

CU Denver | Anschutz Medical Campus Reporting and Resolution Options Following an Incident of Sexual Misconduct, Intimate Partner Violence, or Stalking

The University of Colorado Denver | Anschutz Medical Campus prohibits sex-based discrimination and harassment, including discrimination based on sex as defined by Title IX, discrimination based on sex that falls outside of Title IX, and other forms of sexual misconduct as defined by the Sexual Misconduct, Intimate Partner Violence, and Stalking Policy (APS 5014).

Sexual violence, sexual harassment, and other gender- or sex-based harassment occurring in the college setting implicates federal law including the Violence Against Women Act and Title IX of the Higher Education Amendments of 1972, which prohibits discrimination and retaliation for raising a concern of discrimination on the basis of sex in educational programs or activities.

These laws activate certain responsibilities on the part of educational institutions. The Office of Equity (OE) of CU Denver | Anschutz Medical Campus administers the provisions of VAWA and Title IX.

It is important that campus community members and others who believe they have been subjected to any of these behaviors read the following information. Although not intended to be a comprehensive explanation of options and rights, this information may be useful for understanding what options and resources are available following an incident of sexual misconduct.

When sexual harassment, sexual violence, intimate partner violence, or stalking has occurred and is brought to the attention of the university, the OE strives to stop, prevent, and remedy discrimination, harassment, sexual misconduct, and any related retaliation. For more information about the Sexual Misconduct, Intimate Partner Violence, and Stalking Policy (hereinafter, "Policy"), please visit: <https://www.cu.edu/ope/aps/5014>

Office of Equity	Phone: (303) 315-2567
Address: 1380 Lawrence St. 12 th floor Denver, CO 80204	Email: equity@ucdenver.edu
	Website: https://www.ucdenver.edu/offices/equity

For contact information of OE staff visit: <https://www.ucdenver.edu/offices/equity/about-us/meet-the-team>

Reporting Options

Call 911 if you are in an emergency or have an immediate safety concern.

Internal reporting to the Office of Equity at CU Denver | Anschutz Medical Campus

Individuals who have been subjected to any form of sexual misconduct¹ and/or related retaliation, as defined by the Policy have several options for reporting their concern(s). The Office of Equity (OE) is here to provide resources and support, as appropriate, to ensure all involved parties have access to a safe and inclusive working and academic environment.

There are several ways to submit a report to the Office of Equity (OE).

- Submit a report or request online via Maxient:
https://cm.maxient.com/reportingform.php?UnivofColoradoDenver&layout_id=2
- Send a hard copy of a report to either of the OE mailing addresses¹:
 - CU Denver: Lawrence Street Center, 12th Floor
 - 1380 Lawrence Street, 12th Floor, Denver, CO 80204
 - CU Anschutz: Education 2 North, 5th Floor
 - 13120 East 19th Avenue, Aurora, CO 80045
- Call the main office line at 303.315.2567 to report a complaint or request an appointment to speak with a staff member.
- Email the OE at equity@ucdenver.edu to report a complaint or request an appointment to speak with a staff member.
- Visit our office at either location and make a report in person¹.
 - *Please note, our staff work on both the CU Denver and CU Anschutz campuses and we cannot guarantee someone will be available without an appointment.*

A report made to the Office of Equity, through any of the means listed above, constitutes notice to the University but does not mean a formal complaint has been filed and accepted by the OE. If you would like to file a formal complaint, please contact the OE and a staff member will provide additional information about the formal complaint process.

Detailed information about how to file a formal complaint, which includes a request that the OE investigate an allegation of sexual misconduct, is also available in SECTION IV of the University of Colorado Denver | Anschutz Medical Campus [Sexual Misconduct, Intimate Partner Violence and Stalking](#) Procedures (hereinafter, "Procedures").

Even if someone who experiences sexual misconduct chooses not to file a formal complaint and/or chooses not to participate in a resolution process (through the OE or law enforcement), the person can still contact the OE for information and assistance accessing on- or off-campus supportive services.

¹ In-person meetings may not be available at all times during the 2020-2021 academic year due to remote campus operations implemented as preventative measures during the COVID-19 pandemic. Meetings will be conducted via telephone or videoconference. Additionally, items mailed to OE's physical mailbox may experience a delay in the OE's ability to retrieve such documents due to the campus closure. Please contact the OE for the most updated information.

Reporting to Law Enforcement

People who experience misconduct are not required to, but do have the right to, file a criminal complaint with law enforcement (University Police (Anschutz Campus), ACPD (Auraria Campus Police Department), or local law enforcement. Reporting to law enforcement can be done simultaneously to your report to the OE. The OE can assist in reporting to law enforcement for people alleging misconduct that may also be a criminal offense.

Reporting to university police (Auraria Campus Police Department or University Police at CU Anschutz) will constitute notice to the University and may result in an OE resolution process. In cases of sexual assault, university police will disclose the name of the person listed as the victim in a police report only with the person's consent. For additional information about the contacts below, please visit the resource section of this document titled "Law Enforcement".

