

Policies of Colorado State University

University Policy



Policy Title: Title IX Sexual Harassment	Category: Equal Opportunity
Owner: University President	Policy ID#: <u>12-015-001</u>
Contact: Office of Title IX Programs Web: https://titleix.colostate.edu/ Email: titleix@colostate.edu Phone: <u>970-491-1715</u> Also Contact: Office of Equal Opportunity Web: http://oeo.colostate.edu/ Email: oeo@colostate.edu Phone: <u>(970) 491-5836</u>	Original Effective Date: 8/14/2020 Last Revision: 2/21/2025

SECTION 1. POLICY STATEMENT & PURPOSE

Colorado State University(CSU) is a land-grant institution committed to offering access in its educational, scholarly and outreach activities to all individuals representative of our multi-cultural society and providing an environment of excellence in which all individuals can participate to the full level of their capabilities, realize their aspirations and contribute to the global society in which we live. In this pursuit, the University is committed to providing an environment that respects the dignity and worth of every member of its community. To this end, **the University prohibits sexual harassment, as defined in this Policy, by or against any member of or visitor to the CSU community.**

The University will respond to reports or information about such incidents of which it has actual knowledge and will work to stop the inappropriate behavior, remediate its effects, and take steps to prevent the recurrence of the prohibited conduct while respecting the rights of all involved.

CSU is required to comply with applicable state and federal statutes, including Title IX of the federal Higher Education Amendment of 1972, which prohibits discrimination on the basis of sex in any education program or activity receiving federal financial aid. Sexual harassment in its various forms is a type of sex discrimination prohibited by Title IX. In the employment context, other federal and state laws and regulations may also apply; see the [CSU Policy on Discrimination and Harassment](#).

The purpose of this policy is to further the University's goals of addressing sexual harassment and providing resources to those impacted by such incidents. The policy will describe the manner in which CSU responds to reports of sexual harassment and the procedures and options for reporting policy violations.

SECTION 2. DEFINITIONS USED IN THIS POLICY

Consent: Consent is defined in [Colorado Revised Statutes § 18-3-401](#) as “cooperation in act or attitude pursuant to an exercise of free will and with knowledge of the nature of the act... Submission under the influence of fear shall not constitute consent.” Under this policy, consent must be knowing, voluntary, active, present and ongoing. Consent is described in more detail in Section 5 below.

Formal complaint: A document filed by an Impacted Party or signed by the Title IX Coordinator alleging sexual harassment against a Responding Party and requesting that the University investigate the allegation of sexual harassment.

Impacted Party (referred to in federal regulations as the “Complainant”): An individual who reports being the subject or target of sexual harassment as prohibited by this policy.

Official with Authority: Officials with authority to initiate corrective action, including disciplinary sanctions, when a report of sexual harassment is received are the University's Title IX Coordinator, the President, the Provost, all Vice Presidents, Vice Provosts, Dean of Students, Associate Dean of Students, Director of the Student Resolution Center, Director of the Office of Equal Opportunity, Executive Director of Human Resources/Chief Human Resource Officer, and Director of Athletics.

Reasonable person means a reasonable person under similar circumstances and with similar identities to the Impacted Party.

Responding Party: (referred to in federal regulations as a “Respondent”): An individual who is alleged to be responsible for an incident(s) of sexual harassment.

Responsible Employee: Any CSU employee who has the responsibility to report to the Office of Title IX Programs and Gender Equity any incident of sexual harassment of which they become aware. At CSU, this includes:

- An academic or activity advisor such as a faculty advisor, student success coordinator, internship coordinator, advisor to a student organization or club; however, faculty members are not considered responsible employees in the ordinary course of classroom or online instruction

- All coaches, trainers, and other athletic staff that interact directly with students, including club sports
- All student affairs employees whose duties require them to have regular or daily contact with students. This includes employees who are responsible for directly providing services to undergraduate and graduate students and to student organizations
- All employees of the CSU Police Department
- Employees whose job duties require that they regularly interface with students
- All supervisors of employees, including student employees
- A senior administrator (president, provost and executive vice president, vice provost, associate and assistant provost, dean or associate dean, vice president, associate or assistant vice president, director of athletics, senior associate director of athletics department head/chair, executive director, director, associate or assistant director)
- Student employees assigned responsibilities for campus safety or when acting as mentors

