

University of Colorado Boulder
Student Respondent Statistical Report
Fiscal Year 2023-2024

Office of Institutional Equity and Compliance
9-1-2024

Table of Contents

Overview..... 2

Discrimination and Harassment Policy Complaints 3

 Types of Discrimination and Harassment Complaint Resolutions 3

 Types of Discrimination and Harassment Allegations..... 4

 Discrimination and Harassment Formal Adjudication Findings and Sanctions 4

Sexual Misconduct, Intimate Partner Violence, and Stalking Policy Complaints 5

 Types of Sexual Misconduct Complaint Resolutions 5

 Types of Sexual Misconduct Allegations 6

Sexual Misconduct, Intimate Partner Violence, and Stalking Policy Formal Grievance Resolutions.. 6

Overview

The Office of Institutional Equity and Compliance (OIEC) addresses all protected-class discrimination and harassment, sexual misconduct, and related retaliation complaints against University of Colorado Boulder (CU Boulder) students pursuant to university policy. The Discrimination and Harassment Policy prohibits protected-class discrimination, harassment, and/or related retaliation. The Sexual Misconduct, Intimate Partner Violence, and Stalking Policy prohibits sexual misconduct and/or related retaliation including non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, sexual harassment, as well as intimate partner abuse (including dating and domestic violence), and stalking.

OIEC is a neutral, fact-finding office responsible for addressing and investigating alleged misconduct pursuant to specific Resolution Procedures that are updated on an annual basis. OIEC objectively reviews the facts of each case to resolve issues and to determine whether a violation of university or campus policy occurred based on a *preponderance of the evidence* standard.

This report presents data on sexual misconduct, protected-class discrimination and harassment, and related retaliation complaints received by OIEC between July 1, 2023 and June 30, 2024, and contains data involving complaints that identified a CU Boulder student respondent,¹ even if the individual was not identified by name. Any complaint identifying a CU Boulder or System Administration employee, contractor, volunteer, visitor, or student employee acting in their *employment role* as the alleged offender is outlined in OIEC's Fiscal Year 2023-2024 Statistical Report for Employee and Affiliated Respondents. Cases involving non-affiliated respondents (identified and unidentified) are summarized in the OIEC's Fiscal Year 2023-2024 Statistical Report for Unidentified and Unaffiliated Respondents.

During the 2023-2024 fiscal year, there were 484 cases reported to the OIEC involving allegations against 546 student respondents. 212 student respondents were not identified by name.

- 284 student respondents were alleged to have engaged in misconduct under the Discrimination and Harassment Policy.
- 228 student respondents were alleged to have engaged in misconduct under the Sexual Misconduct, Intimate Partner Violence, and Stalking Policy.
 - 16 cases involved charges under both policies.
- 50 allegations did not fall under either policy, and these complaints were referred to other campus offices.

¹ "Respondent" means an individual who has been reported to be the perpetrator of misconduct.

Discrimination and Harassment Policy Complaints

Types of Discrimination and Harassment Complaint Resolutions²

The 231 cases under the Discrimination and Harassment Policy, involving allegations against 284 student respondents, were addressed as follows (see Table 1):

- Allegations against 4 respondents were addressed through a formal adjudication in which OIEC objectively reviews the facts of each case to resolve issues and to determine whether a violation of the university policy occurred based on a preponderance of the evidence standard.
- Allegations against 29 respondents were addressed through remedies-based resolutions that allow the university to tailor the response to the unique facts and circumstances of an incident and educate community members on the impacts of their actions, particularly in cases where there is not a broader threat to individual or campus safety. Often this includes conduct alleged that, even if true, would not rise to the level of a policy violation.
- Allegations against 19 respondents were addressed by an individual in a position of authority (for instance, a supervisor, faculty member, or conduct coordinator) jointly or in consultation with the OIEC.
- Allegations against 39 respondents resulted in a conclusion of no basis to proceed because the complaint did not share the name(s) of the student respondent(s), or OIEC did not have the authority to address the complaint because the case did not fall under OIEC policies.
- In 1 case, the OIEC provided information about OIEC's investigative and other processes.
- In allegations against 141 respondents, the complainant did not respond to the OIEC's outreach.
- Allegations against 17 respondents were referred to another office, as the concerns reported did not fall under the jurisdiction of the Sexual Misconduct, Intimate Partner Violence, and Stalking Policy or Discrimination and Harassment Policy.
- In allegations against 31 respondents, the complainant declined an OIEC resolution or requested their concerns be documented only at that time.

Table 1. Discrimination and Harassment Case Resolution	# of Student Respondents
Formal adjudication	4
Remedies-based resolution	29
Concerns addressed by a supervisor, faculty member, or conduct coordinator in consultation with OIEC	19
No basis to proceed	39
Informational about the policy and investigative process only	1
Outreach and connection with support services	141
Referred to another office	17
Declined resolution process/Documentation only	31
Cases pending a resolution process determination	3
Total number of student respondents	284

² All complainants are provided information about options for assistance and campus support and were referred to Office of Victim Assistance (OVA) or other confidential support services.

Types of Discrimination and Harassment Allegations³

Among the 231 discrimination and harassment cases involving allegations against 284 student respondents, the most commonly reported allegations involved race (90), followed by sexual orientation (58), religion, (48), national origin (37), and gender (32), see Table 2.