Confidential Assistance

If a person is not sure about initiating a university resolution process or making a police report, the person alleging misconduct can receive free, confidential support by contacting the Phoenix Center at Auraria (PCA) or the Phoenix Center at Anschutz (PCA). PCA advocates can work with clients regardless of whether the incident occurred on or off campus. The PCAs are confidential resource centers for people that have experience interpersonal violence (sexual assault, domestic violence, and stalking). For contact information for either office, please review the resource page at the end of this document titled "Confidential Assistance".

Additional information about resources can be found on the OE's website:

<https://www.ucdenver.edu/offices/equity/support-resources>

Preservation of Evidence

An individual may be unsure if they want to report to law enforcement, OE, or confidential support services. Regardless of whether or not someone wants to report an incident(s), it is important to preserve any evidence of the incident so that if at any point in time they wish to report, that evidence is still available. Please note that if some or all of this evidence is unavailable or does not exist, reporting to law enforcement and/or the university is still encouraged. The lack of evidence listed below does not preclude an investigation from taking place.

Examples of evidence to preserve (when applicable) include, but are not limited to:

- Clothing that the individual was wearing
- Bedding or towels
- Text message correspondence discussing the assault (either with the accused or with friends or family)
- Photographs
- Written correspondence (notes, letters, etc.)
- Screenshots
- Emails
- Social media correspondence/posts (Facebook, Tinder, Snapchat, Instagram, etc.)
- Correspondence via other messaging apps (Whatsapp, Viber, Signal, etc.)

- Video surveillance (Please note that on-campus security video systems have limited retention and storage capacity. It is important to request on-campus video be preserved as soon as possible after the incident, even if you do not know whether video recordings are relevant.)
- Names of and contact information for potential witnesses

Sexual Assault Nurse Examination (SANE)

If an individual wants to undergo a medical exam in order to obtain and preserve evidence, they can go to the Sex Assault Nurse Examiner (SANE) program at Denver Health or UCHealth in Aurora. Contact information is listed in the Resources section of this document under the title “SANE”. Additional SANE locations can be found on our website:

https://www1.ucdenver.edu/docs/librariesprovider102/default-document-library/sanelocations2018.pdf?sfvrsn=2431db9_2

OE’s Overview of Resolution Processes

Supportive and Safety Measures

Whether or not a formal complaint or participation in a grievance or resolution process is initiated, when the OE is made aware of a reported concern supportive and safety measures can be offered. Supportive measures are non-disciplinary, non-punitive individualized services designed to restore or preserve a party’s equal access to CU Denver | Anschutz Medical Campus’ educational programs or activities, including employment opportunities, without unreasonably burdening the other party. Supportive measures are offered as appropriate, as reasonably available, without fee or charge to the party.

The complainant (person alleging misconduct) may request no further action be taken regarding their allegation. Absent of any override factors, the OE can provide supportive services to the complainant.

Types of individualized services (or assistance with services) available include, but are not limited to, accessing on- and off-campus counseling, health services, academic support, mental health services, housing room assignment changes, victim advocacy, employment issues, transportation/parking changes, legal assistance, visa and immigration services, no-contact orders, and forensic sexual assault nurse exams (SANE). A list of such resources is provided below and confidential offices are designated.

For more information about accessing supportive and safety services please contact the OE at 303-315-2567 or via email at equity@ucdenver.edu.

Protective Orders

Complainants 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. Restraining orders are obtained through the court with applicable jurisdiction. More information on obtaining a restraining 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> . The Phoenix Center at Auraria (PCA) can assist individuals free of charge with the process of obtaining a restraining order. CU Denver | CU Anschutz 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 (for those on the Auraria Campus) and/or the University of Colorado Denver Police Department (for those on the CU Anschutz) and the Title IX Coordinator or designee.

Complainant's Agency

The OE will consider a complainant's wishes in determining how an allegation of sexual misconduct is addressed. A complainant can, but is not required to, file a formal complaint requesting the OE investigate and adjudicate allegations of sexual misconduct. There is no time limit for filing a formal complaint. To file a formal complaint, please contact the OE or access the complaint form, here:

https://cm.maxient.com/reportingform.php?UnivofColoradoDenver&layout_id=2

A complainant can also request that the allegation be addressed through a non-investigative, non-disciplinary approach, such as a Policy Education Meeting with the respondent. A complainant can also request that the allegation not be addressed.

In the event a complainant requests the allegation not be addressed, the Title IX Coordinator or designee will weigh that request against the University's obligation to provide a safe, non-discriminatory environment for all students, faculty, and staff. In making this determination, the Title IX Coordinator or designee will consider a range of potentially overriding factors that would cause the Title IX Coordinator or designee to file a formal complaint and initiate a grievance process. Information about overriding factors are listed in Section V.D of our [Procedures](#) . These decisions will be made on a case-by-case basis, and after an individualized and thoughtful review.

Formal Grievance Process

The complainant (person alleging misconduct) or Title IX Coordinator or designee must file a document alleging a violation of the Policy against an individual (referred to as the respondent who is the person alleged to have engaged in prohibited conduct as defined by the Policy) for the University to initiate a formal grievance.

