

Rights and options for the Complainant under the Colorado School of Mines' Policy Prohibiting Sexual Harassment, Sexual Violence, and Interpersonal Violence

Colorado School of Mines does not discriminate on the basis of sex in its educational programs. Sex discrimination includes sexual harassment, sexual violence, 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 our policy and procedures that address 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 [Procedure to Resolve Complaints of Sexual Harassment, Sexual Violence, and Interpersonal Violence Involving Students](#). The Procedure is sensitive to those who report sexual harassment, sexual assault, domestic violence, dating violence, and stalking. The Procedure 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 remedies 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 interim protective measures that Mines may impose following a report and long-term protective 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 University's Title IX Coordinator, Camille Torres, at ctorres@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 violence (including 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 a Process Advisor

- *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.
- *Preservation of Evidence:* It is important to preserve evidence, as it may be necessary to prove the complaint you are making or needed to obtain a protection order. In the case of physical violence, including sexual assault, you should go directly to the emergency room and should not bathe, urinate, douche, brush teeth, drink liquids, or change clothes until after you are examined, and, if necessary and you so choose, a Medical Forensic Exam (rape kit) is completed by a trained forensic professional at the hospital. If you have bathed, urinated, douched, brushed your teeth, drank liquids, or changed clothes, you can still get a Medical Forensic Exam. Having a Medical Forensic Exam does not obligate you to file criminal charges. Evidence in electronic formats should also be retained (e.g., text messages, emails, photos, social media posts, screenshots, etc.). This type of evidence is important and may be the only available evidence in cases of sexual harassment or stalking.
- *Requesting Changes to Your Current Situation or Other Protective 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 protective 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 and the accompanying Procedure governs complaints of sex discrimination, sexual harassment, sexual violence (including sexual assault), domestic violence, dating violence, and stalking.
- The Procedure:
 - 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 school officials who have received training on managing investigations that promote safety and accountability.
 - Provides you the right to have an advisor accompany you to all aspects of the investigation and resolution process. An advisor may not advocate for a party like an attorney would in court.

- 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 that you are comfortable with, please contact the Title IX Coordinator, or designee, for assistance in doing so.

Possible Interim Measures and Sanctions

- *Interim Measures:* At any time during the investigation, Mines may impose interim 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 Violence, and Interpersonal Violence 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 interim 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. Further, Title IX requires Mines to consider the Complainant's request for confidentiality in the context of Mines' obligations under Title IX. 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 investigate and respond to the complaint consistent with the request. However, Mines' ability to respond may be limited in such cases, and it may not be able to grant such a request when the Respondent poses a continuing threat to the campus community.
- Throughout the investigation of your complaint, Mines will confidentially maintain any accommodations or protective measures provided to you, to the extent maintaining such confidentiality does not impair Mines' ability to provide such accommodations or protective 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.

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	1922 Jones Road 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	303.384.2124 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	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 http://thebluebench.org/
Colorado State Employees Assistance Program (CSEAP) for Faculty/Staff		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