addition to administrative fines and/or termination of the housing contract.

No items are permitted on the ceiling and no items should be attached to fire sprinkler heads. Any false alarms on the property as a direct result of smoking, using prohibited fire hazards, or any other housing contract violation will result in a \$500 fine for the first offense, and additional fines and possible termination of the housing contract for multiple offenses.

In addition to your suites, certain policies must be followed when using common areas, to adhere to local fire codes. Do not remove any EXIT signs, fire extinguishers, or any other fire/life safety items from any common area or any area in the building. Any of this equipment, signage or other fire/ life safety equipment found in your presence will result in a minimum fine of \$500 and a referral to the Office of Conduct and Community Standards and/or termination of the housing contract.

Additionally, students living in City Heights Residence Hall are not permitted to keep microwaves in their personal bedrooms. Microwaves are provided for communal use in each community lounge in City Heights. City Heights residents are permitted to have a mini fridge up to 3.3 cubic feet in size in their bedroom; however, we strongly encourage each resident to coordinate with their roommate(s) on sharing a mini fridge due to space limitations.

The following items are not permitted in the residence halls, as they are considered fire hazards. The presence of any of the following items will result in a referral to the Office of Conduct and Community Standards and potential fines.

- Space heaters
- Anything with an open heating element (e.g., hot plates, toasters, toaster ovens)
- Grills
- Combustible or highly flammable materials (e.g., gasoline, spray paint, butane, kerosene, etc.)
- Burning materials (e.g., incense, candles, sage, etc.)
- Explosives
- Fireworks
- Ammunition
- Smoking devices (e.g., e-cigarettes, vaporizers, hookahs, bong, etc.)

## Appliances

All residents living in Lynx Crossing Residence Hall are provided the following full-size kitchen appliances in their suite: refrigerator, microwave, and sink. Residents living in certain Lynx Crossing suites may also be provided a dishwasher, oven, and cooktop. The upkeep and cleaning of kitchen appliances is the responsibility of all residents sharing the suite. All damage and/or improperly functioning element of a Lynx Crossing appliance should be documented through a work order, available through the residents' housing portal.

Kitchen appliances are not provided in the rooms of any residents of City Heights. However, each resident has access to community lounge spaces within City Heights that include microwaves. Residents living in City Heights are permitted to have mini fridges in their personal rooms. Mini fridges must be no larger than 3.3 cubic feet. Each resident is permitted to bring their own mini fridge; however, due to space limitations, we strongly encourage residents to coordinate with their roommate(s) regarding sharing one mini fridge. Due to electrical and fire safety concerns, microwaves are not permitted in any room for any reason. Microwaves can be found in each City Heights common lounge.

The following appliances are not permitted in any residence hall for any reason:

- Deep fryers
- Hot plates
- Toasters
- Toaster ovens
- Pressure cookers
- Portable or window-unit air conditioners
- Portable or countertop dishwasher, washers, or dryers
- Radiators and space heaters
- Any other appliance with an exposed heating coil/element
- Other small appliances, such as coffee pots, tea kettles, etc., may be brought into the residence hall as long as they are UL-approved and have an automatic shut-off function.

## **Suite/Room Decorations**

No items are permitted to be attached to the ceiling. No items should be attached to the fire sprinkler heads. All decorations must be temporary so as not to permanently deface or damage doors, windows, and suite furnishings. Tape of any kind on the windows, carpet or flooring is not permitted. Any damage to ceilings, walls, floor, or furniture will result in a damage fee upon checkout.

Residents should avoid material that a reasonable person might find offensive. The posting of material that “attacks,” demeans or otherwise exploits an individual or a group of individuals is not permitted. No materials are permitted to be permanently adhered to doors, windows, or other suite furnishings. Residents should not use materials that cannot be readily removed from any surface. Materials affixed to the door must not cover the peephole. Housing & Dining staff reserve the right to ask students to remove any decorations from walls, doors, windows, floors, etc. Total wall and/or door coverage is considered a fire hazard and is not permitted.

## **Smoke Detectors**

All exit signs, fire extinguishers and other fire/life safety equipment must remain intact, installed and functioning. Part of living in a community is reporting any equipment that is failing, or being tampered with, or destroyed. Failure to report any vandalism or damage to the property, specifically, fire/life safety equipment can result in a conduct hearing leading to fines and/or eviction.

Any individual found tampering with, or possessing any fire/life safety equipment, (including exit signs, fire extinguishers, sprinklers, smoke detectors, etc...) can face large fines and referral to the conduct process as well as possible termination of the housing contract and/or criminal prosecution.

Every suite comes equipped with a set of smoke detectors and one fire extinguisher. Smoke detectors can be found in the kitchen, common area, and each bedroom. The fire extinguisher can be found in the cabinet under or near the kitchen sink.

Please note that the smoke detectors in your suite are very sensitive. When taking a shower, close the bathroom door to ensure the steam does not affect the detector. When cooking, be sure to use the fan on your microwave. This could also help prevent a grease fire. If your detector makes a beeping/chirping sound, it means the battery is low. Complete a work order as soon as possible to have the battery replaced. Any time a smoke detector sounds an alarm, you should respond to it as an emergency and proceed in a safe manner.