A formal grievance process includes four major stages: (1) filing and evaluation of the formal complaint, (2) upon acceptance of the formal complaint, an investigation and the creation of an investigative report, (3) a live hearing with cross examination of the parties resulting in a determination regarding responsibility (including sanctions, if applicable), and (4) an opportunity to appeal, if applicable.

1. *Filing and evaluation of the formal complaint:* A formal complaint must contain the complainant's or Title IX Coordinator's physical or digital signature. When a formal complaint is filed, the respondent is provided a Notice of Allegations. This is provided to

the respondent before the OE decides whether or not the matter can be formally investigated.

2. Investigation and investigative report: Following a formal complaint being filed, and it is determined that a formal investigation is warranted, appropriately trained officials will contact the parties to conduct the investigation. During the investigation, the parties have the option to bring an advisor, advocate, and/or other support person of their choice to any meeting with the OE. Advisors may be provided by the University to either of the parties, upon request, or parties may use an advisor of their choosing. The OE investigation will include requests to interview the complainant(s), respondent(s), and witnesses, as well as identification and review of any documentation directly related to the allegations. After the investigation, the OE will provide all parties with all evidence collected that is directly related to the allegations at issue. Parties will then have an opportunity to submit a written response prior the completion of the investigative report. The OE will provide parties with the investigative report and an opportunity to respond to the report prior to any hearing.
3. A.) Live hearing and cross examination: A live hearing will be conducted to allow the parties' advisors to cross-examine the other party and witnesses. The hearing officer(s) is responsible for maintaining an orderly, fair, and respectful hearing. The complainant and respondent will not be permitted to directly question each other and will not be physically present together at any point. Technology will enable the hearing officer and the parties to simultaneously see and hear the party or witness answering questions.
B.) Determination of Responsibility and Sanctioning: The hearing officer(s) will make the determination of whether or not the respondent is responsible for a policy violation using a preponderance of the evidence. The hearing officer(s) will also provide the parties with a written determination regarding responsibility, including notice of the disciplinary sanction, if applicable. The sanction(s) for students will be determined by the Sanctioning Board, comprised of trained University staff and faculty members. The sanctions for faculty and staff will be determined by the Respondent's disciplinary authority in consultation with the Title IX Coordinator.
4. Opportunity to Appeal: An appeal process is available to parties based on 1) procedural irregularities that affected the outcome of the matter, 2) new evidence that was not reasonably available that could affect the outcome of the matter, or 3) the Title IX Coordinator, an investigator, or hearing officer having a conflict of interest or bias that affected the outcome of the matter. In the appeal, both parties will have a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

Concurrent OE and Criminal Processes

The OE process is independent from the police and court processes. In most cases, the OE will not wait until a criminal case is resolved before proceeding with a resolution process. If a University official has a reasonable belief that a crime has been committed, the official may be obligated to report to law enforcement if police have not already been notified. The OE's investigation may be delayed for a short period of time upon a request from law enforcement, but the OE will promptly resume the investigation as soon as possible.

Resources

Law Enforcement

(Please call 911 if you are experiencing an emergency)

Auraria Campus Department (ACPD)	Main Number: 303-556-5000
Address: Administration Building 1202 5 th Street, Suite 110 Campus Box E, PO Box 173361 Denver, CO 80217	Text-a-Tip: 720-593-TIPS (8477)
	Website: https://www.ahec.edu/services-departments/police

Denver Police Department (DPD)	Non-Emergency: 720-913-2000
Address: Police Administration Building 1331 Cherokee Street Denver, CO 80204	Information Desk: 720-913-6100
	Website:
	https://www.denvergov.org/content/denvergov/en/police-department.html

University Police at CU Anschutz	Phone 303-724-2000
Address: 12454 East 19th Place Mail Stop F409 Aurora, CO 80045	Website: https://www.cuanschutz.edu/police

Aurora Police Department	Information Desk: 303-739-6000
Address: 15001 E. Alameda Ave. Aurora, CO 80012	Dispatch for non-emergencies: 303-627-3100
	Website: https://www.auroragov.org/residents/public_safety/police
Email: ContactAPD@auroragov.org	

Confidential Assistance

Phoenix Center at Auraria	Office Phone: 303-315-7250
Address: Tivoli Student Union, Suite 227 900 Auraria Parkway Denver, CO 80204	24/7 Helpline: 303-556-CALL (2255)
	Website: www.thepca.org
Email: info@thepca.org	

Phoenix Center at Anschutz	Office Phone: 303-724-9120
Education 2 North, 3rd Floor, Room 3101 13120 E 19th Ave, Aurora, CO 80045	24/7 Helpline: 303-556-CALL (2255)
	Website: https://www.cuanschutz.edu/student/support/phoenix-center
Email: Rachael.williams@cuanschutz.edu	

SANE

Denver Health Medical Center	Phone: 303-602-3007 or 303-602-8100
Address: 777 Bannock Street Denver, CO 80204	Website: https://www.denverhealth.org/services/emergency-medicine/sexual-assault-nurse-examiners
UCHealth- Aurora	Phone: 720-848-8451