

# Office of Equal Opportunity & Title IX 2020-2021 ANNUAL REPORT



UNIVERSITY *of*  
DENVER

EQUAL OPPORTUNITY & TITLE IX

July 15, 2022

## MESSAGE FROM THE ASSOCIATE VICE CHANCELLOR

The University provides equal opportunity in employment, educational activities, and other programs to all employees, students, and applicants. The Office of Equal Opportunity & Title IX (EOIX) collaborates with the University community to address discrimination, harassment and gender-based violence, prevent its recurrence, and remedy its effects. In addition, EOIX administers and develops the Affirmative Action Plan and provides reasonable accommodations to employees for disability, religion, or creed.

In February 2020, Chancellor Haefner restructured the Office to combine the functions of Equal Opportunity and Title IX, creating a new office dedicated to responding to reports of discrimination, harassment, and gender-based violence from students, faculty, staff, and other community members. The University's response to reports of gender-based violence saw additional change when, in May 2020, the U.S. Department of Education issued final Title IX regulations and the University adopted new Procedures effective August 14, 2020.

During the 2020-2021 academic year, EOIX fully implemented two new Procedures and saw further change to the staffing and response. The Office established the role of Deputy Title IX Coordinator and welcomed Molly Hooker to serve in that role. On January 4, 2021, I joined DU as the Associate Vice Chancellor for Equal Opportunity & Title IX/Title IX Coordinator. EOIX has continued to expand the subject matter expertise in its staffing. In October 2021, Stuart Evans, Deputy Equal Opportunity Coordinator/Senior Investigator and Mackenzie Kintz, Equal Opportunity & Title IX Investigator, joined the Office. While EOIX saw the retirement of its Associate Director of Equal Opportunity/ADA Coordinator in September 2021, we used this opportunity to hire DU's first full-time ADA Coordinator, Joshua Kaufman, in March 2022.

During the 2020-2021 academic year, DU launched mandatory training on diversity, equity, inclusion, managing bias, and preventing harassment for all employees. EOIX provided virtual and in-person training for divisions and units on their reporting requirements and understanding the University's policies and procedures. In September 2021, the University clarified the definitions of prohibited conduct, updating the Discrimination and Harassment Policy, Comprehensive Discrimination and Harassment Procedures, and Title IX Sexual Harassment Procedures that were published during the prior academic year.

We continue to look forward to partnership and collaboration with students, faculty, and staff and sharing continued improvements and updates with the University community.