Fire extinguishers are intended for use in emergency situations only. In any event that a fire extinguisher is discharged, it should be reported to Housing & Dining staff or the Front Desk so that a replacement extinguisher can be installed.

## Electrical Safety

Modifications to, or changes in, electrical wiring are not permitted. No "splices," "octopuses" or modification devices of any kind may be used to add plugs in a room or suite. Approved, grounded power strips with circuit breakers may be used only for computers and computer related hardware. A maximum of two power strips may be used per room. Extension cords are not permitted.

## Fire Safety

Under no circumstances should ANY smoke detector or life safety equipment be tampered with. No items are permitted on the ceiling and no items should be attached to fire sprinkler heads. If any smoke detector is found in any other condition that it was installed, each resident will be referred to the Office of Conduct and Community Standards and will be fined a minimum of \$500. Additional offenses may result in increased fines and possible termination of the housing contract. In addition, any false alarms on the property as a direct result of smoking, using prohibited fire hazards, or any other housing contract violation will result in a \$500 fine for the first offense, and additional fine and possible termination of the housing contract for the multiple offenses.

Any resident found responsible for improperly using and/or tampering with a fire extinguisher will be referred to the Office of Conduct and Community Standards and will be fined a minimum of \$500. Additional offenses may result in increased fines and possible termination of the housing contract.

In addition to your suites, certain policies must be followed when using common areas, to adhere to local fire codes. Do not remove any exit signs, fire extinguishers, or any other fire/life safety items from any common area or any area in the building. Any of this equipment, signage or other fire/life safety equipment found in your presence will be fined a minimum of \$500 will be assessed and could be followed by legal proceedings.

## Prohibited Fire Hazards

Space heaters, hot plates, grills, other combustibles, any burning materials, including candles and incense, explosives, fireworks, ammunition, gasoline, other highly flammable material, e-cigarettes, hookahs, pipes, vaporizers, bongs, other smoking devices. Refer to the [Student Code of Conduct](#) for additional university policies on fire safety.

## Smoking

Smoking is strictly prohibited in all suites, hallways, breezeways, common rooms, the courtyard and within property gates. Smoking is permitted in the smoking pavilion, located in the South parking lot. Hookahs, bong, and any other smoking paraphernalia items involving an open flame are strictly prohibited on residential properties, even when they are not in use.

## Evacuation

Fire warning devices and safety equipment are to be used only in case of emergency. The sounding of a fire alarm should be taken seriously, and residents should proceed according to the instruction posted in and about the property. The intentional sounding of an alarm outside of an emergency situation will be considered a criminal offense and the person or persons responsible will be treated accordingly.

If there is a fire or the alarm sounds, feel your door with the back of your hand before exiting. If it is cool, exit the room, close the door, and proceed to evacuate the building. If the door is hot, don't open it; fill any cracks with wet towels, signal from your room by hanging a sheet out your window and wait to be rescued by the fire department. Upon leaving your suite, close your door. If smoke is present in the breezeways, lie down and crawl to safety; fresh air will be near the floor. All residents should proceed away from the building and meet in the parking lot at the furthest point from your building. After you have exited, please be sure to move away from the building in order to avoid falling debris and to give the fire department personnel room to operate. Notify a member of the property staff upon exiting the building. The fire department will give an "all clear" when it is safe to re-enter the building.

You are required by law to evacuate the buildings when the alarm sounds. Failure to do so is not only dangerous and illegal, but it also may result in criminal prosecution and the initiation of eviction proceedings. Failure to exit the property during a fire alarm or drill may result in fines up to \$1,000.

## Vandalism

Vandalism, including but not limited to, damaging university property or property belong to another is not permitted and a violation of the [Student Code of Conduct](#). This includes intentional damage to elevators, white boards/bulletin boards, door decorations, flyers, and life safety equipment. Residents found responsible of vandalism could face possible termination of the housing contract.

## Weapons and Concealed Weapons

Firearms, ammunition, fireworks, explosives, highly flammable materials (including spray paint), projectile devices, guns or knives, or any other weapon or material or instrument which poses a risk of damage or injury is strictly prohibited on Housing & Dining property. Refer to the [Student Code of Conduct](#) for "weapon" as defined by the University Of Colorado Board Of Regents. A harmless instrument designed to look like a firearm, explosive, or dangerous weapon which is used by or is in the possession of a person with the intent to cause fear in or assault to another person is expressly included within the meaning of weapon.

Residents and guests are not permitted to carry handguns regardless of their possession of a Concealed Handgun Permit. AHEC does offer the option for short-term weapons storage. Questions about AHEC's weapon's storage

policy should be directed to 303-556-5000. Residents and guests should not possess or store any other types of firearms in the residence halls. Firearms are defined as any gun, rifle, pistol or handgun designed to fire bullets, BBs, pellets or shots (including paint balls or darts) regardless of the propellant used. This includes ornamental rifles used for military or ROTC training.