Table 2. Types of Discrimination and Harassment Allegations	# Allegations	# Allegations Addressed by Remedies-Based or Other Resolutions⁴	# Allegations Addressed by Formal Adjudication
Race	90	86	4
Sexual Orientation	58	58	0
Religion	48	48	0
National Origin	37	37	0
Gender	32	28	4
Disability	25	25	0
Political Affiliation	17	17	0
Unknown Class / Provision	15	15	0
Color	11	7	4
Gender Identity	11	11	0
Age	5	5	0
Gender Expression	3	3	0
Political Philosophy	3	3	0
False or Misleading Information	1	1	0
Discrimination/Harassment Retaliation	1	1	0
Veteran Status	0	0	0
Total	357	345	12

Discrimination and Harassment Formal Adjudication Findings and Sanctions

There was one formal adjudication against four student respondents involving allegations of protected-class harassment. The four students were alleged to have created a hostile environment for another student based on race, gender, and skin color. The formal adjudication process had not concluded at the time of this report. This report will be updated once all formal adjudication processes for this year have concluded.

³ Many cases involved allegations of a violation of more than one policy provision and/or related to multiple protected classes.

⁴ 3 cases were still pending a determination of the resolution process at the time of this report.

Sexual Misconduct, Intimate Partner Violence, and Stalking Policy Complaints

Types of Sexual Misconduct Complaint Resolutions⁵

The 222 cases involving complaints against 228 student respondents under the Sexual Misconduct, Intimate Partner Violence, and Stalking Policy were addressed as follows (see Table 3):

- Allegations of sexual misconduct against 11 respondents were addressed through the formal grievance process and 7 of these cases were still in process at the time of this report, and one was resolved through an adaptable resolution. In a formal grievance, OIEC objectively reviews the facts of each case to resolve issues and to determine whether a violation of the university policy occurred based on a preponderance of the evidence standard.
- Allegations against 27 respondents were addressed through remedies-based resolutions that allow the university to tailor the response to the unique facts and circumstances of an incident and educate community members on the impacts of their actions, particularly in cases where there is not a broader threat to individual or campus safety. Often this includes conduct alleged that, even if true, would not rise to the level of a policy violation.
- Allegations against 1 respondent was resolved through an adaptable resolution process, which allows the parties agency to reach a mutual written agreement about how to repair harm (to the extent possible) and move forward from the incident(s) at issue.
- Allegations against 3 respondents were addressed by someone in a position of authority in a different campus office (for instance a supervisor, faculty member, or conduct coordinator) in consultation with OIEC.
- Allegations against 17 respondents resulted in a conclusion of no basis to proceed because the complaint did not share the name(s) of the respondent(s), or OIEC did not have the authority to address the complaint because the case did not fall under OIEC policies.
- In allegations against 130 respondents, the complainant did not respond to the OIEC's outreach.
- Allegations against 9 respondents were referred to another office, as the concerns reported did not fall under the jurisdiction of the Sexual Misconduct, Intimate Partner Violence, and Stalking Policy or Discrimination and Harassment Policy.
- In allegations against 25 respondents, the complainant declined an OIEC resolution or requested their concerns only be documented at that time.

Table 3. Sexual Misconduct Complaint Resolution	# of Student Respondents
Formal grievances*	11
Remedies-based resolutions, including Policy Compliance Resolutions	27
Adaptable resolutions	1 ⁶
Concerns addressed by a supervisor, faculty member, or conduct coordinator in consultation with OIEC	3
No basis to proceed	17
Outreach and connection with support services	130
Referred to another office	9
Declined Resolution Process/Documentation Only	25

⁵ All complainants are provided information about options for assistance and campus support and were referred to Office of Victim Assistance (OVA) or other confidential support services.

⁶ In this matter, the process started as a Formal Grievance Process, but was ultimately resolved through an adaptable resolution.

Cases pending a resolution process determination	6
Total number of student respondents	228

*The OIEC recognizes that complainants may not want a formal grievance process to resolve their concerns, and whenever possible, the OIEC respects how a complainant would like a case resolved.

Types of Sexual Misconduct Allegations

Among the 259 sexual misconduct allegations against 228 student respondents, the most reported allegations included hostile environment sexual harassment (76), followed by dating or domestic violence (48), sexual assault (fondling) (43), sexual assault (rape) (38), and stalking (36), see Table 4:

Table 4. Types of Sexual Misconduct Allegations	# Allegations	# Allegations Addressed by Remedies-Based or Other Resolutions⁷	# Allegations Addressed by Formal Grievance
Hostile Environment ⁸	76	75	1
Dating or Domestic Violence	48	47	1
Sexual Assault (fondling)	43	40	3
Sexual Assault (rape)	38	32	6
Stalking ⁹	36	34	2
Sexual Exploitation	8	7	1
Unknown Provision / No Details	5	5	0
Providing False or Misleading Information	3	2	1
Interference with Reporting	2	0	2
Failure to Comply with Directives, Orders or Sanctions	0	0	0
Sexual Misconduct Retaliation	0	0	0
Failure to Report	0	0	0
Quid Pro Quo	0	0	0
Total	259	242	17

Sexual Misconduct, Intimate Partner Violence, and Stalking Policy Formal Grievance Resolutions

Of the eleven cases involving formal grievance processes, seven cases continue to be in progress at the time of this report. One case was resolved with an adaptable resolution process, resulting in the charges being dismissed. One case was dismissed because the respondent graduated from CU Boulder before the conclusion of the formal grievance process. Two cases were dismissed after receiving the formal complaint because the alleged conduct, even if true, did not constitute policy violations. This report will be updated once all formal adjudication processes for this year have concluded.

⁷ 6 cases were pending a determination of resolution process at the time of this report.

⁸ Hostile Environment and/or Title IX Hostile Environment allegations.

⁹ Stalking and/or Title IX Stalking allegations.