Sincerely,

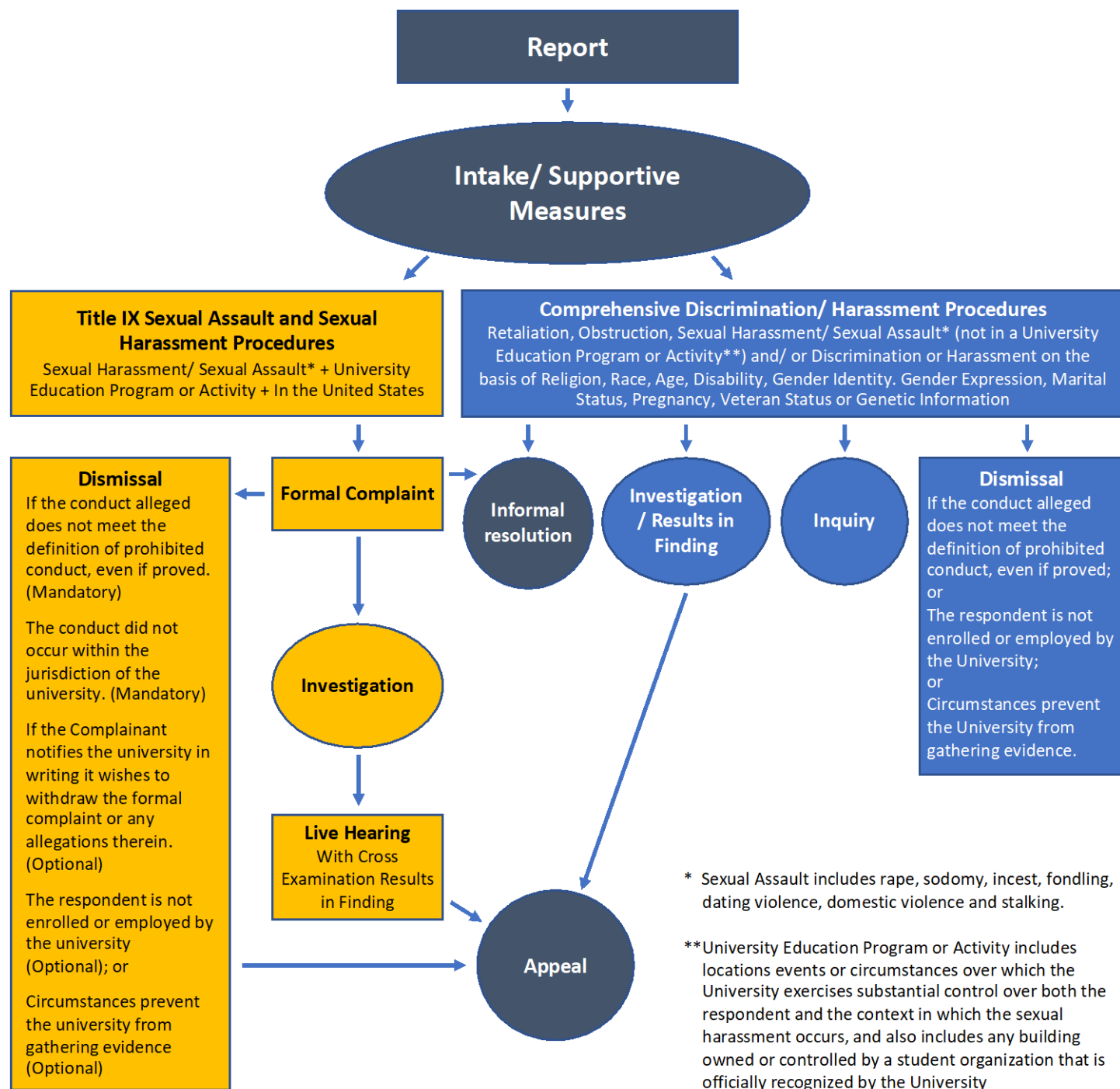
*Emily Babb*

Emily Babb

Associate Vice Chancellor for Equal Opportunity & Title IX

# 2020-2021 PROCEDURES

In response to the U.S. Department of Education's new Title IX regulations, the University implemented new Procedures for responding to reports and complaints of discrimination, harassment and gender-based violence, launching two sets of [Procedures](#) on August 14, 2020: (1) Comprehensive Discrimination Harassment Procedures and (2) Title IX Sexual Harassment Procedures. An overview of the process and the differences between the procedures follows:



# PROGRESS ON ACTION PLAN AND INITIATIVES

In the winter quarter of 2020, Chancellor Haefner listened to the concerns about DU's campus climate related to gender-based violence, and in partnership with students, gender-based violence advocates, student affairs staff, and the EOIX office directors, developed an [action plan](#) to address these climate concerns. DU has embraced and invested in the action plan to improve the campus climate to create positive, proactive changes for our DU students. EOIX reported on the steps taken in response to the action plan during the 2019-2020 annual report. However, much action has occurred and below are key steps EOIX, as well as other campus partners, have taken during the 2020-2021 academic year to improve how the university responds to allegations of gender-based violence and sexual assault:

- ▶ DU developed and updated policies and procedures in response to the new Title IX regulations and has updated its policies and procedures related to discrimination, harassment, and gender-based violence on an annual basis.
- ▶ EOIX developed a variety of written and online resources including:
  - A "What to Do" one-page handout for responsible employees to understand their reporting obligations and how to respond to individuals who report.
  - A "Path of the Report" for the Comprehensive Discrimination and Harassment Procedures and Title IX Sexual Harassment Procedures that provides a detailed overview of the response steps to a report as well as resolution options.
  - A "What you need to know" infographic which provides information on reporting and support resources for individuals who have experienced gender-based violence
  - An informational flyer, in collaboration with the Center for Advocacy, Prevention, and Empowerment (CAPE), with the QR code for the [Sexual Assault website](#) that provides clarity on how survivors can access support anonymously and confidentially. These business cards have been provided to the Health & Counseling Center (HCC), Campus Safety officers, and Resident Assistants (RAs).
- ▶ The EOIX team participated in trainings focused on the requirements of the new Title IX regulations, trauma informed interview techniques, DU's new Title IX Sexual Harassment Procedures, and Colorado law. EOIX also joined the Association of Title IX Administrators (ATIXA), which provides access to trainings, webinars, and resource documents, and staff attended multiple trainings, including a Consent Workshop, Title IX Coordinator certification courses, and Title IX Investigator certification courses. The University acquired a campus-wide license for Academic Impressions, providing EOIX staff access to comprehensive training on Title IX, investigations, and more.
