



Office of Institutional Equity

UNIVERSITY OF COLORADO **COLORADO SPRINGS**

The Office of Institutional Equity (OIE) addresses all complaints of Protected Class Discrimination and Harassment, Sexual Misconduct, Conflict of Interest in Cases of Amorous Relationships, and related retaliation. To achieve a positive environment for all members of the UCCS community, OIE conducts fair and unbiased investigations, while treating all individuals who seek our assistance with respect and dignity.

OIE has jurisdiction over all students, faculty, staff, and third parties on our campus. We also address conduct that occurs on campus and off-campus, including online or electronic conduct, if the conduct occurred in the context of University educational programs, activities, or employment, or has the potential to have continuing adverse effects on campus.

Jurisdiction Facts

- OIE's jurisdiction does not depend on whether criminal charges are filed.
- There is no statute of limitations for OIE matters.
- The failure of an individual to appear and/or respond to OIE does not prevent OIE from proceeding.

Support Services & Partnerships

- Counseling
- Health Services
- Academic accommodations
- Housing accommodations
- On-campus employment accommodations
- Other appropriate accommodations as determined by the Title IX Coordinator or designee

Report to Support

By reporting incidents of sexual misconduct, protected class discrimination, and harassment, or related retaliation, you are:

- Helping ensure that person is safe
- Getting the individual support
- Making negative behaviors stop
- Allowing OIE to gather more in depth information from the individual

Prohibited Conduct

- Discriminating and/or harassing on the basis of one or more protected class status
- Engaging in Sexual Misconduct including:
 - Non-Consensual Sexual Contact
 - Non-Consensual Sexual Intercourse
 - Sexual Exploitation
 - Intimate Partner Abuse
 - Stalking
 - Sexual Harassment
- Violating the CU Conflict of Interest in Amorous Relationships Policy
- Failure to Report
- Retaliation
- Providing False or Misleading Information
- Interference with Reporting
- Failure to Comply with Orders and Sanctions

The University will maintain the privacy of any remedial and protective measures provided under this policy to the extent practicable, and will promptly address any violation of the measures. These measures may be kept in place until the end of an investigation, may be lifted or modified as additional information is presented, or may be extended permanently as appropriate. The Title IX Coordinator or designee has the discretion to ensure the appropriateness of any remedial or protective measures based on all available information, including whether they are reasonably available, and will meet with a complainant or respondent to address any concerns about the provision of these measures.

You can contact the Office of Institutional Equity by email at equity@uccs.edu or by phone at 719-255-4324

FORMAL ADJUDICATION

The University does not tolerate and will be responsive to any complaint of Prohibited Conduct. We are committed to providing prompt, fair, impartial, and equitable resolutions of any complaint. The primary concern is the safety of all University community members. The University, through the OIE, will take steps to prevent recurrence of any prohibited conduct and remedy discriminatory effects on the complainant and others if appropriate.

Major Stages

- 1. Notice of Investigation (NOI):** This will be sent to both the respondent and the complainant. The NOI will include a description of the allegations, a charge of prohibited conduct and applicable policies, and information for the respondent to set up a meeting with OIE.
- 2. Collection of Information:** OIE follows an investigative model whereby investigators interview the complainant and the respondent separately. We provide each party the opportunity to be heard and to respond. There are no formal hearings.
 - All parties will be notified in advance of an interview or meeting where a party's presence is requested.
 - All parties will be able to present relevant information, identify witnesses, and suggest questions.
 - All parties can have an advisor of their choice present.
- 3. Disclosure of Written Evidence Summary:** Following the collection of information, the investigator shall allow the complainant and respondent to review a Written Evidence Summary of the relevant and material facts. The parties can respond to OIE with any additional information for consideration during such review.
- 4. Investigative Report:** At the conclusion of an investigation, the investigators shall prepare a written Investigative Report that will include a statement of factual findings and a determination as to whether or not there was a violation of the applicable policies.
- 5. Notice of Finding (NOF):** The OIE shall advise the complainant and respondent simultaneously in writing of the result or outcome of any investigation. The NOF will also include a supplemental summary of the factual findings and determination of policy violations.
- 6. Appeals:** Either party may file an appeal of OIE's finding. The UCCS Director of Compliance will review all appeals. An appeal must cite the basis of the appeal and provide sufficient and detailed information to support the appeal, in accordance with OIE's procedures.
- 7. Completion of Investigation/Sanction:** Sanctions are imposed by the respondent's disciplinary authority. The University will use its best efforts to complete its investigation and impose sanctions within 90 days of the issuance of a Notice of Investigation, although this time frame may be extended for good cause. In the event the 90-day timeframe is extended, both the complainant and respondent will be notified in writing of the reason for the extension.

Definitions

Advisor: An individual designated by the complainant or respondent to be present at any meetings with OIE staff. It is preferred that the advisor is not a witness.

Affirmative Consent: The unambiguous and voluntary agreement to engage in a specific sexual activity. 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.

Complainant: A person who is subjected to alleged prohibited conduct.

Party: Complainant or respondent and collectively referred to as "parties."

Preponderance of the Evidence: The evidentiary standard of proof used in all OIE procedures, meaning it is "more likely than not" that the alleged behavior occurred.

Respondent: A person who is accused of alleged prohibited conduct.

Retaliation: Any adverse action threatened or taken against a person because an individual has filed, supported or provided information in connection with an OIE complaint.

Witness: Any individual who may have information relating to a matter being investigated by OIE.