

Office of Equity Annual Report July 31, 2017-July 31, 2018¹

OVERVIEW

The Office of Equity (OE) was created to administer the University's Nondiscrimination and Sexual Misconduct policies, including by addressing all complaints discrimination and harassment based on sexual misconduct and protected characteristics, reported by University students, faculty, staff or third-parties.

The Office of Equity's stated mission is to strive to stop, prevent, and remedy discrimination, harassment, sexual misconduct, and any related retaliation; assist employees with obtaining reasonable ADA accommodation requests; provide education, training and outreach; design policies and procedures to make our campus safer and more inclusive; and, ensure all individuals are treated with dignity, compassion, and respect. Our administration of the University's Nondiscrimination and Sexual Misconduct policies is conducted in accordance with Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Age Discrimination in Employment Act, the Americans with Disabilities Act, and other applicable federal and state laws.

To fulfill our mission, the OE:

- Provides compliance, oversight and support with all applicable federal and state civil rights laws for both the CU Downtown and Anschutz Medical Campuses, prohibiting discrimination, harassment, sexual misconduct, and retaliation—currently serving 19,401 students and more than 10,000 faculty & staff;
- Consults, trains, and provides prevention resources to the University community regarding and preventing discrimination, harassment, sexual misconduct, retaliation, and bystander intervention;
- Receives, evaluates and responds to all reported concerns of alleged violation(s) of the policies under the OE's purview;
- Coordinates the provision of remedial and interim protective measures as needed;
- Investigates complaints of alleged violation(s) of policies under the Office's purview, as appropriate;
- Coordinates requests for reasonable accommodations for individuals with disabilities;
- Provides oversight of various physical locations on both campuses including lactation rooms, ADA accessible areas and gender-inclusive restrooms;
- Prepares and administers the University's Affirmative Action Plan;

¹ Our office is transitioning our Annual Report cycle to align with the academic calendar, August 1-July 31. In making this transition, this report will contain information spanning July 2017-July 2018.

- Maintains accurate files and data to respond to media inquiries, as well as, legal and CORA document requests; and
- Conducts ongoing evaluation regarding the efficacy, accuracy and legal sufficiency of relevant policies and procedure

In addition to the University's Nondiscrimination and Sexual Misconduct policies, the Office of Equity also enforces the University's Disability Accommodation Policy, as well as the Conflict of Interest in Cases of Amorous Relationships Policy.

The Office of Equity's mission is also in alignment with several of CU Denver's Strategic Priorities, particularly as related to creating a more cohesive, collaborative and **inclusive culture**. Office of Equity Staff currently participates on the Human Resources Council on Diversity and Inclusion, which was established by the Office of Diversity and Inclusion in January 2017. The Council consists of a variety of HR personnel from across both campuses; it will review, revise, develop, and advocate for human resources practices and policies related to enhancing diversity and fostering a culture of inclusion.

Additionally, the Office of Equity continues to assess the results of the Sexual Misconduct Survey administered in the Fall of 2016. This survey, which will be administered again in the coming academic year provides valuable information enabling our office to evaluate our ongoing initiatives to combat interpersonal violence and educate the CU Denver and CU Anschutz communities about sexual misconduct. The survey data also better informs our office's efforts to provide a variety of resources and training to stop, remedy, and prevent discrimination, harassment and sexual misconduct.

Short and Long-Term Goals

The Office of Equity is committed to assisting in the creation of an environment where students can obtain their education, and where faculty and staff can perform their work, free from discrimination and harassment. In an effort to do so, the Office of Equity has outlined the following goals:

- Ensure University compliance with the Nondiscrimination and Sexual Misconduct policies.
- Increase the office's visibility across the CU Denver and CU Anschutz campuses, as well as locally and nationally.
- Identify and improve office efficiencies (from intake to investigation to post-investigation efforts).
- Increase outreach and training efforts, as well as refine training programs and materials.
- Analyze and develop tools to review the efficacy of training programs.
- Develop respondent resources, including potential training for respondent advisors.
- Develop climate assessment tools/surveys for each campus.
- Continue collaboration with national partners on existing and future research opportunities.
- Digitally archive discrimination and harassment files.
- Refine policies and procedures.

