

Rights and Options for the Complainant under the Colorado School of Mines' Policy Prohibiting Sexual Harassment, Sexual Assault, and Interpersonal Violence and the Student Code of Conduct

Colorado School of Mines does not discriminate on the basis of sex in its educational programs. Sex discrimination includes sexual harassment, sexual assault, dating violence, domestic violence, and stalking. Both Mines and Federal law prohibit these behaviors. Because you are reporting a possible form of sex-based discrimination, Mines wants to inform you of the policy and procedures addressing sexual harassment, sexual assault, domestic violence, dating violence, and stalking, whether the incident occurred on or off campus, as well as your rights and Mines' responsibilities.

As a Complainant of sexual harassment, sexual assault, dating violence, domestic violence or stalking, you will receive a full copy of Mines' [Policy Prohibiting Sexual Harassment, Sexual Violence, and Interpersonal Violence](#) and the [Title IX Procedure to Resolve Complaints of Sexual Harassment, Sexual Assault, and Interpersonal Violence](#) or the [Student Code of Conduct](#) and [Appendix A](#) of the Code. The Procedure and Appendix A includes Mines' responsibility to inform you of your right to file criminal charges, as well as the availability of medical, counseling, and support services. We also offer additional supportive measures to prevent contact between a Complainant and the Respondent, such as a temporary or permanent change in housing, academic, transportation, and working conditions, if reasonably available. The Procedure also addresses safety and supportive measures that Mines may impose following a report, as well as long-term safety and supportive measures and sanctions following the final determination of our discipline process. If you would like more information than is contained in this handout regarding any process or procedure, or if you'd like to make a report, ask questions about the policy, or need to request an accommodation to your academic, living, or working arrangements, regardless of whether or not you chose to report the crime to law enforcement or campus police, contact the Mines' Title IX Coordinator, Katie Schmalzel, at kschmalz@mines.edu or titleix@mines.edu.

The following information provides a summary of your rights and options after filing a complaint of sexual harassment, sexual assault, and interpersonal violence (domestic violence, dating violence, or stalking).

General Information

- *Options:* Once you have made a complaint, you have several options, including, but not limited to:
 - Contacting parents or a relative
 - Seeking legal advice
 - Seeking personal counseling
 - Pursuing legal action against the perpetrator
 - Pursuing disciplinary action
 - Requesting that no further action be taken
 - Requesting further information about the investigation and resolution process
 - Obtaining an Advisor, a Support Person, and/or a Process Resource

- *Notifying Authorities:* If requested, the Title IX Coordinator, or designee, will assist you in contacting local law enforcement regarding the incident. You may decline to notify such authorities.
- *Protection Orders:* If you have obtained or are obtaining a temporary protection order or other no contact order against the alleged perpetrator from a criminal, civil, or tribal court, please provide such information to the Title IX Coordinator, or designee. Mines will take all reasonable and legal action to implement the order.
- *Seeking Medical Treatment:* Prompt medical attention can ensure you are receiving medical care and preventative treatment. Because physical injury is not always noticeable at first, a medical forensic exam can identify injuries. The medical forensic exam may include screening and/or treatment for sexually transmitted infection and emergency contraception if appropriate.
- *Preservation of Evidence:* A medical forensic exam is also used to preserve evidence, as it may be necessary for proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order. To assist with collecting potential evidence, while waiting for police, you should not shower, wash, use the toilet or change clothing if it can be avoided. Preferably, you will not change clothes; if you do change clothes, put all clothing you were wearing at the time of the attack in a paper, not plastic, bag. Do not wash the sheets or clean the area where the assault took place. Cleaning or washing may result in the loss of valuable evidence. Time can also be critical. Some rape-facilitating drugs disappear from the body in a matter of hours. However, if you do not immediately seek services or if you do shower, use the toilet, change clothing/sheets, you are still able to access medical services and obtain a Medical Forensic Exam.
- *Requesting Changes to Your Current Situation or Other Safety and Supportive Measures:* Please inform the Title IX Coordinator, or designee, if you wish to change your academic, living, transportation, or working situation, if you want information about taking a leave of absence and related financial aid information, or if you want any other specific safety or supportive measure to be implemented. Mines will make such accommodations or provide such protective measures if so requested and are reasonably available, regardless of whether you choose to file a formal Complaint with the Mines Title IX Office or report the incident to local law enforcement.
- *Counseling:* Mines recognizes that Counseling may be helpful for someone who has experienced sexual harassment, sexual violence, dating violence, domestic violence, or stalking. Please note that the Counseling Center is a confidential resource that is available to assist you.

Institutional Procedures

- Mines' Policy Prohibiting Sexual Harassment, Sexual Violence, and Interpersonal Violence (Title IX Policy) and the accompanying Procedure, as well as the Student Code of Conduct and the accompanying Procedures in Appendix A, governs complaints of sex discrimination, sexual harassment, sexual assault, domestic violence, dating violence, and stalking.
- The Title IX Procedure and Appendix A:

- Will provide a prompt, fair, and impartial resolution of your complaint, under the evidentiary standard of preponderance of the evidence, i.e., more likely than not that the alleged conduct occurred.
 - Is carried out by Mines officials who have received annual training on how to investigate and conduct these procedures in a way that promotes safety and accountability.
 - Provides you the right to have an Advisor accompany you to all aspects of the investigation process and hearing process. An Advisor may be, but is not required to be, an attorney. The Advisor may not directly participate in the proceedings, except the hearing. The Advisor is able to participate and advocate on behalf of a party during the hearing. Under the Title IX Policy and Procedures, the Advisor must conduct cross-examination. Under the Student Code of Conduct, cross-examination will be conducted through the Hearing Officer.
 - Allows you to have a support person through the investigation, hearing, and adjudication processes. A support person may be, but is not required to be, an attorney. A support person may also serve as an Advisor during the hearing. If they do not serve in the capacity of Advisor, they may not attend the Hearing.
 - Ensures that both you and the Respondent will be notified simultaneously in writing of the outcome of all stages of the process.
 - Prohibits retaliation by the Respondent or anyone else against you for making a complaint or against anyone else for participating in the investigation.
- If you desire to have an Advisor, but cannot find someone you are comfortable with, please contact the Title IX Coordinator, or designee, for assistance in being assigned an Advisor.

