



# **2019-20** **YEAR IN REVIEW**

OFFICE OF INSTITUTIONAL  
EQUITY & COMPLIANCE



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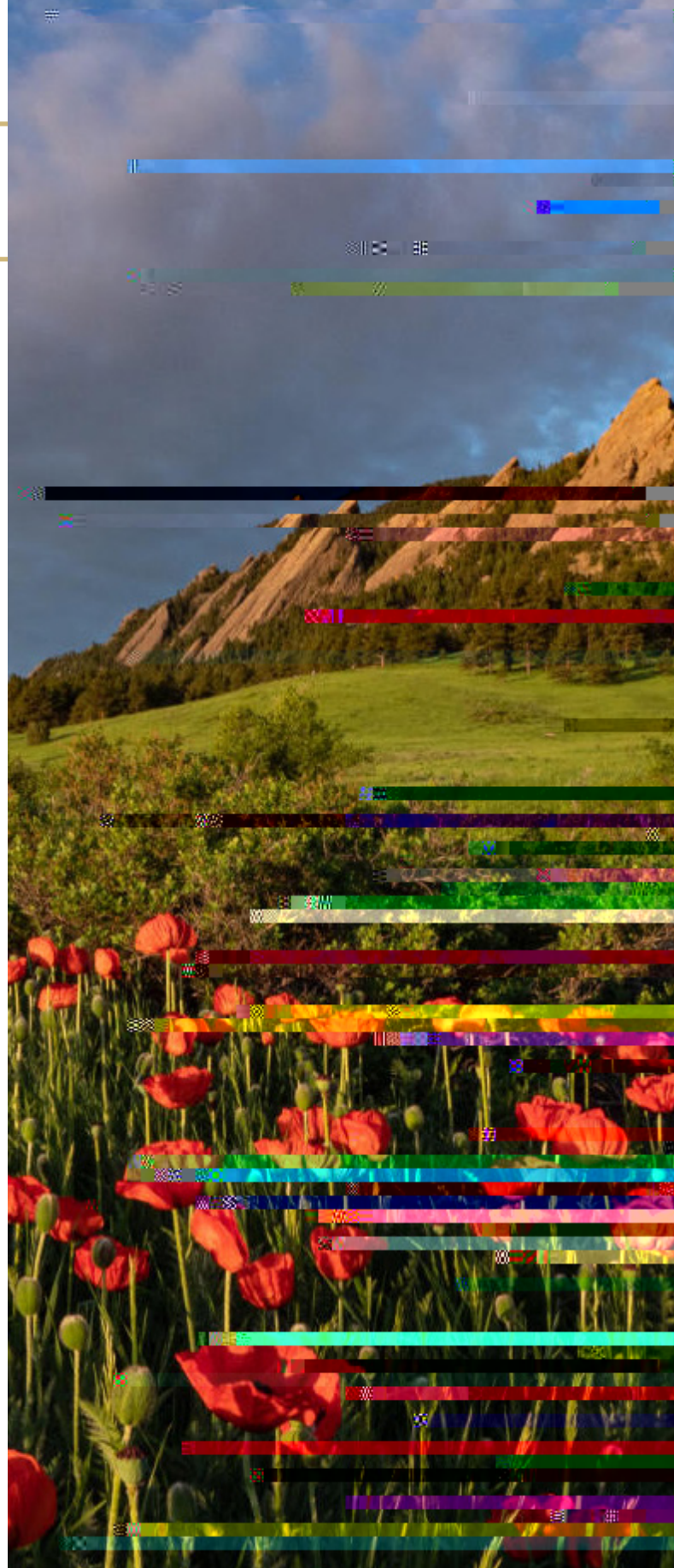
# OVERVIEW

## About OIEC

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OIEC consists of four units all aimed at creating an equitable, safe, and accessible campus community: Prevention Education and Assessment, Case Resolutions, Support and Safety Measures (formerly named Remedial and Protective Measures), and ADA Compliance. Like the entire university this year, the COVID-19 pandemic presented novel challenges for OIEC requiring adaptability and innovation. ADA Compliance created novel solutions to ensure uninterrupted equal access to constituents both on and off campus during these unprecedented times along with a new rubric to evaluate accommodations for employees in a remote setting. Case Resolutions altered procedures to seamlessly adjudicate matters in a virtual format including interviewing witnesses via video conference and utilizing an online file inspection protocol. Support and Safety Measures pioneered ways to support and accommodate students during remote learning while Prevention Education and Assessment pivoted to deliver content and skills to the campus community in a completely new format.