- ▶ In partnership with Student Rights and Responsibilities (SRR), EOIX provided in-depth training to members of the Outcome Council.
- ▶ EOIX engaged Josh Richards from Saul Ewing Arnstein & Lahr to conduct training for all appellate officers and their designees on the University's policies and procedures, their role as appellate officers, and how to recognize bias.
- ▶ EOIX updated the University's [Notice of Nondiscrimination](#), making the statement more accessible for units at the University to link directly to the required language.
- ▶ The campus climate survey for the 2020-2021 academic year was delayed due to the continuing impact of COVID-19 on the University community and was launched to all students, faculty, and staff in March 2022. EOIX anticipates receiving results from the survey in June 2022.

Highlighted below are key actions the EOIX office, in partnership with other University offices and leaders, has taken during the 2020-2021 academic year to improve how the university responds to allegations of gender-based violence and sexual assault and addresses support and prevention:

- ▶ In partnership with Human Resources and Inclusive Communities (HRIC), the University launched three required online training modules for faculty, staff, and administrators: Diversity: Inclusion in the Modern Workplace; Preventing Harassment & Discrimination; and Managing Bias.
- ▶ The University joined the fifth cohort of the Culture of Respect Collective through NASPA-Student Affairs Administrators in Higher Education. Co-chaired by Dr. Andy Thyrring, Coordinator of Gender-Based Violence Prevention and Education, and Molly Hooker, Deputy Title IX Coordinator, the Culture of Respect Collective worked with a diverse group of University stakeholders, including faculty, staff, and students, to assess the University's response, prevention, and support efforts and prepared an action plan, which is currently being implemented in the 2021-2022 and 2022-2023 academic year.
- ▶ The Healthy Masculinity Working Group continued to meet regularly during the 2020-2021 academic year. The co-chairs of the working group – Todd Adams, Vice chancellor for the Division of Student Affairs & Inclusive Excellence, Molly Hooker, Deputy Title IX Coordinator, Michael LaFarr, Executive Director of the Health & Counseling Center, and Dr. Amie Levesque, Teaching Assistant Professor in the Department of Sociology and Criminology – consulted with Dr. Saed Hill, Assistant Director of Prevention and Masculine Engagement at Northwestern University, to develop thoughtful programs and initiatives to build a shared understanding of healthy masculine behaviors that also work to prevent gender and sexual violence in our campus community.