- Further develop collaborative relationships with other administrative offices, including our colleagues within the CU system, as well as faculty and student committees and councils.
- Address gaps within our processes, including providing clarifications about our office's work and increasing resources available to parties who participate in our processes.

ACCOMPLISHMENTS

Staffing

During the 2017-2018 academic year, the Office of Equity continued to grow its staff and filled critical vacancies in the areas of investigations and training, prevention and outreach. A newly created position, Coordinator of Interim Measures & Remedies, added to our complement of highly-skilled staff. This position afforded the office the ability to provide timelier responses, and address and resolve to an ever-increasing number of reported concerns.

New & Ongoing Initiatives

Lactation Spaces

The Office of Equity began its involvement in the management and maintenance of all lactation spaces on the CU Denver | Anschutz Medical Campuses, in conjunction with Facilities Management, Security & Badging, the Office of Information Technology/EMS, and the Women & Gender Center. Work in this area has consisted of identifying the need for additional spaces, working to build out and equip lactation spaces, maintaining existing spaces, as well as monitoring access and tracking the usage of these spaces. As of AY 2017-2018, this includes providing oversight to current inventory of 30 lactations spaces on campus.

FaST Team

The Director of the Office of Equity joined the Faculty and Staff Threat Assessment and Response (FaST) Team which serves both the CU Denver | Anschutz Medical Campuses. The FaST Team was established to make initial determinations that workplace behavior presents a potential danger to the employee or others, the extent of the threat, immediate steps to be executed and by whom. The team also identifies appropriate resources to manage the situation going forward and conduct on-going review and follow-up on cases until concerns are resolved. The team meets monthly and immediately as needed when there are reported or observed situations requiring assessment and response. Our office's presence on the FaST Team enhances the effectiveness of the team as, in many cases reported to the team involve elements related to the policies administered by our office.

Conflict of Interest in Cases of Amorous Relationships Policy

In AY 2017-2018, the Office of Equity also assumed oversight of the Conflict of Interest in Cases of Amorous Relationships Policy. This consists of responding to inquiries and advisements regarding reporting requirements under the policy.

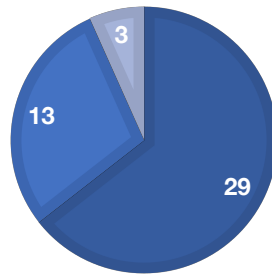
ADA Policy and Reasonable Accommodations and Affirmative Action

The Office of Equity also assumed oversight and administration of the University's Disability Accommodation Policy for faculty and staff, which included dedicating an Office of Equity staff member to these responsibilities. Additionally, this OE staff member was responsible for developing and monitoring the executing of the Affirmative Action Plans for the CU Denver and CU Anschutz Campuses. During FY 2017-2018, successes in this area included:

- Maintaining university compliance with demands associated with the Affirmative Action Report and Planning.
- Development of a centralized tracking, online database for ADA requests and accommodations for faculty and university staff, as well as documenting institutional knowledge and history of ADA accommodation requests.
- Creation and implementation of an online ADA request form, to streamline the process for requesting ADA accommodations.

2017-2018 ADA ACCOMMODATION REQUESTS BY CAMPUS ROLE

■ Staff ■ Faculty ■ Unaffiliated



The Office of Equity also increased the accessibility of its office located at the Lawrence Street Center by installing an ADA access button for the main door to the office suite.

Affirmative Action Planning

In AY 2017-18, the Office of Equity also assumed responsibility for the CU Denver and CU Anschutz Medical Campuses affirmative action plans, which was previously housed under the University's Human Resources Office. Beginning with the 2017-2018 plan year, the newly appointed Affirmative Action Coordinator prepared affirmative action plans for both campuses. Through the appointment of an Affirmative Action Coordinator in the Office of Equity, the University will be better able to assess, monitor and implement affirmative action goals. This endeavor seeks to increase the accuracy, utility and efficacy of affirmative action planning initiatives, including but not limited to those steps taken to recruit, hire, and retain women and minorities, individuals with disabilities and veterans as identified by federal requirements.

