

## **I. INTRODUCTION**

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 Employee

Psychiatrist	HCC
Sports & Performance Psychologist	HCC
Registered Nurse	HCC
Certified Medical Assistant	HCC
Physician Assistant	HCC
Physician	HCC
Nurse Practitioner	HCC
Ombudsperson	Office of the Chancellor

**a. Limits of Confidentiality**

Confidential Employees must maintain the confidentiality of information shared with them about alleged Prohibited Conduct and will not disclose such information to EOIX or to anyone else, except with the written permission of the Reporter/Complainant or when such disclosures are permitted or required by applicable law (e.g., mandatory reporting of abuse of minors or elder abuse, Clery Act) or court order. For example, Confidential Employees may be required to disclose such information where there is a concern that the individual will likely cause serious physical harm to self or others.

Employees who have questions regarding the validity of any permission given or the applicability or scope of any law or court order requiring disclosure should contact or be directed to contact the Office of General Counsel.

**b. Responsibilities**

Confidential Employees must:

Communicate to Reporters or Complainants who are considering disclosing or have disclosed information about alleged Prohibited Conduct that, except as provided in the limited circumstances set forth in this Policy, the information must be kept confidential. ( )76e



the University encourages Complainants and other individuals to promptly report allegations of Prohibited Conduct, preferably within 180 days of the last incident of Prohibited Conduct. Delays in reporting can prevent the University from gathering evidence sufficient to initiate an investigation, reaching a determination of responsibility, or implementing disciplinary action against a Respondent found to have engaged in Prohibited Conduct.

## **2. Responsible Employees**

A Responsible Employee must promptly report to the University's Associate Vice Chancellor for Equal Opportunity & Title IX/Title IX Coordinator all relevant details disclosed by a Reporter about an incident of alleged Prohibited Conduct, including the names and all other information that personally identifies the Complainant(s), Respondent(s), any witnesses, and any other relevant information (e.g., the date, time, and specific location of the alleged incident).

Responsible Employees must:

Communicate to Reporters and/or Complainants who are considering or have disclosed information about alleged Prohibited Conduct that, as a Responsible Employee, they must report such information to the University;

Report information they receive about alleged Prohibited Conduct promptly (within 24 hours) through the Office of Equal Opportunity & Title IX [reporting form](#) or as described above;

Complete all applicable University training on reporting requirements;

If Responsible Employees have questions or concerns regarding this Policy, they should contact the Associate Vice Chancellor for Equal Opportunity & Title IX/Title IX Coordinator or designee, the Division of Human Resources & Inclusive Community (HRIC), or the Office of General Counsel, as applicable.

### **a. Disclosures**

Where practicable, before a Reporter discloses any information to a Responsible Employee, the Responsible Employee should explain their reporting obligations under this Policy. If the Reporter indicates a desire to maintain confidentiality and has not yet disclosed information regarding the alleged Prohibited Conduct, the Responsible Employee should instead refer the Reporter to a Confidential Employee or provide them with a Confidential Employee's contact information.





performing the duties of that professional role.

**D. Education Program or Activity** means the locations, events, or circumstances over which the University exercised substantial control over both the Respondent and the context in which the alleged Prohibited Conduct occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the University.

**E. Office of Equal Opportunity and Title IX**



