



All students, student employees, faculty, and staff should understand their reporting options and the results of disclosing information about alleged Prohibited Conduct to a Confidential Employee or a Responsible Employee. Reporters who are uncertain whether a particular University employee is a Confidential Employee should ask the employee to clarify their status before disclosing information the Reporter wishes to keep confidential.

### III. PROCESS OVERVIEW

#### A. Employee Responsibilities by Designation

As described below, the University designates all University employees as either “Confidential Employees” or “Responsible Employees,” and each category has respective responsibilities pursuant to this Policy.

Employees who are uncertain whether they are required to report information disclosed to them about an incident of alleged Prohibited Conduct should consult with the Associate Vice Chancellor for Equal Opportunity & Title IX/Title IX Coordinator, Deputy Title IX Coordinator, or Deputy Equal Opportunity Coordinator. For their contact information, visit <http://www.du.edu/equalopportunity>.

##### 1. Confidential Employees

Confidential Employees have certain obligations to protect the confidentiality of information they receive in the performance of their professional duties. (See Definitions, below, for more information.) Except as provided in the limited circumstances set forth below, a Confidential Employee will not disclose information about alleged Prohibited Conduct to the University’s Associate Vice Chancellor for Equal Opportunity & Title IX/Title IX Coordinator or to anyone else without the Reporter or Complainant’s written permission.

The University has published a list specifying where students may access the services of Confidential Employees, including the University’s [Health & Counseling Center](#) (HCC) and [Center for Advocacy, Prevention, and Empowerment](#) (CAPE). Confidential Employees include, but are not limited to, the following, when acting in their professional capacities:

Title	Office
Director, Advocacy Services	CAPE

Psychiatrist	HCC
Sports & Performance Psychologist	HCC

Serve as a resource for Responsible Employees regarding the responsibilities with respect to reporting alleged Prohibited Conduct.

### **c. Supportive Measures and Other Services**

Confidential Employees may provide information to students, faculty, and staff where appropriate about how to obtain necessary health services, including mental health services and survivor advocacy services at the University and in the local community. The University provides detailed information about where students and employees may access such services at <http://www.du.edu/sexualassault>.

Students, faculty, and staff may also ask Confidential Employees how to request supportive measures (designed to address a Complainant's safety and well-being and continued access to educational and employment opportunities). Examples of supportive measures include No Contact Directives (prohibiting contact between parties to an incident of alleged Prohibited Conduct), academic modifications and support, or modifications to University housing, employment, and/or parking arrangements.

Confidential Employees should direct students, faculty, and staff who wish to request such supportive measures to the Associate Vice Chancellor for Equal Opportunity & Title IX/Title IX Coordinator. Complainants may be able to access a range of supportive measures with or without disclosing significant details about the alleged Prohibited Conduct.

### **d. Making a Report**

A Reporter who first seeks the assistance of a Confidential Employee always has the right to report an incident of alleged Prohibited Conduct to the University and/or to local law enforcement. In such cases, if the Reporter communicates to a Confidential Employee the desire to make such a report, the Confidential Employee should support this decision and direct the Reporter to the EOIX [reporting form](#) or the Associate Vice Chancellor for Equal Opportunity & Title IX/Title IX Coordinator to make a report. The University provides detailed information about University and law enforcement reporting options at the EOIX website.

Although there is no time limit on reporting Prohibited Conduct,



Information disclosed to a Responsible Employee must be treated with discretion and shared only with University employees with a “need to know” (e.g., to assist in providing supportive measures to the Complainant, conduct a health and safety risk assessment, or resolve the report in the event a Formal Complaint is filed or other resolution is pursued).

Disclosures made under the following circumstances are not subject to mandatory reporting requirements:

- (1) in the context of “Public Awareness Events” (e.g., “Take Back the Night,” candlelight vigils, protests, “survivor speak outs,” or other public

#### **d. Anonymous Reporting**

Responsible Employees are not permitted to submit an anonymous report to discharge their responsibilities.

Although the University encourages individuals to report Prohibited Conduct, any individual (except a Responsible Employee discharging their reporting obligations) may make an anonymous report by:

Submitting a report through the Office of Equal Opportunity & Title IX [reporting form](#);

Mailing or delivering a letter to the Office of Equal Opportunity & Title IX without including identifying information;

Calling the Office of Equal Opportunity & Title IX using a blocked number; or

Emailing the Office of Equal Opportunity & Title IX at [titleix@du.edu](mailto:titleix@du.edu) from an anonymous email address.

The Office of Equal Opportunity & Title IX will evaluate an anonymous report in the same manner as a report with an identified Complainant, consistent with the Title IX Sexual Harassment Procedures and/or Comprehensive Discrimination and Harassment Procedures (as applicable).

#### **IV. DEFINITIONS**

- A. Complainant** is any individual who is alleged to have experienced Prohibited Conduct as defined in the University's [Discrimination and Harassment Policy](#).
- B. Comprehensive Discrimination and Harassment Procedures** means the University's [Comprehensive Discrimination and Harassment Procedures](#)





Confidential Employee; and (2) is a supervisor, manager, human resources professional, or any other University employee who has authority to institute corrective measures.

2. For purposes of a Reporter disclosing alleged acts of Prohibited Conduct involving a student at the University, Responsible Employees are (1) any employee of the University who is not a Confidential Employee; and (2) any advisors to students groups, including those individuals who are not otherwise employees of the University.
3. Responsible Employees include Graduate Teaching Assistants (GTAs), Graduate Research Assistants (GRAs), Resident Assistants (RAs), and all other student-employees when disclosures are made to any of them in the context of their employment/professional duties on behalf of the University.

**J. Title IX Sexual Harassment Procedures**” means the University’s Title IX Sexual Harassment Procedures setting forth the process for investigating and resolving reports of Title IX Sexual Prohibited Conduct under the University’s [Discrimination and Harassment Policy](#).

## V. RESOURCES

- A. University Policy EOIX 3.10.010 – *Discrimination and Harassment*
- B. University Policy RISK 2.50.060 – *Protection of Minors on Campus*
- C. University Policy SAFE 7.10.010 – *Clery Act Compliance*
- D. Comprehensive Discrimination and Harassment Procedures available on the Office of Equal Opportunity and Title IX [website](#).
- E. Title IX Sexual Harassment Procedures available on the Office of Equal Opportunity and Title IX [website](#).
- F. [Honor Code and Student Rights and Responsibilities](#)