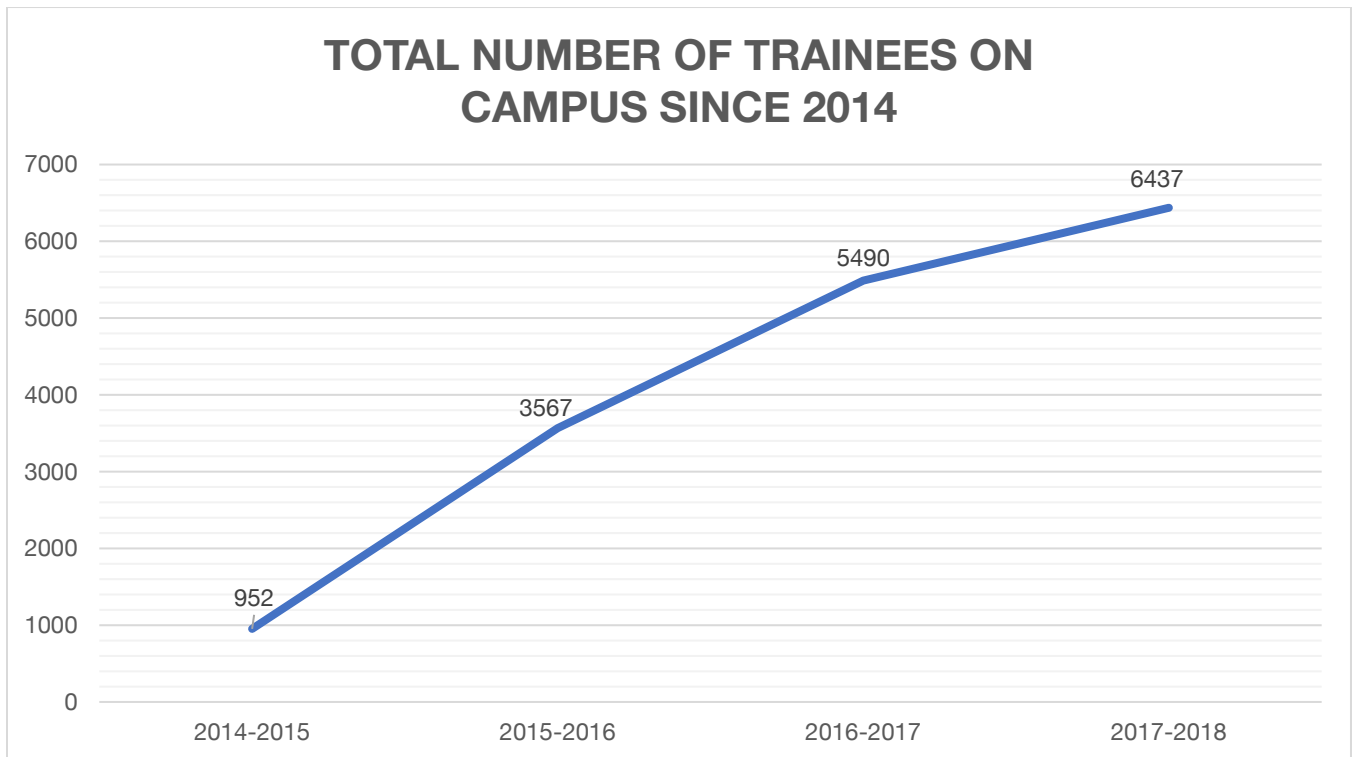
Increased Visibility

The Office of Equity also increased our local and regional visibility through conference presentations and partnerships with the University of Kentucky, presentations at the 2018 Student Affairs Administrators in Higher Education NASPA Strategies Conference, the 2018 Student Affairs Conference, presentations at local K-12 schools, and the creation of a memorandum of understanding with the Colorado Coalition Against Domestic Violence (CCADV) for the Delta Impact Grant Collaborations Partnership which is currently under review.