Retaliation is any action, performed directly or through others, that is intended to deter a reasonable person from engaging in a protected activity or is done in retribution for engaging in a protected activity. Retaliation includes any attempt to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege under the Title IX law and regulations or this policy, or because the individual has made a report or complaint, testified, assisted, participated or refused to participate in any manner in an investigation, proceeding or hearing. The University strictly prohibits retaliation. Depending on the behaviors, examples of actions that could constitute retaliation when done in retribution for engaging in a protected activity include, but are not limited to:

- Reducing a person's salary or work hours
- Giving a negative performance evaluation
- Making adverse decisions relating to one's work assignments, vacation, or promotion or advancement opportunities (whether employment-related or academic)
- Reducing a student's grade
- Removing a person from a student organization, academic program, or lab
- Interfering with one's job search
- Engaging in harassing conduct that is sufficiently severe, pervasive, and/or persistent to create a hostile environment; for this purpose, the existence of a hostile environment is to be judged both objectively (meaning a reasonable person

would find the environment hostile) and subjectively (meaning the affected individual felt the environment was hostile) or

- Making threats to engage in any of the actions listed above.

Sexual harassment is defined under Title IX regulations as conduct on the basis of sex that constitutes one or more of the following:

1. An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct ("*quid pro quo*" sexual harassment); or
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity. Depending upon the behaviors, examples of such conduct may include, but are not limited to:
 - a. Gender-based bullying, including towards trans and non-binary people
 - b. Direct propositions of a sexual nature
 - c. Pressure for sexual activity
 - d. A pattern of conduct that includes one or more of the following: (1) unwelcome and unnecessary touching, patting, hugging, or brushing against a person's body; (2) remarks of a sexual nature about a person's clothing or body, whether or not intended to be complimentary; (3) remarks about sexual activity or speculations about previous sexual experience; (4) other comments of a sexual nature, including sexually explicit statements, questions, jokes or anecdotes; or (5) written or digital communications such as emails, texts, live or streaming audio or video, social media posts, etc. containing sexual comments, words or images
 - e. Visual displays of sexually oriented images outside the educational context
3. "Sexual assault", "dating violence", "domestic violence", "stalking" as defined in laws and regulations and set forth below.

a. *Sexual Assault* is defined as:

- i. *Non-Consensual Sexual Penetration (Rape)*: the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. The gender of the victim is irrelevant.
- ii. *Non-Consensual Sexual Contact (Groping/Fondling)* is the touching of the private body parts of another person without the consent of the person, including instances where the person is incapable of giving consent because of their age or temporary or permanent mental incapacity. This type of sexual assault also

includes making a person touch themselves or another with, or on, any intimate body parts. It can occur whether those involved are clothed or unclothed.

- iii. *Incest*: Non-forcible sexual intercourse between persons who are related to each other as an ancestor or descendant, including a natural child, child by adoption, or stepchild twenty-one years of age or older, a brother or sister of the whole or half blood, or an uncle, aunt, nephew, or niece of the whole blood.
- iv. *Statutory Rape*: Sexual penetration with an individual who is below the legal age of consent according to Colorado law. The general age of consent in Colorado is 17. However, the ages of both parties, as well as their marital status, are considered when determining whether the sexual contact is unlawful. For a more detailed definition of the age of consent, see [C.R.S. § 18-3-402](#) and this article released by the Colorado General Assembly

b. *Dating violence* means violence or the threat of violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim (referred to in this policy as the Impacted Party). The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the following factors:

- i. The length of the relationship
- ii. The type of relationship
- iii. The frequency of interaction between the persons involved in the relationship

c. *Domestic violence* includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim (Impacted Party) under the domestic or family violence laws of the jurisdiction (i.e., Colorado or other place where the conduct occurs), or by any other person against an adult or youth victim who is protected from that person's acts under the laws of the jurisdiction.