Along with the need to re-invent standard operations to meet the needs of the campus during the pandemic, this academic year also marked the release of new Title IX regulations necessitating major revisions to university policy and campus procedures that address sexual misconduct, as well as the redesign of campus-wide educational programs to reflect these changes. Moreover, OIEC responded to national and university imperatives to expand our efforts to address systemic underrepresentation, become more diverse and inclusive, and to promote a culture of anti-racism. Top priorities for our office included integrating bystander intervention skills into mandatory online training for all campus constituents, launching a novel restorative justice program in response to incidents of protected-class harassment with broad campus impact, and creating cross-campus partnerships and new internal initiatives to forge ahead on the Campus Inclusion, Diversity and Excellence in Academics (IDEA) Plan and support the IDEA Council.



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# SHAPE TOMORROW'S LEADERS

Emphasize fair and equitable practices in enforcing CU Boulder policy and ensure accessibility across campus.

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During the 2019-20 academic year, OIEC conducted 177 live training sessions for over 15,000 students, faculty, staff, and visitors. An additional 16,000 individuals completed an online training course created by OIEC's Prevention Education and Assessment team.

2019 marked the 11th year of facilitating the Effective Bystander Skills Training for all incoming CU students. Each year OIEC collects data on students' experiences of the program and the results consistently show that the session has a positive impact. Over 5,000 first year students responded to the post-training assessment, and in response to questions about program efficacy, 93% of students reported that they will be able to notice more situations where people need help including recognizing problematic behaviors at a party, 86% of students reported that they have more skills to help someone in a difficult situation, and 82% of students responded that they will be more likely to help others as a result of the training.

Building on this feedback, along with research showing applicability of bystander skills to a myriad of situations,

OIEC monitored and tracked the campus requirement that everyone at CU complete this new training during the summer and fall of 2020. Re-designing the online course at this time simultaneously addressed the need to align OIEC's training program with updated policies and to ensure compliance with the new Title IX regulations.

In response to new Title IX regulations as well as evolving federal case law requiring live cross-examination in cases of sexual misconduct,

OIEC continued to allow OIEC staff to investigate sexual misconduct allegations both on and off campus (including allegations of assault, harassment, exploitation, intimate partner violence, and stalking), provide supportive measures to both parties, assess safety considerations to determine whether emergency removals are necessary, and require mandatory reporting by designated employees. Major changes include revised definitions of prohibited conduct to ensure compliance with federal regulations, the ability for parties to receive and review their case files electronically, the opportunity for live cross examination at a hearing presided over by a Colorado judge, and the appointment of advisors to both parties free of charge.

During the 2019-20 year (July 1, 2019 through June 30, 2020), OIEC continued to see a high volume of reported cases. A total of 1,458 cases were reported either directly or by a third party. OIEC responds to every report; cases are resolved formally, informally, and through our support services. When the report falls outside of the policies enforced by OIEC, OIEC connects reporters to campus resources that can address their concerns. In addition to these cases, OIEC received several hundred reports regarding alleged racist or culturally insensitive social

On **14, 2020**, the updated policy and procedures

Associate Vice Chancellor of OIEC, Valerie Simons chaired the State Sexual Misconduct Advisory Committee, which was tasked with reviewing Title IX changes and publishing reports recommending changes to policies and procedures for state institutions of higher education.

"A better group of experts in this subject area could not have been chosen. We are so appreciative of the [C]ommittee's many hours of work, passion, expertise and

media posts by current or incoming students. This trend prompted OIEC to explore, and ultimately create,

and other identity focused conduct in a way that promotes acceptance of responsibility and encourages remediation of individual and community harm. Building upon the existing restorative justice model offered by Student Conduct and Conflict Resolution, this restorative justice option offers a new way for respondents to take accountability for their actions including developing an agreement of action steps to remediate impact.

The new Title IX regulations sparked not only the revision of OIEC's case adjudication procedures, but also the revision of procedures for ensuring that confidential support measures are offered, assessed, and documented in every case. Additionally, OIEC updated procedures to ensure that all emergency removals are evaluated consistently and in accordance with due process.

and the need for evaluation by OIEC prior to taking any disciplinary or removal actions.

This year, in response to reports of protected class identity-focused graffiti and vandalism, the Support and Safety Measures unit worked to streamline the process for addressing these types of incidents under the Campus Use of University Facilities (CUUF) Policy, while balancing First Amendment speech rights.

"I wanted to thank you for

"As always, I appreciate all your hard work, thoughtfulness, and fairness that you show the individuals with whom you support!"

- C  
C

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an applicant's conduct in a previous appointment. This will enable CU Boulder to make better hiring decisions by exposing any concerning behavior that might not be discovered through a traditional background check or letters of reference.

Additionally, in an effort to better understand the academic trajectory of student respondents after their case is addressed by OIEC,



## POSITIVELY IMPACT HUMANITY

Collaborate with on and off campus stakeholders to maximize prevention efforts and ensure a continuum of support and response that fosters a safe and non-discriminatory environment.