Training, Prevention & Outreach

The Office of Equity seeks to regularly provide training, prevention and outreach efforts in a variety of ways. To achieve this, the office has dedicated a full-time staff member, the Deputy Title IX Coordinator for Prevention, Training and Outreach, to achieve this goal on both the CU Denver and CU Anschutz Campuses. The Deputy Title IX Coordinator for Prevention, Training and Outreach focuses on maintaining current and relevant training materials. Presentations, resources, and educational materials, are strategic and customized to respond to community needs and outreach requests. The Deputy Title IX Coordinator for Training, Prevention and Outreach also develops campus-wide partnerships to ensure that equity is at the forefront of what we do as a community, determines focus areas for educational outreach, and designs and implements targeted training in support of informal resolutions within the OE.

- Updated the online Skillsoft training required for all faculty and staff
- A total of 141 trainings were facilitated by Office of Equity in AY 2017-2018
- A total of 6,437 individuals, comprised mostly of students, faculty and staff, were trained
 - An increase from 5,490, or 17% from AY2016-17
 - Of those trained:
 - 40% were faculty and staff
 - 2% were combined students, faculty and staff
 - 56% were students
 - 2% were unaffiliated



NOTE: Trainees on campus include students, faculty, staff and unaffiliated individuals.

Statistical Data

As outlined above, the Office of Equity addresses all sexual misconduct, protected class discrimination and harassment, and related retaliation complaints against students, faculty and staff as set forth in the University's Nondiscrimination and Sexual Misconduct policies.

The University's Nondiscrimination Policy sets forth a prohibition against discrimination and harassment based on 15 protected characteristics which include: race, color, national origin, sex, age, disability, pregnancy, creed, religion, sexual orientation, veteran status, gender identity, gender expression, political philosophy, or political affiliation. The policy further prohibits related retaliation. The Office of Equity is a neutral, fact-finding office responsible for addressing and investigating alleged misconduct pursuant to the Nondiscrimination Policy & Procedures, as well as the Sexual Misconduct Procedures. We review the facts of each reported complaint objectively in order to effectively address and resolve the matter, including making determinations as to whether a violation of university or campus policy occurred based on a preponderance of evidence standard.

The Sexual Misconduct Policy prohibits sexual misconduct and/or related retaliation including non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, sexual harassment, intimate partner abuse (including dating and domestic violence), and stalking.

In the three years since its inception, the Office of Equity has grown immensely, not only in terms of staffing, but also with regard to inquiries received, investigations conducted, trainings facilitated and policy management. This reporting year is no exception as we have seen a steady increase in the number of community members, on both campuses, who seek our resources.

As of the date of this report, we have summarized statistical data as it relates to sexual misconduct, discrimination and harassment based on protected characteristics, as well as retaliation concerns received by the Office of Equity for the academic year July 1, 2017 and July 31, 2018. The following data is representative of those complaints received at each the CU Denver and CU Anschutz Campuses, and includes data involving complaints filed by students, faculty, staff and other third parties, against respondents who include students, faculty and/or staff. It includes complaints made by affiliates and non-affiliated individuals with the University, as well as complainants and respondents who were not identified.

For AY 2017-18, the Office of Equity received a total of 411 complaints. This figure is up 98% from AY 2016-17, and up by 229% from AY 2015-16.