In Colorado, "domestic violence" means an act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. "Domestic violence" also includes any other crime against a person, or against property, including an animal, or any municipal ordinance violation against a person, or against property, including an animal, when used as a method of

coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship. C.R.S. § 18-6-800.3.

d. Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress. For the purposes of this definition:

Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Examples of stalking behavior include, but are not limited to:

- Non-consensual communication, including face-to-face communication, telephone calls, voice messages, e-mails, texts, letters, notes, gifts, or any other communications that are undesired and place another person in fear
- Surveillance or other types of observation, including staring or “peeping”
- Pursuing, following, waiting, or showing up uninvited at or near a residence, workplace, classroom, or other places frequented by the victim
- Defamation (disseminating false information to others about another)
- Gathering information, or asking others to gather information about an individual from friends, family, or co-workers
- Threats to harm self or others
- Vandalizing a person’s property
- Cyber-stalking--the repeated use of electronic communication to harass or frighten someone through use of online, electronic, or digital technologies, such as:
 - Unauthorized posting of pictures, messages, and/or information about the Impacted Party on websites, internet sites, social networking sites, mobile apps (e.g., Snapchat, Instagram, etc.), bulletin boards and/or chat rooms
 - Creating a website about the victim
 - Sending unwanted/unsolicited email, texts, talk, or communication requests (e.g., Facebook friend requests)
 - Posting private or public messages on Internet sites, social networking sites, and/or bulletin boards

- Using Global Positioning Systems (GPS) to monitor a victim
- Installing surveillance equipment, hardware, or software (e.g., spyware, cameras) on a victim's computer or other device
- Catfishing: falsifying your identity in order to gain access to or trust of another person or trick someone into a relationship

4. Sexual exploitation of another that is unwelcome and is so severe, pervasive and objectively offensive that it effectively denies a person equal access to the university's education programs or activities. Some examples of sexual exploitation include:

- a. Prostituting another person, coercing sex work or trafficking persons for sex
- b. Voyeurism (secretly viewing the sexual activities or nudity of others)
- c. Exhibitionism (compulsive display of one's genitals in non-consensual circumstances; masturbation in front of others; flashing someone with a sexual or other intimate body part)
- d. Non-consensual photographing or videotaping another individual's personal body parts (clothed or unclothed)
- e. Non-consensual video or audio recording of sexual activity
- f. Non-consensual possession, sharing, or streaming of images, photography, video, or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved
- g. Allowing a third-party to observe consensual sexual activity without the knowledge and consent of all parties involved
- h. Knowingly having sexual contact with a person who is not aware that you have a sexually transmitted disease, or HIV
- i. Inducing incapacitation to make another person vulnerable to non-consensual sexual activity and/or to make another person expose their genitals

Title IX Coordinator means the CSU Vice President for Equity, Equal Opportunity and Title IX (Vice President) or any person appointed by the Vice President to serve as Title IX Coordinator. The Vice President may also appoint Deputy Title IX Coordinators at any time. The names and contact information for each of these individuals are available on the [Title IX web page](#).

SECTION 3. PARTIES, JURISDICTION & APPLICABILITY

A. The Parties

The Parties to a formal complaint and related proceedings are the Impacted Party and the Responding Party. This Policy and the related Procedures apply equally to both Parties, although different supportive and interim measures, remedies and sanctions

may be implemented as appropriate. There may be more than one Impacted Party and/or more than one Responding Party named in a formal complaint.

An Impacted Party may bring a formal complaint when participating in, or attempting to participate in, a University education program or activity at the time of filing the formal complaint.

In some circumstances when the Impacted Party has not filed a formal complaint or is not participating in the grievance process, Title IX may nevertheless require the University to initiate an investigation and adjudication of sexual harassment allegations in order to protect the University community. In such instances, the Title IX Coordinator will sign the complaint. The Title IX Coordinator may consider a variety of factors, including a pattern of alleged misconduct by a particular Responding Party, in deciding whether to sign a formal complaint. The Title IX Coordinator may take circumstances into account such as whether the information or allegations involved violence, use of weapons, or other such factors.