## EOIX REPORT AND COMPLAINT STATISTICS

EOIX receives and responds to reports of harassment, discrimination and gender-based violence from all members of the University community, including faculty staff and students, as well as from individuals outside of the DU community, such as visitors, applicants, and third parties. During the 2020-2021 academic year, EOIX received 245 reports of allegations of discrimination, harassment, and gender-based violence. As shown in Figure 1, the majority of the reports concerned alleged conduct that was on the basis of sex or gender, which includes reports of gender-based violence. Reports received by EOIX but that did not implicate the University's Discrimination and Harassment Policy are included in the overall count; however, they are not reflected in the chart by case type. Figure 2 demonstrates the three-year trend of reports to EOIX.



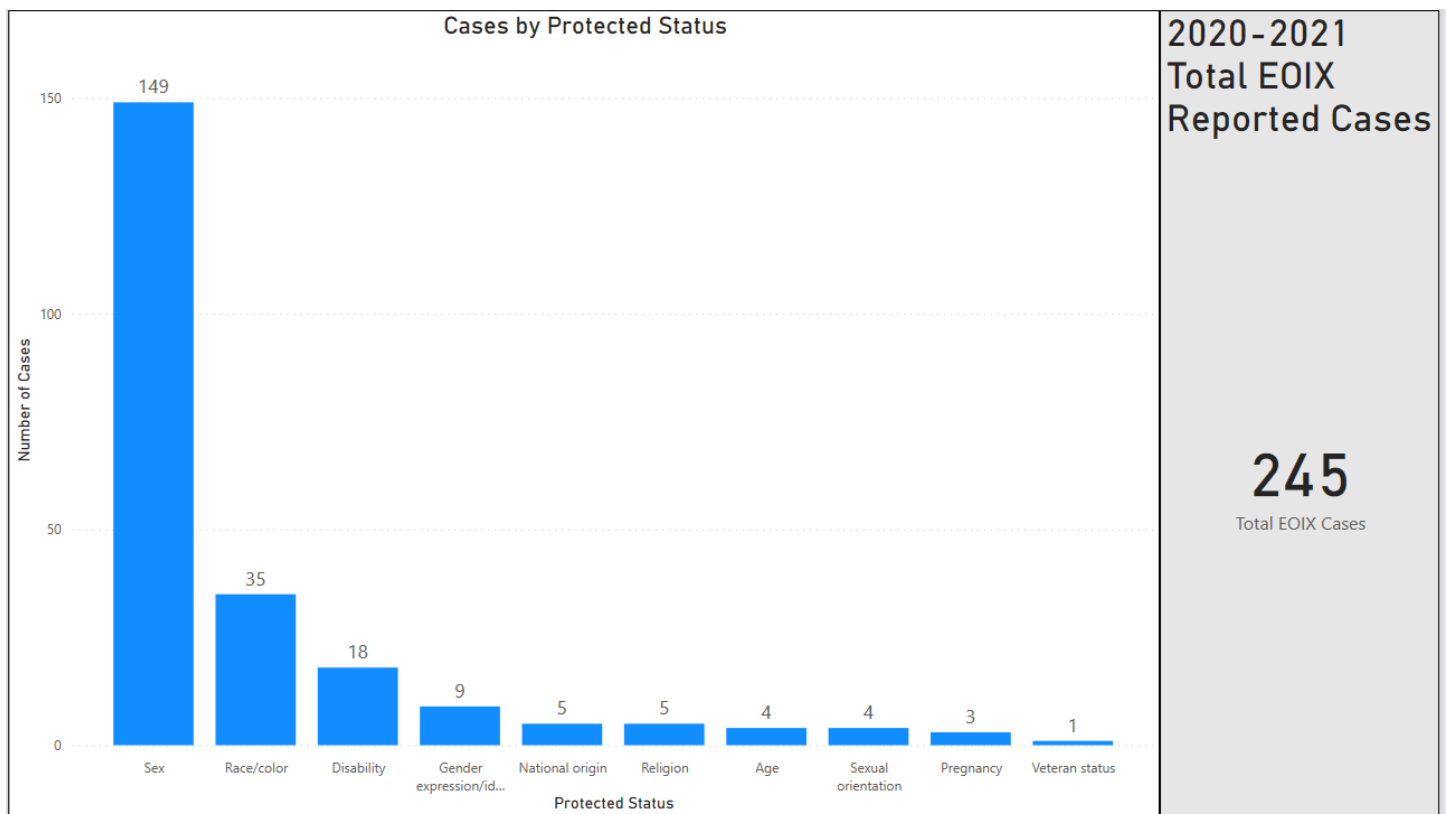


Figure 1

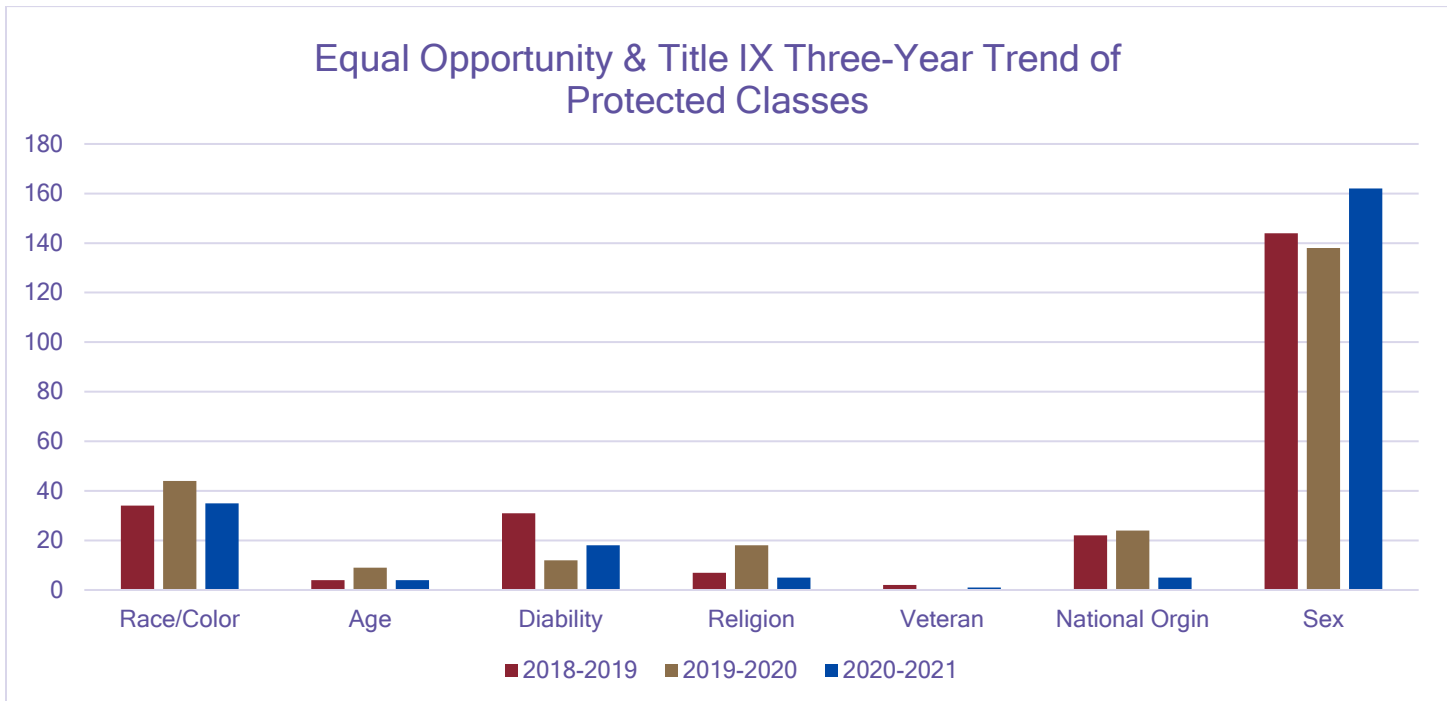


Figure 2

While Figures 1 and 2 illustrate the type of reports, Figure 3 illustrates the reports by type of Prohibited Conduct, such as Sexual Harassment, Dating/Relationship Violence, Retaliation, Discrimination, Harassment, etc. Reports of discrimination, harassment, or physical misconduct may implicate any of following protected bases, such as race, color, national origin, ancestry, age, religion, creed, disability, sex, sexual orientation,

gender identity, gender expression, marital status, pregnancy, military enlistment, veteran status, or genetic information.