OIEC continued to refine the ( ) for students, staff, and faculty based on additional data collection, statistical analyses, and feedback from constituents. The set of unit-specific recommendations for taking action on the results was expanded and a literature review of the research on incivility was incorporated into the report. During the 2019-20 fiscal year, the CWC Survey was administered to the A&S social science units, all campus research institutes, and the Physics department resulting in almost 2,000 additional participants who have completed the survey. This was the second CWC Survey administration for both CIRES and LASP and the results were used to show areas of improvement at both institutes and to strengthen ongoing interventions to address persisting concerns. The CWC Survey has become a core tool for the Academic Review and Planning self-study process, and starting in 2020, it will be administered one year ahead of the review in order to give units time to reflect on the results and recommendations.

Support and Safety Measures remains focused on assisting students, faculty and staff with a multitude of needs during the case resolutions process. This includes engaging in the

Support and Safety Measures continues to be one of only a handful of offices on campus that engages in regular after-hours and weekend support including the use of a 24-hour phone number so that campus departments and administrators can reach out during emergencies and receive immediate response.

This year the Support and Safety Measures unit worked with several different campus partners to develop a comprehensive disclosure statement on student petition forms to enhance transparency about how and when matters are reported to OIEC. This allows individuals to have a greater understanding as to how CU Boulder will respond to disclosures of discrimination, harassment, and sexual misconduct and better positions individuals to make an informed decision about providing this information to offices on campus.

Other initiatives aimed at creating positive impact for the CU Boulder community included participating on the system-wide Pride Committee, the IDEA Council, and by instructing first-year Engineering classes with curriculum around adjusting to college life and advocating for social justice initiatives.

**"Your impact changed my entire last year of my college career for the better. I really appreciate everything you've done to stand up for people like me!"**

- C

**"...thank you for what you do, it truly made a huge difference in my life and I honestly do not think I would be enrolled at CU anymore if it were not for OIEC."**

- C

**"You are so amazing and sincerely it feels like the only person who has my back."**

- E  
A

**"Thanks again for all you do—you're really getting me through all this!"**

- E  
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Due to the COVID-19 pandemic and new safety measures implemented on campus, ADA Compliance received a range of novel accommodation requests related to safety measures.

ADA Compliance implemented a proactive approach to responding to the pandemic by providing example language and guidance to departments, supervisors, and individuals on enforcement of new campus precautionary measures while also ensuring individuals with disabilities have the appropriate resources to request accommodations if needed.


ADA Compliance coordinated and provided captioning and ASL interpretation for a record number of events and meetings during a time in which most campus operations moved to virtual or remote status. This included captioning of the Spring 2020 Commencement for which the ADA used technology to provide captioning not only in English, but also in Spanish. This improved accessibility and ensured that native Spanish speakers and their families could more fully enjoy the commencement experience.


ADA Compliance continued its representation on the Campus Construction Committee and consulted with project planners on multiple campus improvements to mitigate interruption and prevent barriers to access.



# CULTIVATING INCLUSIVE EXCELLENCE

Striving to achieve inclusive excellence and a culture of anti-racism.

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- Continued to chair the Campus Climate Response Team (since 2016) to address and respond to broad campus impact of protected-class harassment.
  - Streamlined process for swiftly addressing racist graffiti/vandalism reports under the Campus Use of University Facilities (CUUF) Policy, while balancing First Amendment speech rights.
  - Continued to co-chair the Conduct Review Committee (CRC) that reviews the applications of prospective students with criminal history and seeks to remove historic barriers to higher education.
  - Implemented implicit bias training for the all CRC members who review applicants and developed a new rubric for CRC to ensure consistency and transparency with admissions decisions.
  - Chaired a working group to develop a proposal for faculty and staff affinity groups for underserved populations on campus in order to help with recruitment and retention of diverse employees.
  - Serving on the campus-wide Inclusion, Diversity, and Equity in Academics (IDEA) Council to implement the recommendations of the IDEA plan.
  - Participated on the system-wide Pride Committee that planned and supported this LGBTQ initiative.

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- Coordinated and provided captioning and ASL interpretation for a record number of events and meetings including those conducted in virtual forums during the covid-19 pandemic. This included captioning of the virtual Spring 2020 Commencement in both Spanish and English.
  - Continued representation on the Campus Construction Committee and consulted with project planners on multiple campus improvements to mitigate interruption and prevent barriers to access.

# NEW INITIATIVES

What's ahead?

- After being delayed one year in order to support the Board of Regents' Diversity and Engagement Survey (DES), OIEC will conduct the Campus and Workplace Culture (CWC) Survey for all students, staff, and faculty on the CU Boulder campus in fall 2021. To achieve the necessary high participation rate to better understand the experiences of CU Boulder staff who do not speak English as a primary language, OIEC is planning to administer the survey in Spanish, Mandarin, and Nepali, and to provide in-person translation support as needed for those with challenges using the survey software. Survey results