Pursuant to C.R.S. § 13-25-138, the TIX coordinator may NOT consider an Impacted Party's previous sexual history except for prior or subsequent sexual conduct with the Responding Party, or physical evidence such as the source or origin of semen to show that the act or acts were or were not committed by the Responding Party.

B. Applicability

1. Members of the University Community

All University community members are prohibited from engaging in or assisting another's engagement in conduct that would violate this policy. This includes, without limitation, all students, faculty, staff, other employees and volunteers.

2. Non-Members of the University Community

When the person accused of sexual harassment is not a member of the University community and the University has no authority to impose disciplinary sanctions against that person if found responsible, the University may dismiss the formal complaint while still providing supportive measures to the Impacted Party. For more information on supportive and interim measures, see the procedures described in Section 11 below.

Employees and agents of contractors, visitors to the University, donors, alumni and others over whom the University does not have authority to take corrective or

disciplinary action are also expected to comply with this policy when doing business with the University. The University may, among other actions, terminate its contract and relationship with the individual or entity, exclude such persons from campus, and/or refer the matter to law enforcement.

C. Relationship of the Behavior to the University's Programs and Activities

Behavior is subject to this policy when:

- The behavior occurs on university property, including property owned or controlled by a recognized student organization such as a fraternity or sorority;
- The behavior occurs off university property in the context of university employment or any university education program or activity, including, but not limited to, university-sponsored academic, athletic, alumni, fundraising, public relations, extracurricular, study abroad, research, on-line or internship programs or activities; or
- The behavior occurs off university property and outside the context of a university employment or education program or activity but has a continuing adverse effect on students, employees, or third parties in any university employment, living or education program or activity.
- Cyber Harassment: As used above, "university employment or education program or activity" includes behavior conducted electronically, such as in an online class or through digital communication.

SECTION 4. FALSE STATEMENTS

It is prohibited to knowingly make a materially false statement in bad faith during the grievance process. The outcome of the case alone cannot be the basis for concluding that a party made a bad-faith materially false statement.

SECTION 5. CONSENT

It is the responsibility of every individual to ensure they have the consent of others to engage in sexual activity. Communication regarding consent consists of mutually understandable words or actions that indicate an unambiguous willingness to engage in specific sexual activity at the same time, in the same way. In the absence of clear communication or outward demonstration, there is no consent. Lack of protest, lack of resistance, or silence do not alone constitute consent.

Consent must be all of the following:

- *Knowing*: All individuals understand, are aware of, and agree as to the “who” (same partners), “what” (same acts), “where” (same location), “when” (same time), and “how” (the same way and under the same conditions) of the sexual activity.
- *Active*: Consent must take the form of “clearly understandable words or actions” that reveal one’s expectations and agreement to engage in specific sexual activity. This means that silence, passivity, submission, or the lack of verbal or physical resistance (including the lack of a “no”) should not – in and of themselves – be understood as consent. Consent cannot be inferred by an individual’s manner of dress, the giving or acceptance of gifts, the extension or acceptance of an invitation to go to a private room or location, or on a date.
- *Voluntary*: Consent must be freely given and cannot be the result of respondent’s intimidation (extortion, menacing behavior, bullying), coercion (severe or persistent pressure causing fear of significant consequences from respondent if one does not engage in sexual activity), force (violence, physical restraint, or the presence of a weapon), threats (indications of intent to harm, whether direct or indirect), or fraud (misrepresentation or material omission about oneself or the present situation in order to gain permission for sexual or intimate activity).
- *Present and Ongoing*: Consent must exist at the time of the sexual activity. Consent to previous sexual activity does not imply consent to later sexual acts; similarly, consent to one type of sexual activity does not imply consent to other sexual acts. Consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another person.

