

University of Colorado Boulder
Office of Institutional Equity and Compliance
Fiscal Year 2016-2017 Statistical Report for Employee Respondents

The Office of Institutional Equity and Compliance (OIEC) addresses all sexual misconduct, protected class discrimination and harassment, and related retaliation complaints against University of Colorado Boulder (CU Boulder) employees pursuant to the University of Colorado Sexual Misconduct Policy, the University of Colorado Boulder Discrimination and Harassment Policy, and the University of Colorado Conflict of Interest in Cases of Amorous Relationships Policy.

This report includes data on sexual misconduct, protected class discrimination and harassment, and related retaliation complaints received by the OIEC between July 1, 2016 and June 30, 2017. This report contains data involving complaints against a CU Boulder employee, contractor, volunteer, visitor, or student employee acting in their employment role, even if the individual was not identified by name.

The OIEC is a neutral, fact-finding office responsible for addressing and investigating alleged misconduct pursuant to specific Process and Procedures updated on an annual basis. <http://www.colorado.edu/institutionalequity/process-procedures> The OIEC reviews the facts of each case objectively in order to effectively resolve issues and to determine whether a violation of University or campus policy occurred based on a preponderance of the evidence standard. The complaints range from low level, non-physical sexual or protected class harassment to sexual assault or discrimination based on protected class status.

Between July 1, 2016 and June 30, 2017, the OIEC received 650 complaints under the Sexual Misconduct Policy and the Discrimination and Harassment Policy. The Sexual Misconduct Policy includes allegations of sexual misconduct and/or related retaliation including non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, and sexual harassment, intimate partner abuse, and/or stalking. The Discrimination and Harassment Policy includes allegations of protected class discrimination, harassment, and/or related retaliation. The OIEC received 7 allegations of a violation of the Amorous Relationships Policy; none of these cases resulted in a policy violation finding.

Of these 650 complaints, 12 were resolved via formal investigation, none of which were pending at the time of this report. The remainder were resolved informally¹, or are referred to as “other” meaning that they were referred to another office², that they resulted in a conclusion of no basis to proceed because the complaint did not include sufficient identifying information to address the concern, or that the OIEC did not have the authority to address the complaint (i.e. complaints against individuals not affiliated with CU).

¹ Informal resolutions are remedies-based resolutions that allow the University to tailor the response to the unique facts and circumstances of an incident, 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.

² Pursuant to federal guidance if a complainant discloses an incident of alleged misconduct to a responsible employee or directly to the OIEC, but requests that no investigation into the incident be conducted, the Title IX Coordinator will weigh the Complainant’s request against CU-Boulder’s obligation to provide a safe, non-discriminatory environment for all employees, including the complainant. In these cases, the OIEC always refers the complainant to resources on campus for confidential advocacy and support, and offers to assist the complainant in obtaining accommodations as reasonably available and/or interim protective measures as needed.

ALLEGATIONS IN EACH PROTECTED CLASS UNDER THE DISCRIMINATION AND HARASSMENT POLICY

Category/ Protected Class	# of Formal Charges	# of Responsible Findings	# of Informal or Other Resolutions
Age	1	0	13
Color	0	0	5
Disability	0	0	37
Sex and Gender	0	0	72
Gender Expression/Gender Identity	0	0	11
National Origin	0	0	34
Pregnancy	1	1	12
Race/Ethnicity	0	0	69
Religion/Creed	0	0	25
Sexual Orientation	0	0	16
Veteran Status	0	0	0
Political Affiliation/Philosophy	0	0	16
Retaliation	1	0	17
Failure to Report	0	0	2

Total number of formal charges resulting in a *Responsible* finding under the Discrimination and Harassment Policy: 1

Total number of formal charges resulting in a *Not Responsible* finding under the Discrimination and Harassment Policy: 2

Total number of formal charges resulting in a *Not Responsible* finding under the Discrimination and Harassment Policy but resulting in a *Responsible* finding of inappropriate and unprofessional conduct: 0

ALLEGATIONS OF SEXUAL MISCONDUCT

Category of Sexual Misconduct	# of Formal Charges	# of Responsible Findings	# of Informal or Other Resolutions
Non-consensual Sexual Intercourse	1	1	72
Non-consensual Sexual Contact	5	4	28
Sexual Exploitation	1	1	4
Sexual Harassment	6	4	69
Stalking	1	0	24
Intimate Partner Abuse	1	1	29
Retaliation	0	0	0
Failure to Report	1	0	5

Total number of formal charges resulting in a *Responsible* finding under the Sexual Misconduct Policy: 11

Total number of formal charges resulting in a *Not Responsible* finding under the Sexual Misconduct Policy: 2

Total number of formal charges resulting in a *Not Responsible* finding under the Sexual Misconduct Policy but resulting in a *Responsible* finding of inappropriate and unprofessional conduct: 2

SANCTION/ACTION TAKEN IN CASES WHERE A POLICY WAS VIOLATED³

Sanction/ Action Taken	Protected Class Cases	Sexual Misconduct Cases
Dismissal	0	6
Demotion	0	0
Letter of Expectation or Corrective Action	1	0
Letter of Reprimand	0	0
Training	0	0
Pay Adjustment	0	0
Resignation in Lieu of Termination	0	0

³ This does not include inappropriate findings and associated disciplinary actions.