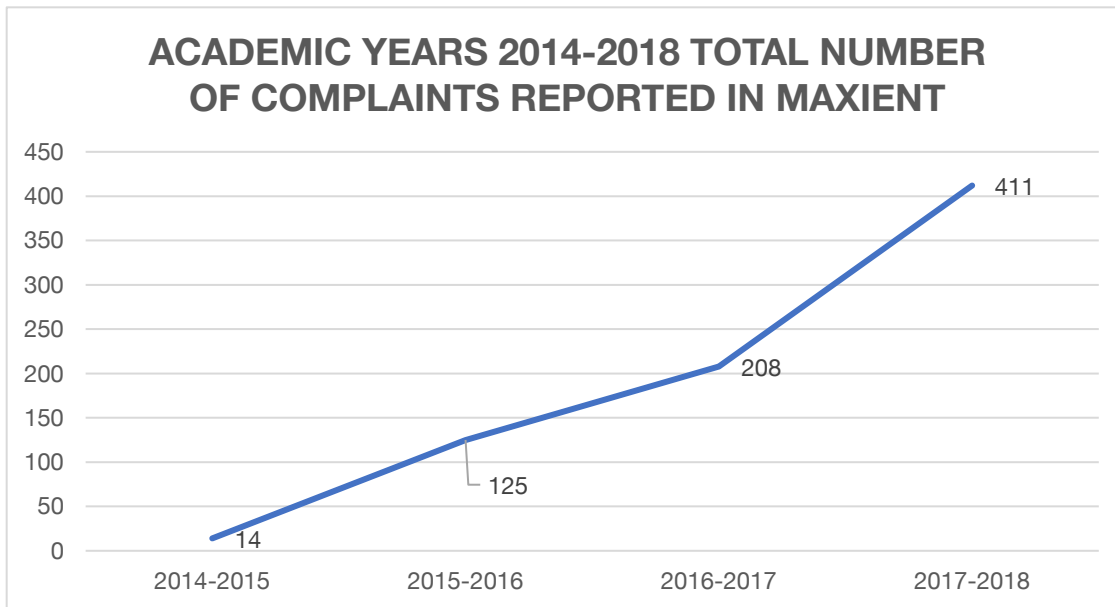
196 of these complaints were raised under the Nondiscrimination Policy, 177 were under the Sexual Misconduct Policy.

There were 36 complaints which did not fall under either policy and, as such were either referred to other university offices and/or external resources.

Finally, there were 230 reported concerns for which there was no basis to proceed. These reported concerns will not generally result in an informal resolution, referral to another office, or a formal investigation, for one or more of the following reasons:

- Insufficient information was provided as to the identity of either the complainant or respondent such that it would enable the office to appropriately address the concern as reported.
- Attempts to contact the complainant in an effort to fully understand the nature of the complaint were unsuccessful. There were a total of 71 such cases this AY.
- The reported concern was provided for informational purposes only and would not otherwise rise to the level of a potential policy violation.

- Complainant declined to participate in any process offered by our office, including formal investigation (and when declination of a formal investigation was permissible)².



AY 14-15: 14 Complaints
AY 15-16: 125 Complaints
AY 16-17 208 Complaints
AY 17-18: 411 Complaints

Informal Resolutions

As set forth in the Nondiscrimination Policy and Procedures, as well as the Sexual Misconduct Procedures, the Office of Equity may determine that the most prompt and effective way to address a concern is through the informal resolution process. The primary focus during an informal resolution remains the welfare of the Complainant and the safety of the campus community. Informal resolutions do not involve written reports or determinations as to whether or not a policy was violated. Instead, this form of resolution allows the University to tailor responses to unique facts and circumstances of an incident, particularly where there is not a broader threat to individual or campus safety. Such resolutions may include, but are not limited to:

- Provide targeted or broad-based educational programming or training; and/or
- Meet with the Respondent(s) to:
 - Discuss the behavior as alleged and provide an opportunity to respond
 - Review prohibited conduct under applicable policies
 - Identify and discuss appropriate future conduct and behavior as well as how to avoid behavior that could be interpreted as retaliatory
 - Inform Complainant(s) of the Respondent's responses, if appropriate
 - Notify other relevant university offices or others (i.e., Human Resources, Office of Student Conduct and Community Standards, the Respondent's supervisor or other disciplinary authority) of the allegations and responses if necessary, who will determine whether any other disciplinary action is appropriate.

Participation in an informal resolution is voluntary by Complainants and Respondents, though there may be occasions when, if the allegations were proven true would violate policy, failure to participate could result in the Office of Equity deciding to proceed with a formal investigation.