Consent may also be withdrawn at any time, for any reason, provided the person withdrawing consent makes that known in clearly understandable words or actions. Thus, even if a person agreed to a sexual interaction or continued sexual interaction, that person has the right to change their mind, at any time, irrespective of how much sexual interaction may have already taken place.

Consent to any one form of sexual activity does not imply consent to any other forms of sexual activity. The existence of a dating relationship or past sexual relations between the individuals involved is not conclusive evidence of consent in another instance (nor will subsequent sexual relations or dating relationship alone suffice as evidence of previous consent).

A. Force and Coercion

Consent obtained through force or coercion is not valid consent. Force is the threat or use of violence and/or imposing on someone physically to gain sexual access.

Coercion is pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure exerted to obtain consent. When someone has not indicated clearly that they want to engage in sexual activity or, indicates that they want to stop or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point is coercive. Coercion occurs when a person exerts power or influence over another in order to gain consent to engage in sexual activity.

Coercion can happen one time in the moment and/or over a length of time. A person can coerce someone into an act with them or into a sexual act with others.

Resistance is a clear demonstration of non-consent; however, there is no requirement that a party resist a sexual advance or request. Physical trauma is not required to investigate accusations of non-consensual sex.

B. Incapacitation

Incapacitation is a state where a person cannot make rational, reasonable decisions because they lack the physical or mental capacity to give knowing consent (i.e., to understand the “who, what, when, where, why and how” of their sexual interaction).

Because alcohol or other drug use can place an individual’s capacity to consent into question, sober sex is less likely to raise such questions. When alcohol or other drugs, including those that incapacitate (such as Rohypnol, Ketamine, GHB, etc.), are involved, a person will be considered unable to give consent if they cannot fully understand the details of a sexual interaction because they lack the capacity to reasonably understand the situation. Administering a drug that incapacitates another individual is a violation of this policy. More information on these drugs can be found at www.911rape.org.

This policy also prohibits sexual activity with a person whose incapacity results from mental or physical disabilities, sleep, unconsciousness, or involuntary physical restraint.

Consent is not obtained when:

- The Responding Party’s belief in affirmative consent arose from their own intoxication or recklessness; or
- The Responding Party did not take steps under the circumstances to determine whether the Impacted Party consented to sexual activity.

C. Consensual Relationships Involving CSU Employees

The University has a policy defining Consensual Relationships and providing procedures to be followed when such relationships arise between students and faculty or other employees, or between employees. When the policy on Consensual Relationships is violated, a violation of this policy may also result.

SECTION 6. THE ROLE OF THE TITLE IX COORDINATOR

CSU has appointed a Title IX Coordinator and Deputy Title IX Coordinators to oversee and coordinate its compliance with Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 et seq. (Title IX) and its implementing regulations, 34 C.F.R. Part 106. Title IX prohibits discrimination on the basis of sex in education programs or activities by recipients of federal financial assistance, of which CSU is one.

A. Title IX Coordinator

The University's Title IX Coordinator oversees the University's compliance with Title IX, including its policy, procedures, education and prevention efforts, and coordinates training for members of the CSU community. The Title IX Coordinator also oversees and monitors Title IX investigators and reviews information about sexual harassment and gender-based discrimination occurring in the University community in order to identify and address systemic problems. In so doing, the Title IX Coordinator provides appropriate resources and supportive and interim measures to those involved in a complaint or investigation.

The Title IX Coordinator is available to meet with any member of the University community or campus organization that would like to make a report involving matters of sexual harassment and gender-based discrimination, discuss reporting options, and to answer questions about the University's Title IX compliance, efforts, policy and procedures.

The Title IX Coordinator has overall responsibility for the effective implementation of remedies offered to the Parties to assure equal access to educational programs and activities.

B. Deputy Title IX Coordinators

Deputy Title IX Coordinators provide support for the University and the CSU community on Title IX-related matters and concerns and answer questions about Title IX policy, procedures and resources.

Contact information for the Title IX Coordinator and Deputy Title Coordinators is found below under [How to Report](#).