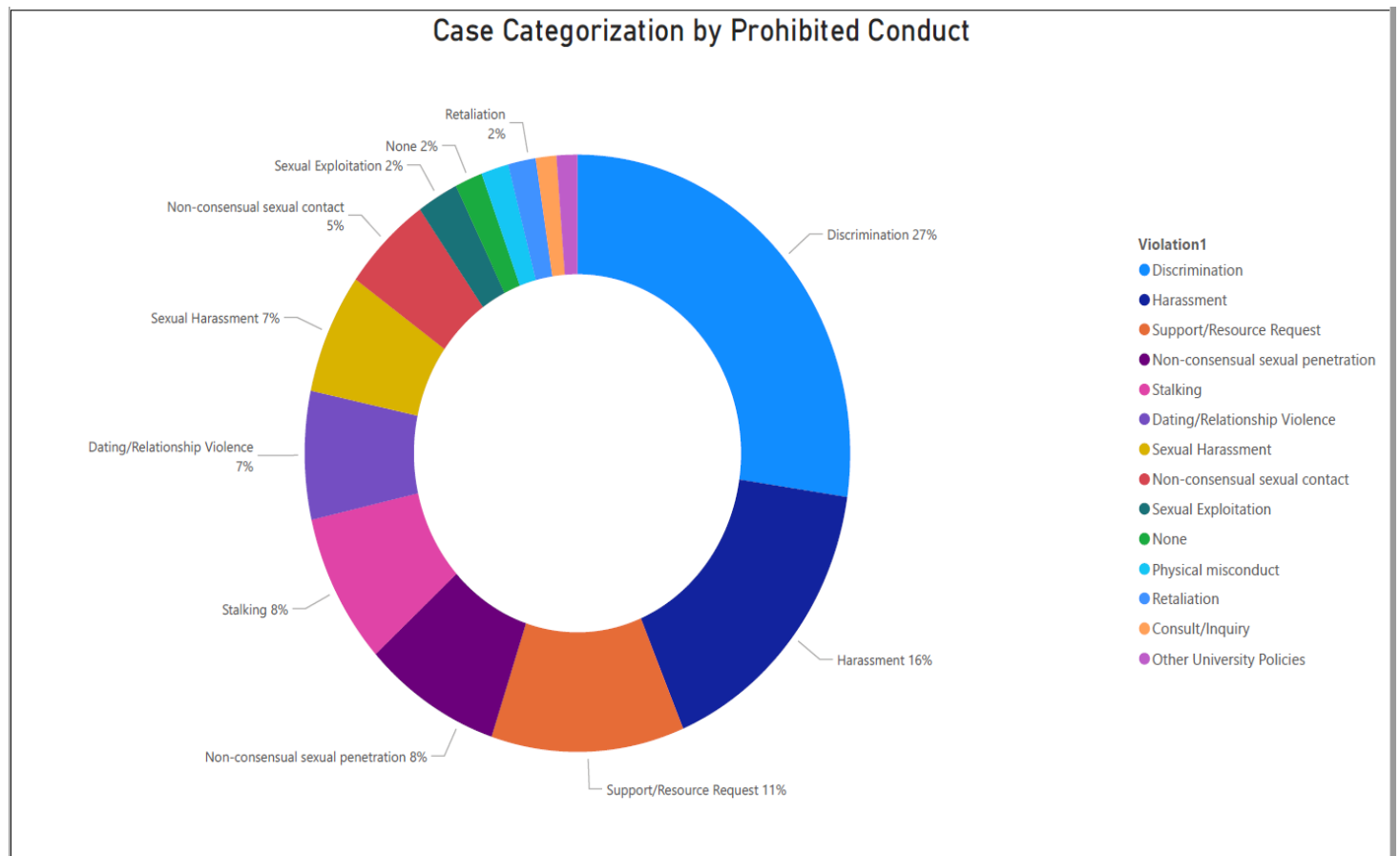


Figure 3

The University's procedures define a Complainant as an individual who is alleged to have experienced conduct that could constitute prohibited conduct under the University's Discrimination and Harassment Policy and a Respondent as an individual or group who has been reported to have engaged in conduct that could constitute prohibited conduct. Figures 4 and 5 display the affiliation of individuals in the role of Complainant and Respondent. As shown in Figure 5, 35% of Respondents are unaffiliated with the University or unknown or not identified by Complainants, which generally means the University cannot pursue an investigation or inquiry. However, in all cases, Complainants are offered supportive measures so that they can continue to access their employment or education. Such supportive measures include referrals counseling, academic accommodations, modifications in housing, referrals to confidential advocates or law enforcement, and mutual no contact orders. Respondents receive similar supportive measures. When possible, the University seeks to honor a Complainant's wishes on how to resolve a matter.

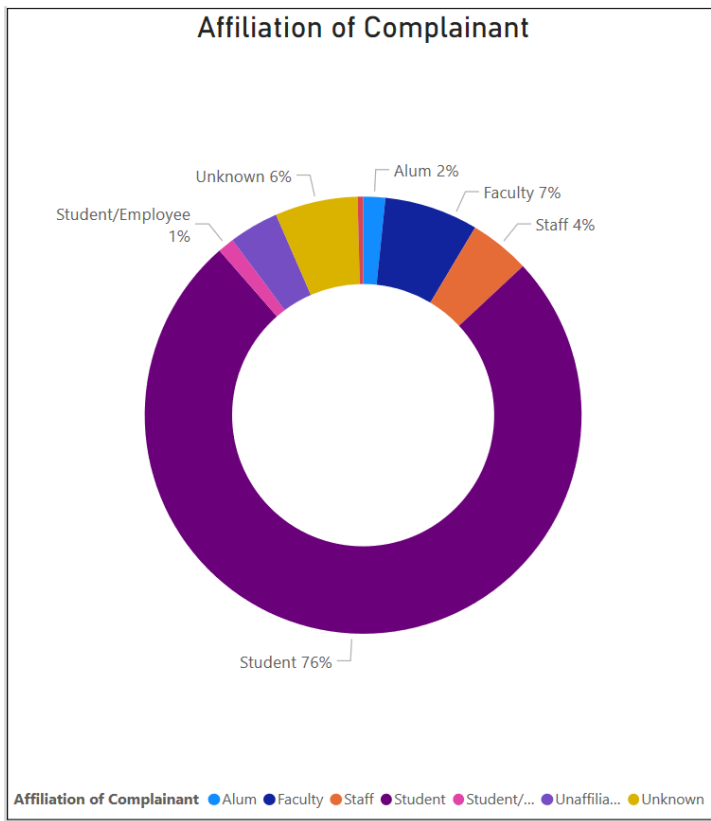


Figure 4.

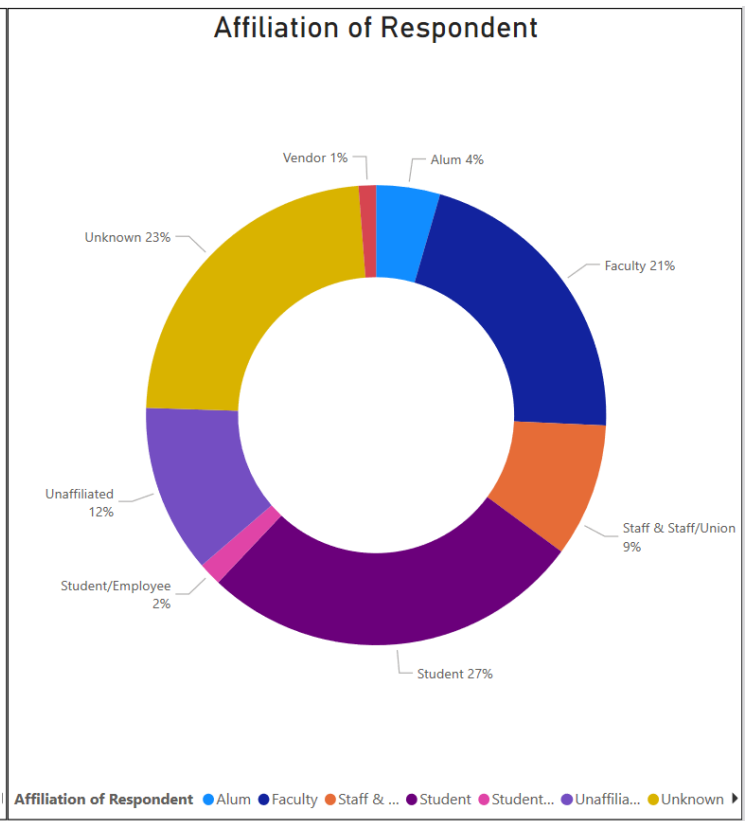


Figure 5.

Figures 6 and 7 display the race/ethnicity and sex/gender identity of Complainants respectively. Similarly, Figures 8 and 9 display the race/ethnicity and sex/gender identity of Respondents respectively.