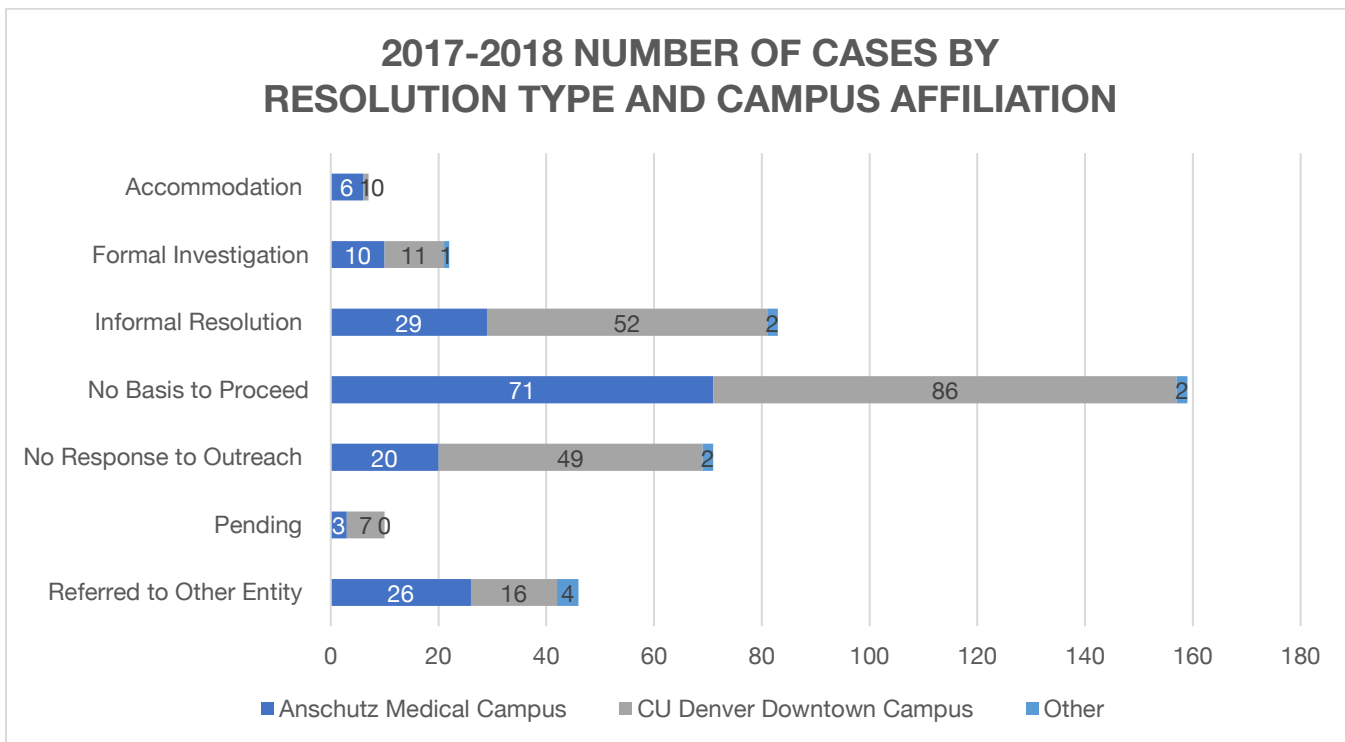
² University of Colorado Sexual Misconduct Policy Section II., D., 2. Sets forth a number of instances where the OE staff would be obligated to move forward with a formal investigation and after an investigation take disciplinary where the Complainant requests privacy, or that no investigation or disciplinary action be taken.

The Office of Equity managed 83 informal resolutions in AY2017-18. These include matters raising concerns of either discrimination or harassment based on a protected characteristic(s), sexual misconduct, or related retaliation.