Possible Safety and Supportive Measures and Sanctions

- *Safety and Supportive Measures:* At any time during the investigation, Mines may impose safety measures for the parties or witnesses for the protection of those involved and to ensure equal access to Mines' educational programs and activities. These may include separating the parties, placing limitations on contact between the parties, suspension, or making alternative living, class-placement, or workplace arrangements.
- *Sanctions:* If there is a finding that a violation of Mines' Policy Prohibiting Sexual Harassment, Sexual Assault, and Interpersonal Violence or the Student Code of Conduct has occurred, sanctions may include, but are not limited to: counseling, additional education or training, separation of the parties, and/or discipline of the Respondent, including written reprimand, probation, suspension, demotion, termination, or expulsion.

If you have concerns about the Respondent adhering to the established safety measures or sanctions, contact the Title IX Coordinator immediately.

Protection of Information

Mines treats all complaints as confidential matters and will make reasonable efforts to protect the confidentiality of the complaint process, any investigation or resolution, and all individuals involved with the complaint process. Individuals considering making a disclosure to a Mines official should understand Mines' requirements concerning privacy and confidentiality. Mines is committed to providing assistance in understanding these issues and helping individuals make an informed decision. It is important to understand that while Mines will treat information it has received with appropriate sensitivity, Mines officials may nonetheless need to share certain information with those at Mines responsible for complying with Title IX. It is also important to

understand that during a formal investigation, witnesses may be able to determine the identity of the parties (or other witnesses) based on their involvement in the incident leading to the investigation.

- If you request confidentiality or ask that a complaint not be investigated, Mines will take reasonable steps to respond to the complaint consistent with the request. However, Mines' may not be able to grant such a request when the Respondent poses a continuing threat to the campus community. Additionally, if a Complainant decides to submit a formal complaint and move through a formal grievance process, Mines must disclose the name of the Complaint to the Respondent.
- Throughout the investigation of your complaint, Mines will confidentially maintain any safety and supportive measures provided to you, to the extent maintaining such confidentiality does not impair Mines' ability to provide such safety and supportive measures.
- Mines is required by law to make certain statistical disclosures of crimes reported to the institution. If you report an incident that is a crime, Mines will make the statistical disclosure without disclosing personally identifying information about you.

Victim Services and Resources

On-Campus Resources

Colorado School of Mines' Counseling Center (Confidential Resource)	1770 Elm Street Golden, CO 80401	303.273.3377 counseling@mines.edu https://www.mines.edu/counseling-center/
Colorado School of Mines Student Health Center (Confidential Resource)	1770 Elm Street Golden, CO 80401	303.273.3381 shc@mines.edu https://www.mines.edu/student-health/
Colorado School of Mines Police	1400 Maple St. Suite 118 Golden, CO 80401	303.273.3333 (for emergency dial 911) https://www.mines.edu/campus-safety/
Colorado School of Mines Title IX Office	1706 Illinois Street Golden, CO 80401	303.273.3260 titleix@mines.edu https://www.mines.edu/title-ix/
Colorado School of Mines Deputy Title IX Coordinator Network	1706 Illinois Street Golden, CO 80401	https://www.mines.edu/title-ix/staff/
Colorado School of Mines Title IX Confidential Resources (Confidential Resource)	1770 Elm Street Golden, CO 80401	303.273.3781 https://www.mines.edu/title-ix/staff/
Colorado School of Mines Financial Aid Office	1200 16 th Street Golden, CO 80401.	303.273.3301 finaid@mines.edu http://finaid.mines.edu/

Denver Metro Area/Colorado Resources

Golden Police Department	911 10 th Street Golden, CO 80401	303.980.7300 (for emergency dial 911) http://www.cityofgolden.net/government/departments-divisions/police/
St. Anthony Hospital	11600 W. 2 nd Place Lakewood, CO 80228	720.321.0000 http://www.stanthonyhosp.org/sah/home/
Exempla Lutheran Medical Center	8300 W. 38 th Avenue Wheat Ridge, CO 80033	303.425.4500 http://www.lutheranmedicalcenter.org/
Victim Outreach Incorporated	Emergency line available 24/7	303.202.2196 https://www.victimoutreach.org/
The Blue Bench: Comprehensive sexual assault prevention and support center	Emergency line available 24/7	English: 303.322.7273 Spanish: 303.329.0031

Colorado State Employees Assistance Program (CSEAP) for Faculty/Staff		http://thebluebench.org/ 303.866.4314 www.colorado.gov/c-seap
Jefferson Center for Mental Health	Emergency line available 24/7	303.425.0300 www.jeffersonmentalhealth.org
Colorado Crisis Services	Emergency line available 24/7	1.844.493.TALK(8255) http://coloradocrisiservices.org/
Colorado Legal Services		http://www.coloradolegalservices.org/

National Resources

National Domestic Violence Hotline	Emergency line available 24/7	1.800.799.7233
National Sexual Assault Hotline	Emergency line available 24/7	1.800.656.4673
Immigration Advocates Network		http://www.immigrationadvocates.org/nonprofit/legaldirectory/search?state=CO
U.S. Citizenship and Immigration Services		http://www.uscis.gov/about-us/find-uscis-office/field-offices/colorado-denver-field-office