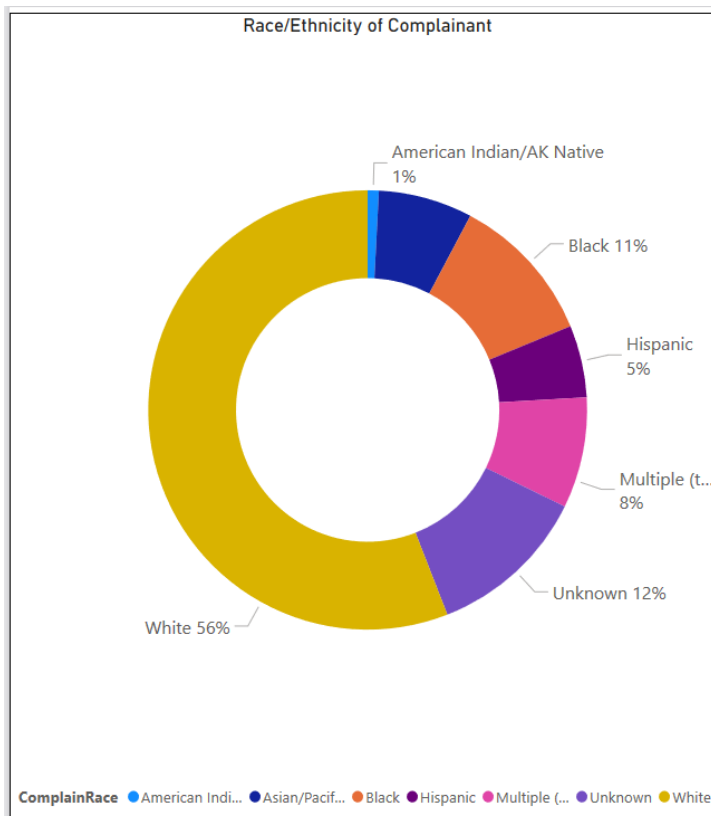


Figure 6.

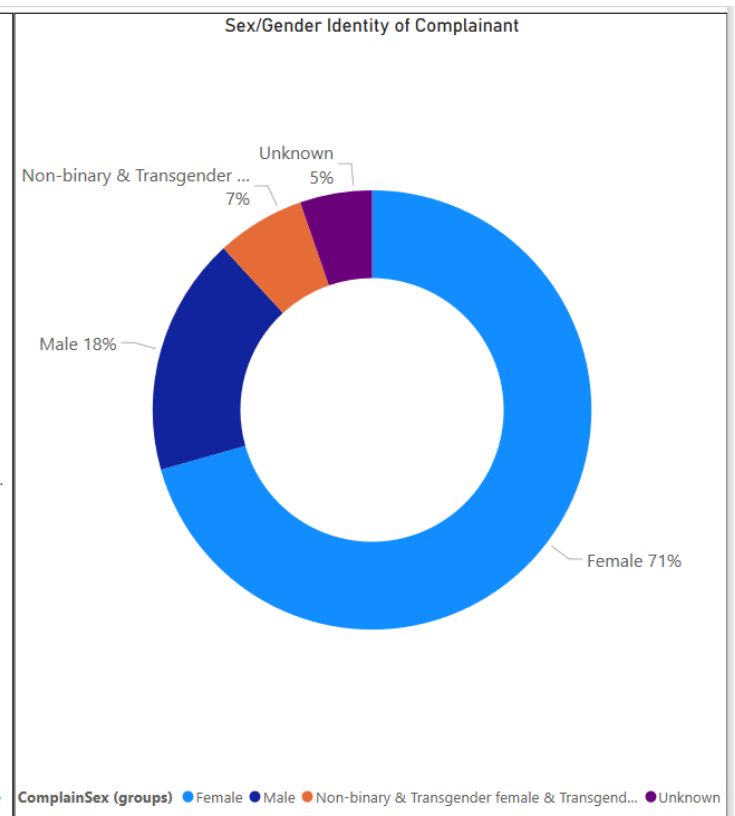


Figure 7.



