

**University of Colorado at Boulder  
Office of Discrimination and Harassment  
Fiscal Year 2008-09 Report**

The Office of Discrimination and Harassment (ODH) addresses all complaints against University of Colorado at Boulder (UCB) and System Administration employees pursuant to the University Policy on Sexual Harassment, the Boulder Campus Policy on Discrimination and Harassment and the University Policy on Conflict of Interest in Cases of Amorous Relationships. The Office of Judicial Affairs (OJA) addresses all complaints against UCB students pursuant to these three policies. This report contains information involving complaints against all UCB and System Administration employee populations, including temporary and student employees. Data involving complaints against students who are not employees is maintained by the OJA.

The ODH is a neutral, fact finding office responsible for addressing and investigating alleged violations of these policies. The ODH does not advocate for either the complainant or respondent; rather, it reviews the facts of each case objectively in order to effectively resolve the issues and to determine whether a policy violation has occurred. Many cases do not require a full investigation and can be resolved informally. The ODH does not recommend or impose disciplinary action; rather, it is the responsibility of the appointing authority to take appropriate action.

During fiscal year 2008-2009, the ODH received 137 complaints involving the above-referenced policies; however, not all of these complaints could be addressed by the ODH. Some of these complaints resulted in a conclusion of No Basis to Proceed because the complainant was anonymous or would not identify the respondent or the ODH did not have authority to address the complaint (i.e., complaints against non-CU employees). Additionally, some complaints were referred to other offices because the complaint did not pertain to these policies or the alleged harasser was a student or worked on another campus. All other complaints were resolved either informally or through a full investigation. The informal resolution process included mediation between the parties, working with the complainant and respondent to get the behavior to stop and resolve the complaint, advising and working with appointing authorities to address and resolve the complaint, etc.

Of the 137 complaints received by the ODH, 95 complaints were reported by reporting witnesses, which means that someone other than the alleged complainant reported the complaint to the ODH. The ODH did not receive any false complaints during this fiscal year.

The ODH provided discrimination and harassment workshops for approximately 3,511 employees of whom 1,081 were staff/PRAs, 355 were faculty, 132 were managers, 1,317 were student employees, 603 were teaching assistants, 22 were trained in Spanish and 1 was trained in Laotian.

### **AMOROUS RELATIONSHIP POLICY**

There were 3 allegations of a violation of the amorous relationships policy. 1 complaint was fully investigated, 1 was informally resolved and 1 resulted in a conclusion of No Basis to Proceed.

### **SEXUAL HARASSMENT POLICY**

There were 58 complaints received by the ODH pursuant to the Sexual Harassment Policy, 3 of which involved a claim of retaliation. Of the 58 complaints, 7 resulted in a conclusion of No Basis to Proceed and 9 complaints were referred to other campus resources. As a result, the ODH resolved 35 complaints through the informal resolution process and conducted 7 full investigations. At the time of this report, there were 3 cases pending, including 2 full investigations.

#### GENDER

Respondents	51 male, 6 female, 1 unknown/none
Complainants	12 male, 42 female, 4 unknown/none

#### PERSONNEL SYSTEM

Respondents	19 classified staff, 11 exempt, 11 faculty, 1 graduate students, 3 instructors, 4 student employees, 1 department, 4 undergraduates, 2 visitors, 2 unknown/none
Complainants	14 classified staff, 1 alumni, 5 exempt, 2 faculty, 4 graduate students, 2 research assistants, 8 student employees, 19 undergraduates, 3 Boulder campus

## **DISCRIMINATION AND HARASSMENT POLICY**

There were 52 complaints received by the ODH pursuant to the Discrimination and Harassment Policy, 3 of which involved claims of retaliation. Of the 52 complaints, 10 resulted in a conclusion of No Basis to Proceed and 7 complaints were referred to other campus resources. As a result, the ODH resolved 28 complaints through the informal resolution process and conducted 5 full investigations. At the time of this report, there were 4 cases pending, including 1 full investigation.

### GENDER

Respondents 30 male, 17 female, 5 unknown/none  
 Complainants 18 male, 32 female, 2 unknown/none

### RACE

Respondents 4 African American, 2 Native American, 2 Asian/Pacific Islander, 28 Caucasian, 8 Hispanic, 8 unknown/none  
 Complainants 8 African American, 1 Native American, 7 Asian/Pacific Islander, 20 Caucasian, 7 Hispanic, 9 unknown/none

### PERSONNEL SYSTEM

Respondents 18 classified staff, 12 exempt, 13 faculty, 2 graduate students, 1 temporary employee, 1 department, 1 contractor, 4 unknown/none  
 Complainants 21 classified staff, 1 alumni, 4 exempt, 2 faculty, 5 graduate students, 2 student employees, 1 temporary employee, 13 undergraduates, 1 parent, 1 vendor, 1 unknown/none

## **ALLEGATIONS IN EACH PROTECTED CLASS**

<b>Protected Class</b>	<b>Discrimination</b>	<b>Harassment</b>
Age	2	1
Color	1	1
Disability	2	2
Gender	5	12
National Origin	3	4
Race/Ethnicity	3	11
Religion	2	3
Sexual Orientation	1	3
Veteran Status	0	1

## **RESOLUTIONS FOR ALL ALLEGATIONS**

<b>ALLEGATION FINDINGS</b>	<b>SEXUAL HARASSMENT</b>	<b>DISCRIMINATION-HARASSMENT</b>
Informal Resolution	35	28
No Basis to Proceed	7	10
Referred to Another Department	9	6
Pending	1	3
Full Investigation	7	5
No Violation of Policy	0	2
Violation of Policy	3	1
Violation of Retaliation Provision	0	1
Violation of Supervisor Obligation	1	0
Unprofessional Behavior	1	0
Pending	2	1
Average time to investigate	62.4 days	85.7 days

## **DISCIPLINE/ACTION TAKEN**

<b>DISCIPLINE/ACTION TAKEN</b>	<b>SEXUAL HARASSMENT</b>	<b>DISCRIMINATION-HARASSMENT</b>
Termination	6	2
Resignation	4	0
Suspension	0	0
Pay Adjustment/Demotion	1	2
Written Reprimand	3	2
Verbal Reprimand	4	7