SECTION 7. DUTY TO REPORT & REPORTING OPTIONS

Anyone who has witnessed, suspects, or is aware of any incident involving conduct prohibited by this policy is strongly encouraged to report it to the Title IX Coordinator or a Deputy Title IX Coordinator (see [How to Report](#), below).

A “Responsible Employee” is [defined above](#) in this policy. Responsible Employees have special responsibilities with respect to reporting incidents of sexual harassment. All Responsible Employees **must** report incidents of sexual harassment to the Title IX Coordinator or a Deputy Title IX Coordinator within 24 hours after becoming aware of the incident (see [How to Report](#), below). It does not matter whether the person alleged to have engaged in sexual harassment is a member of the University community, or not; the Responsible Employee’s duty is to report all incidents. Failure to report sexual harassment may subject a Responsible Employee to corrective or disciplinary action.

A. Privacy and Sharing of Information

The University will protect the identity of persons involved in reports of sexual harassment to the best of its ability. The University will only share personally identifiable information with those who have a legitimate need to know in order for the University to investigate and respond or to deliver resources or support services. The University does not publish the names or post identifiable information about persons involved in a report of sexual harassment in the CSU Police Department’s Daily Crime Log or elsewhere online. However, the University cannot promise complete confidentiality or privacy in the handling of sexual harassment reports. For those seeking completely confidential services and support, [see Confidential Support Options below](#).

B. How to Report

When an emergency exists such as a person needing immediate medical attention or a crime or threat is in progress, call 911 from any phone and provide the dispatcher with your location.

Consistent with Section 7.A above, anyone may report an incident of sexual harassment to the Office of Title IX Programs and Gender Equity as follows:

[Online: Title IX Reporting Options and Form](#)

In person: Office of Title IX Programs and Gender Equity 123 Student Services
Building Colorado State University Fort Collins, CO 80523

By postal mail: Office of Title IX Programs and Gender Equity 0161 Campus Delivery
Fort Collins, CO 80523-0161

By telephone: 970-491-1715

By email: titleix@colostate.edu

Reports may also be made online on the Student Conduct Services website
under [Create an Incident Report](#).

The University will not impose discipline on a party or witness for other policy violations related to the incident such as possession or consumption of alcohol or drugs. However, participation in an investigation, hearing or appeal does not shield any person from disciplinary action for sexual harassment or sexual misconduct, whether or not such behavior is related to the allegations in the formal complaint.

C. Law Enforcement Reporting Options (Non-Confidential)

In an emergency or to report a crime in progress, call 911. To report a crime that is not in progress or whenever police assistance is needed in a non-emergency, call CSU Police at 970-491-6425, day or night.

CSU Police Department

Phone: (970) 491-6425 (non-emergency)

In-Person: 750 Meridian Street, Campus Police- Green Hall

Online (Anonymous): <https://police.colostate.edu/anonymous-crime-report/>

Online (NON-emergency): <https://police.colostate.edu/report-crime/>

Fort Collins Police Services

Phone: (970) 221-6540 (non-emergency)

In-Person: 2221 S. Timberline Road, Fort Collins

Monday through Friday 8 a.m. – 6 p.m.

Saturday and Sunday 8 a.m. – 2 p.m.

Online (NON-emergency): <https://www.fcgov.com/police/coplogic-start-report.php>

Larimer County Sheriff's Office

2501 Midpoint Dr, Fort Collins, CO 80525

Phone: (970) 416-1985

D. Other University Reporting Options (Non-Confidential)

Tell Someone

If you are concerned about safety or mental health – your own or someone else's, please call (970) 491-1350 or complete the online referral form.

Bias Incident Reporting

A bias incident is any conduct, speech, or expression, motivated in whole or in part by bias or prejudice that is meant to intimidate, demean, mock, degrade, marginalize, or threaten individuals or groups based on that individual or group's actual or perceived identities. To report an incident of bias, call Support and Safety Assessment at (970) 491-7407.

Student Conduct Services Incident Report

If you have knowledge of a CSU student violating the Student Conduct Code, you are encouraged to notify our office of the incident. If you have any questions regarding filing an incident report, please contact Student Conduct Services at the Student Resolution Center at (970) 491-7165.