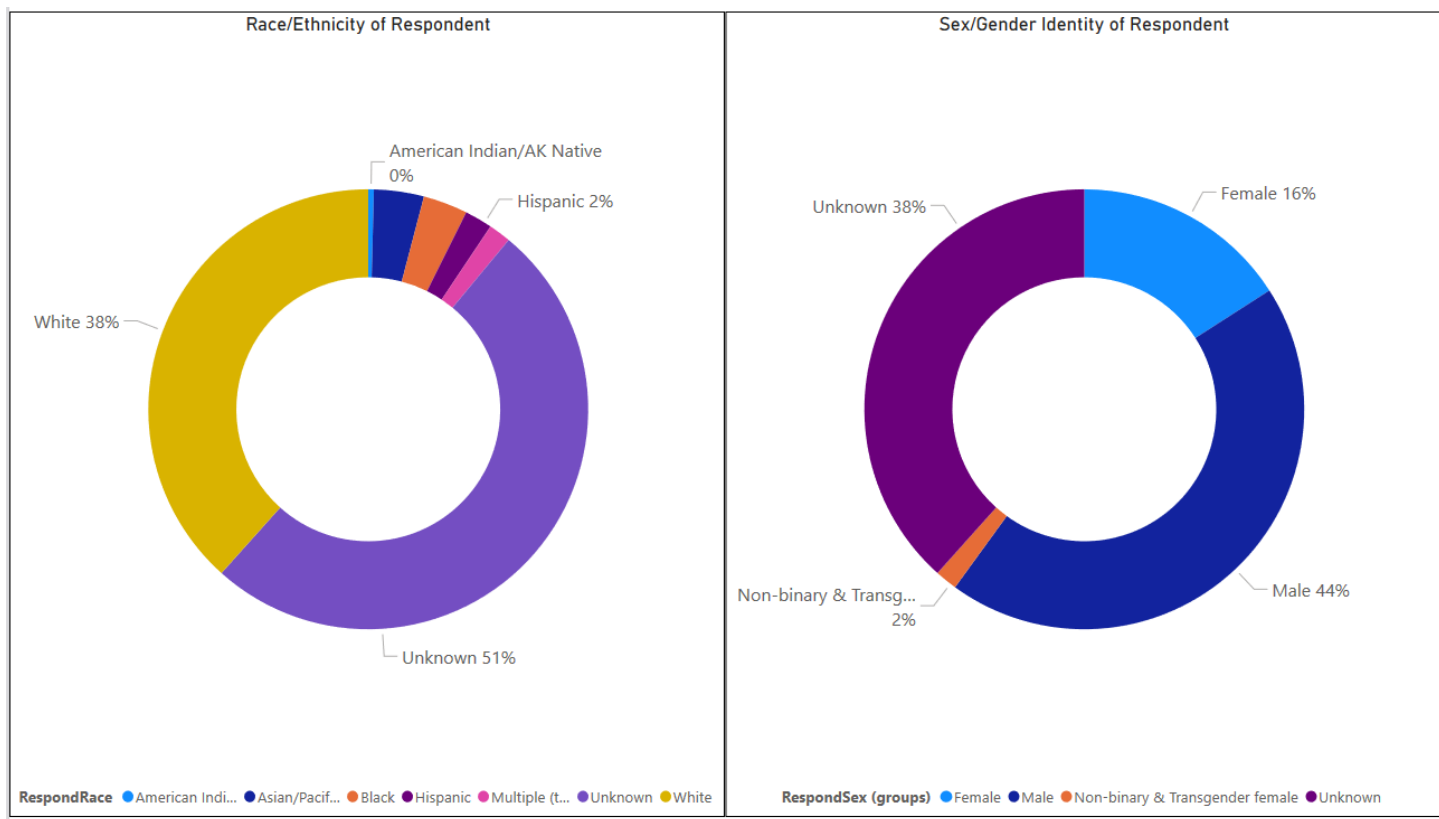
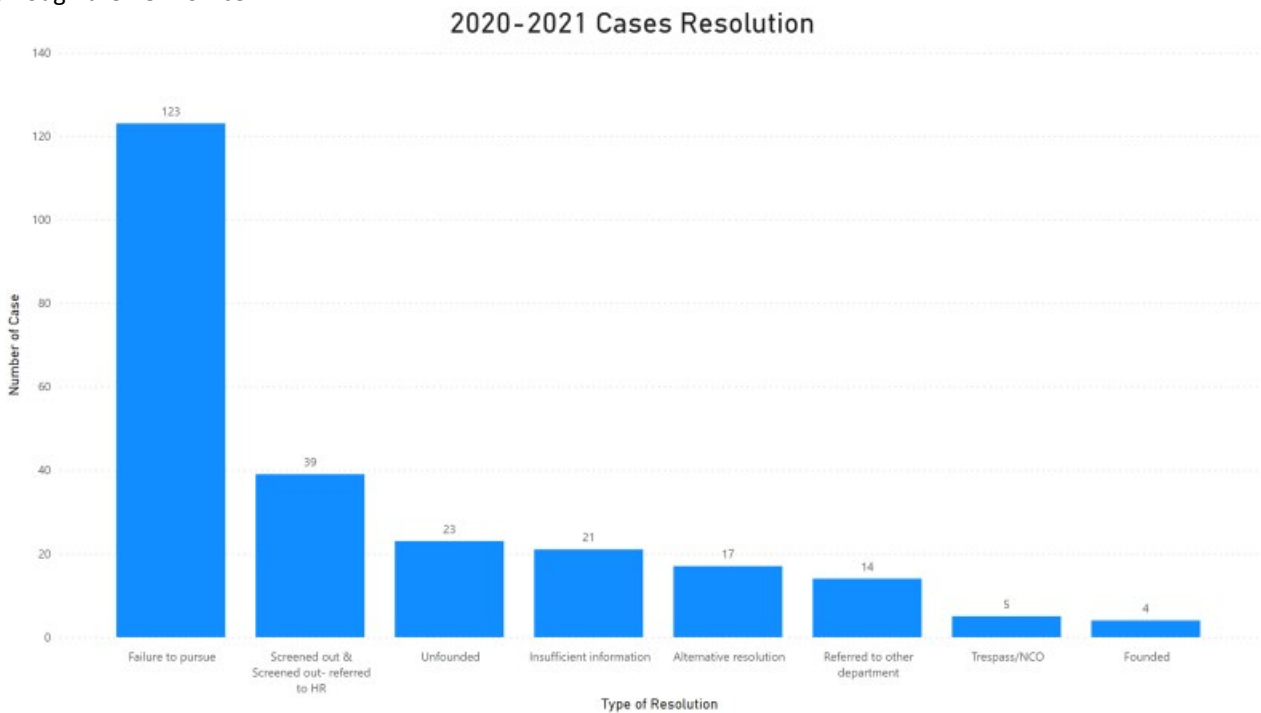


Figure 8.

Figure 9.

Figure 10 identifies how EOIX matters were resolved in the 2020-2021 academic year.

Figure 10.  
 \*Failure to Pursue is when a Complainant does not respond to outreach by the EOIX office or elects to not pursue a resolution through the EOIX office.