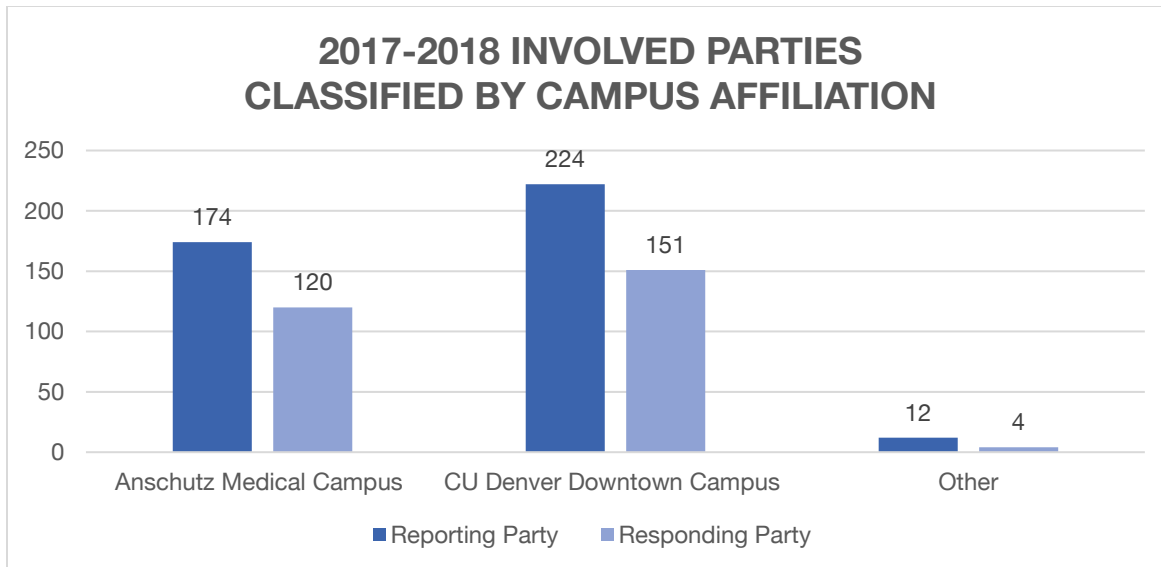
	Total	CU Anschutz	CU Denver	Other
Sexual Misconduct	177	54	117	6
Nondiscrimination	196	104	88	4
Pregnancy Accommodation	2	1	1	0
OE FYI (issues unrelated to OE policies)	36	13	21	2
	411	172	227	12

Nondiscrimination			
Basis	Total	CU Anschutz	CU Denver
Race	62	34	28
Sex	44	27	17
Disability	24	9	15
National Origin	19	10	9
Religion	13	3	10
Age	12	9	3
Discrimination Retaliation	12	5	7
Pregnancy	12	11	1
Sexual Orientation	11	4	7
Color	9	5	4
Veteran Status	4	2	2
Gender Identity	3	0	3
Political Philosophy	2	0	2
Political Affiliation	1	0	1
Creed	0	0	0
Gender Expression	0	0	0
Total	228	119	109

Sexual Misconduct			
Type	Total	CU Anschutz	CU Denver
Non-Consensual Sexual Assault	25	4	21
Non-Consensual Sexual Contact	22	8	14
Sexual Harassment	77	29	48
Sexual Exploitation	8	2	6
Intimate Partner abuse	44	13	31
Stalking	31	11	20
Sexual Misconduct Retaliation	1	0	1
Total	208	67	141



NOTE: "Other" includes reports or incidents which did not occur on, or were otherwise unrelated to, either the CU Denver Campus or the Anschutz Medical Campus. It also includes those reports made by, or which occurred at, the CU Denver South location.



NOTE: This graph shows the campus affiliations for the involved parties in those complaints made to the OE this academic year (reporting and responding parties; some cases have more than one involved reporting and/or responding party). Some involved individuals were reported as “Other” because either 1) the information was never given to our office as engagement is voluntary, 2) involved parties were not affiliated with either the CU Denver or CU Anschutz Campus.

Formal Investigations

The Office of Equity may resolve a reported complaint of alleged discrimination and/or harassment under either the Nondiscrimination Policy and Procedures, or the Sexual Misconduct Policy, in instances when the allegation(s), if true, would be prohibited under the applicable policy. The Office of Equity may decline to pursue a formal investigation if: (1) a Complainant has requested that a Formal Investigation not be pursued, and (2) the Office of Equity has determined that the Complainant’s request can be honored consistent with the University’s obligation to provide a safe and non-discriminatory environment.

The Office of Equity is committed to providing a prompt, fair and impartial resolution of all complaints referred for formal investigation.

The Office of Equity handled 21 formal investigations during AY 2017-18. As of the date of this report, 7 of those investigations were pending.

Discrimination			
	Total	Responsible	Not Responsible
CU Anschutz	9	0	9
CU Denver	1	0	1
	0		
Sexual Misconduct			
CU Denver	9	5	4
CU Anschutz	0	0	0
	0		
Retaliation			
	0	Responsible	Not Responsible
CU Denver	1	0	1
CU Anschutz	1	0	1