SECTION 8. SUPPORT OPTIONS

Individuals who wish to seek advice or assistance or to discuss options for addressing sexual harassment or other sexual misconduct or discrimination confidentially may do so by speaking with licensed counselors, clergy, medical providers in the context of providing medical treatment, and interpersonal violence advocates and counselors who specialize in IPV trauma. Students, staff, and faculty who wish to speak to someone on a strictly confidential basis may contact the following confidential resources:

A. On-Campus Confidential Support

Victim Assistance Team (VAT): Women and Gender Advocacy Center

Confidential Victim Advocates are available to provide crisis intervention and emotional support through the Women and Gender Advocacy Center. Advocates in the office are full time staff members dedicated to working with students of all genders who have experienced trauma as a result of interpersonal/gender-based violence. Advocates provide information about academic, legal, medical, emotional, and student conduct resources available to survivors of sexual assault, relationship violence and stalking. Advocates can also offer support to secondary survivors, such as intimate partners, friends, and family.

All information shared with advocates is confidential unless the person is a danger to themselves, someone is in imminent danger, a child currently under 18 has been abused or if the perpetrator is currently in a position of power over minors (even if the survivor is over the age of 18).

Locations for drop-in or appointment:

112 Student Services (corner of Libby Coy Way and University) OR 234 Lory Student Center

Monday – Friday, 8am-5pm

Phone: [970-492-4242](tel:970-492-4242) (24-Hour Hotline)

Phone: [970-491-6384](tel:970-491-6384) (WGAC Office)

Email: wgac@colostate.edu

Website: <https://wgac.colostate.edu/support/about-advocacy/>

CSU Health and Medical Center Counseling Services

Provides counseling and spiritual care services.

Location for drop-in or appointment:

151 W. Lake St., 3rd Floor

(corner of College Ave. and Prospect Rd.)

Monday – Friday, 8am- 5pm

Phone: [970-491-6053](tel:970-491-6053)

Phone: [970-491-7111](tel:970-491-7111) (After-hours)

[Website Information to Make an Appointment](#)

Women’s Care Services at CSU Health Network

Provides care services, including, but not limited to, women's examinations, birth control counseling, and sexual transmitted infection (STI) testing, counseling, and treatment.

Location for drop-in or appointment:

151 W. Lake St., 2nd Floor

(corner of College Ave. and Prospect Rd.)

Monday – Friday, 8am- 5pm

Phone: 970-491-1754

Website

B. Off-Campus Confidential Support

Sexual Assault Victim Advocate Center (SAVA)

Provides counseling, crisis intervention, and advocacy services for those affected by sexual violence.

Phone: 970-472-4200 (24-Hour Rape Crisis Hotline)

Phone: 970-472-4204 (Fort Collins Office)

Crossroads Safehouse

Provides crisis intervention, emergency shelter and advocacy services for individuals experiencing dating violence or domestic violence.

Phone: 970-482-3502 (24-Hour Crisis Hotline)

Phone: 970-530-2353 (Fort Collins Office)

Alternatives to Violence (Loveland)

Provides crisis intervention, emergency shelter and advocacy services for individuals experiencing dating violence or domestic violence.

Office: 970-669-5150

After Hours Crisis Hotline:

970-880-1000

Rape, Abuse & Incest National Network (RAINN)

Provides advocacy by phone or live online communication.

Phone: 1-800-656-4673 (24-Hour National Crisis Hotline)

Online Chat

C. On-Campus Non-Confidential Support

Student Case Management and Referral Coordination

501 W. Lake Street, Suite B
Fort Collins, CO 80523
Phone: (970) 491-8051

SECTION 9. FIRST AMENDMENT

As a public institution of higher education, Colorado State University is required to follow the First Amendment to the U.S. Constitution, which broadly protects speech and expression from governmental interference. Depending on the circumstances, certain speech or expression may be protected by the First Amendment and, therefore, will not be actionable under this Policy.