## ADA Coordinator Statistics 2020-2021

192

Captioning Requests

47

ADA Accommodation Requests

In early 2020, the role of the ADA Coordinator was transitioned to EOIX, where the Associate Director for Equal Opportunity took on the responsibilities. In spring 2021, EOIX, in partnership with other University offices, launched an accessibility webpage. The new and improved accessibility website (<http://accessibility.du.edu>) provides students, faculty, staff, applicants, and visitors with a knowledge base and resources to request accommodations, report issues, and learn about University policies. The website provides a reporting mechanism for community members to report a problem/obstacle, including physical and or digital barriers to the University.

In September 2021, the Associate Director for Equal Opportunity retired from the University and EOIX transitioned the role to become the University's first full-time ADA Coordinator. Joshua Kaufman joined EOIX as the ADA Coordinator in March 2022 and provides oversight and coordination for University disability initiatives and is responsible for promoting and monitoring compliance with the ADA, the Rehabilitation Act of 1973, and other federal and state laws and regulations pertaining to persons with disabilities.

## TRAINING, EDUCATION, AND OUTREACH

### Outreach Events

During the 2020-2021 academic year, EOIX participated in outreach and informational events hosted by the Office of Health Promotion. During Sexual Assault Awareness Month in April 2021, EOIX hosted a table at the Consent Fair, providing information about the University's policies and procedures to students in attendance, and EOIX staff attended Take Back the Night, which was hosted by the We can DU Better campaign.

### Online Training Modules

During the 2020-2021 academic year, the University contracted with EverFi, one of the largest national vendors providing curriculum to over 1,300 colleges and universities, to provide online training modules in the areas of Title IX, diversity, equity and inclusion, sexual assault prevention for athletes, alcohol awareness, and harassment and discrimination prevention for students, faculty, and staff. All first year undergraduate and graduate students are required to complete a course in Sexual Assault Prevention. In partnership with the Health & Counseling Center and Human Resources and Inclusive Communities, the University provided the following online training modules:

- Sexual Assault Prevention for Undergraduate Students – 1,611 students
- Sexual Assault Prevention for Graduate Students – 1,716 students
- AlcoholEDU for College Students – 1,660 students
- Diversity, Equity, and Inclusion for Students – 3,027 students
- Diversity: Inclusion in the Modern Workplace; Preventing Harassment & Discrimination; and Managing Bias – 2,673 employees

EOIX and the HCC Office of Health Promotion provide education, training, outreach, and prevention programs to promote awareness of discrimination, harassment, gender-based violence, sexual harassment, sexual violence, dating and domestic violence, stalking, and retaliation, resulting in in person and online training to more than **6,000** students, faculty, and staff.

## Student In-Person Training:

- ▶ **Intervene DU** Required for all undergraduates, covers strategies for appropriate interventions in cases of potential sexual assaults, racial bias, hazing, mental health, sexual harassment, intimate partner violence, and alcohol and drug-related emergencies.
- ▶ **Life in the Halls** Training for resident assistants to prepare them for various issues of discrimination, harassment and gender-based violence that may occur in University owned or operated housing.
- ▶ **Culture of Care** A presentation about Title IX to support students, parents, and family engagement.
- ▶ **EOIX and Campus Climate** Preparing student tour guides to educate potential students and their families about the University's response to discrimination, harassment, and gender-based violence.
- ▶ **Introduction to EO and Title IX** Presents procedures, definitions, prohibited conduct, how to report concerns, and the type of support and resolutions available.
- ▶ **Peer Educator Title IX Training** Presentation for Thrive Peer Educators on the University's policies and procedures

## Faculty & Staff In-Person Training:

- ▶ **Introduction to EO and Title IX** Presents procedures, definitions, prohibited conduct, how to report concerns, and the type of support and resolutions available. Provided in both English and Spanish.
- ▶ **Implicit Bias** Explores how implicit bias can impact hiring.
- ▶ **Microaggressions Training**
- ▶ **Navigating Cultural Differences: Interacting with Persons with Disabilities** Participants learn how to interact with persons with disabilities in the workplace.
- ▶ **Responsible Employee Training** to review the University's discrimination and harassment policy and procedures and mandatory reporting obligations
- ▶ **Search Committee** Focused on appropriate, non-discriminatory, interviewing, and selection criteria for faculty and staff serving on a search committee.
- ▶ **Staff Hiring Guidelines** Trains staff members about diversity, advertising, and recruiting methods.

# RESOURCES

## Make a Report

To make a report of harassment, discrimination or gender based violence please email [Titleix@du.edu](mailto:Titleix@du.edu) or file an [electronic report](#).

## My Personal Portal

To update your preferred name, pronouns, gender designation, ethnicity, race, veteran, and disability self-identification information navigate to the Employee tab on [PioneerWeb](#) and then find the My Resources portal in the top left corner. Under My Resources, select the first option, My Personal Profile.

## Campus Climate Survey

Past surveys of student perspectives of sexual harassment and rape culture can be viewed on the [Institutional Research](#) webpage. The most recent Campus Climate Survey was completed in April 2022 and EOIX anticipates results to be shared in Fall 2022.

## ADA

Faculty and staff who seeking a workplace accommodation should contact the ADA coordinator, Joshua Kaufman, for assistance at 303-871-7726 or [Joshua.Kaufman@du.edu](mailto:Joshua.Kaufman@du.edu).

## Policies & Procedures

The Comprehensive Discrimination and Harassment Procedures and Title IX Sexual Harassment Procedures can be found on the [Procedures](#) page.

## Frequently Asked Questions

Quick guides, resources, and frequently asked questions about the Equal Opportunity & Title IX process can be viewed on the [Equal Opportunity & Title IX](#) webpage.

## Support

To support individuals who may have experienced discrimination, harassment, or gender-based violence, you can find campus and off-campus resources for students and staff on the [Equal Opportunity & Title IX](#) webpage or <http://www.du.edu/sexualassault>.

# The Office of Equal Opportunity & Title IX

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Joshua Kaufman, ADA Coordinator

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