SECTION 10. CLERY ACT CRIME REPORTING BY THE UNIVERSITY

Actions or conduct that occur in geographical locations defined under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) and that constitute crimes defined under the Clery Act will be reported **without personally identifying information** by CSU to the U.S. Department of Education to be included within the annual crime statistics reported by the University to students, employees, prospective students and employees, parents of students and prospective students, and the public.

SECTION 11. PROCEDURES

CSU has adopted procedures for investigating and responding to complaints of sexual harassment under Title IX laws and regulations (“Procedures”) to implement this policy and to provide for prompt and equitable investigations, hearings and appeals of complaints of sexual harassment and gender-based discrimination that fall under the Title IX laws and regulations.

CSU will treat all those involved in a proceeding pursuant to this policy fairly and equitably. Differences between one party’s rights and options and another party’s rights and options will never be based on sex. When a report of sexual harassment is received, the University will offer such supportive measures to the Impacted Party as are appropriate to the circumstances and will not impose disciplinary sanctions on the Responding Party except as warranted after following fair and equitable procedures.

Sexual misconduct that does not fall within the definition of sexual harassment under the Title IX regulations is subject to different procedures than those for Title IX

matters. Students alleged to have committed such violations are subject to the provisions in the [Student Conduct Code](#). Employees alleged to have committed such violations are subject to the [CSU Policy on Discrimination and Harassment](#).

SECTION 12. COMPLIANCE WITH THIS POLICY

Compliance with this policy is required of every member of the University community. When an individual is found to have violated this policy, consequences will result.

1. Students: Disciplinary sanctions may be imposed pursuant to the Student Conduct Code, up to and including expulsion from CSU. Disciplinary sanctions may include but are not limited to:

- Disciplinary standings:
 - Disciplinary probation
 - Loss of good standing
 - Disciplinary suspension
 - Deferred disciplinary suspension
 - Disciplinary expulsion
 - Loss of student organization recognition
- Discretionary sanctions:
 - Alcohol and drug education, intervention, or treatment
 - A continuum of conflict resolution processes
 - Withholding or revocation of a degree
 - Educational workshops
 - Permanent University housing modification including removal from University housing
 - Interpersonal violence evaluation/treatment
 - Parent/guardian notification (student under the age of 21)
 - Compliance with court-ordered sanctions

2. Employees: Disciplinary sanctions may be imposed pursuant to applicable policies and procedures, up to and including termination from university employment. Any disciplinary action for a tenured faculty member must follow the procedures outlined in Section E.15, Disciplinary Action for Tenured Faculty, of the Faculty and Administrative Professional Manual. Disciplinary sanctions may include:

- Coaching
- Verbal reprimand/documentated conversation
- Pay reduction
- Suspension without pay

- Demotion
- Facilitation/Mediation
- Letter of Expectation
- Termination

SECTION 13. REFERENCES AND LEGAL AUTHORITY

- Title IX of the 1972 Education Amendments to the Higher Education Opportunity Act, 20 U.S.C. § 1681, et seq., and 20 U.S.C. §§ 1681-1688; 34 C.F.R. § 106.1 et seq.
- Violence Against Women Act, 34 U.S.C. § 12291, et seq., 34 C.F.R. § 668.46
- Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C.A. §1092(f) and implementing regulations, 34 C.F.R. §668.41 and 668.46)
- Colo. SB19-007, C.R.S. § 23-5-146 – 147, Prevention of Sexual Misconduct on Higher Education Campuses
- CSU Student Conduct Code
- CSU Policy on Discrimination and Harassment
- Rape Shield Protections for impacted parties-- C.R.S. § 13-25-138 _
- Victims' Rights
 - State of Colorado- Colorado Crime Victim Rights
 - CSU Annual Fire and Safety Report (Clery Report), which details victim rights and expectations
- Title IX Procedures
- Procedures Flowchart

APPROVALS

Policy approved by Joyce E. McConnell, President, on August 14, 2020

Revision approved by Brendan Hanlon, Vice President for University Operations, on August 1, 2024

Revision approved on February 21, 2025

