

	<b>Policy Prohibiting Sexual Harassment, Sexual Violence, and Interpersonal Violence</b>	<b>Responsible Administrative Unit:</b> Executive Vice President of Administration and Operations
	<b>Issued: March 13, 1992</b> <b>Revised: February 8, 2019</b>	<b>Policy Contact:</b> Title IX Coordinator Email <a href="mailto:titleix@mines.edu">titleix@mines.edu</a>

## 1.0 BACKGROUND AND PURPOSE

The Board of Trustees of the Colorado School of Mines (“Mines”) promulgates this policy pursuant to the authority conferred by §23-41-104(1), C.R.S., Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681 et seq., and its implementing regulations, 34 C.F.R. Part 106; Title VII of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000c and 42 U.S.C. §§ 2000e) and relevant sections of the Violence Against Women Reauthorization Act of 2013 (42 U.S.C. §§ 14043e et seq.). This policy shall govern if any other Mines policy conflicts with this policy’s provisions. This policy does not preclude application or enforcement of other Mines policies. This Policy shall be interpreted in a manner consistent with academic freedom and free speech so long as those activities do not violate this Policy.

## 2.0 POLICY

Mines does not discriminate against any person on the basis of sex. Mines will not tolerate any form of sexual harassment, sexual violence, or interpersonal violence (including domestic violence, dating violence and stalking) within the Mines campus community. This policy applies to any form of sexual harassment (including hostile environment sexual harassment), sexual violence, or interpersonal violence committed by or against Mines’ students, faculty, or staff that occurs in the context of employment with Mines or a Mines’ educational program or activity..

To enforce and support this policy, Mines will:

- Respond to reports of sexual harassment, sexual violence, and interpersonal violence that fall within the jurisdiction of this Policy;
- Develop, administer, maintain, and update procedures for investigating and resolving complaints that fall within the jurisdiction of this Policy;
- Educate Mines’ students, faculty, and staff regarding policies and procedures related to prevention, reporting, and investigation of sexual harassment, sexual violence, and interpersonal violence;
- Encourage Mines’ community members to appropriately report actual or suspected incidents of sexual harassment, sexual violence, and interpersonal violence that fall within the jurisdiction of this Policy;
- Take reasonable action to prevent incidents (or the recurrence of incidents) of sexual harassment, sexual violence, and interpersonal violence that deny or limit the ability of Mines’ students, faculty or staff to participate in or benefit from Mines’ educational and employment programs or activities;

- Provide supportive measures for Mines' students, faculty and staff who have been impacted by sexual harassment, sexual violence, and interpersonal violence that fall within the jurisdiction of this Policy.

### **3.0 COORDINATION WITH OTHER MINES POLICIES**

Mines' Unlawful Discrimination policy shall apply to all other forms of harassment or discrimination alleged to have occurred within the Mines campus community. In cases where other Mines policies may have been violated in addition to this policy, this policy and its procedures will govern the investigation and adjudication of the incident(s).

For a detailed discussion of the terms referenced in this Policy, please refer to the definitions set forth in the procedures utilized to implement the Policy (as identified below).

### **4.0 MANDATORY REPORTING FOR EMPLOYEES**

Mines has designated all its employees and certain categories of student employees as mandatory reporters for issues involving sexual harassment, sexual violence, and interpersonal violence. Mandatory reporters are required to contact the Title IX Coordinator and report instances of sexual harassment, sexual violence, and interpersonal violence immediately. Please see the procedures referenced below for more information regarding employee mandatory reporting obligations.

### **5.0 PROHIBITION AGAINST RETALIATION**

This policy prohibits retaliation against any individual for reporting an allegation of sexual harassment, sexual violence, or interpersonal violence; for cooperating or participating in an investigation or another proceeding related to such allegations; or for engaging in activities to oppose sexual harassment, sexual violence, or interpersonal violence. Complaints or incidents of retaliation shall be addressed as separate violations of this policy.

### **6.0 SANCTIONS FOR VIOLATIONS**

A violation of this policy may result in the imposition of sanctions. Sanctions imposed by Mines may include, but are not limited to, the following: mandatory attendance at relevant awareness and prevention training or other educational programs; oral reprimand and warning; written reprimand and warning; student probation, suspension, employment disciplinary action up to and including termination; expulsion; educational sanctions; restitution; and prohibition of entering the Mines campus or attending Mines' sponsored events. Sanctions will be based on the severity of the infraction.

### **7.0 IMPLEMENTATION**

Mines' Board of Trustees directs the President or the President's delegates to develop, administer, and maintain the appropriate administrative policies, procedures and guidelines to implement this policy. The Board further directs the President or the President's delegates to develop, administer, and maintain robust sexual harassment, sexual violence, and interpersonal

violence prevention programs, including appropriate training for students, faculty, and administrative staff.

## **8.0 RESOURCES**

### Title IX Coordinator:

Camille A. Torres, Executive Director of Title IX Programs and Title IX Coordinator; Telephone: 303.384.2124; Email: [titleix@mines.edu](mailto:titleix@mines.edu)

### Policies and Procedures for Complaints regarding Student Behavior:

- Colorado School of Mines Notice of Nondiscrimination
- Procedure for Resolving Complaints of Sexual Harassment, Sexual Violence, and Interpersonal Violence Against Students
- Procedure for Resolving Complaints of Sexual Harassment, Sexual Violence, and Interpersonal Violence Against Employees or Third-Parties

### Other Relevant Policies:

- Unlawful Discrimination policy
- Workplace Violence policy
- Amorous Relationships policy
- Amnesty Policy for Students

## **9.0 HISTORY**

Promulgated by the Colorado School of Mines Board of Trustees on March 13, 1992.

Amended by the Colorado School of Mines Board of Trustees on March 26, 1998.

Amended by the Colorado School of Mines Board of Trustees on June 10, 1999.

Amended by the Colorado School of Mines Board of Trustees on June 22, 2000.

Amended by the Colorado School of Mines Board of Trustees on June 7, 2003.

Amended by the Colorado School of Mines Board of Trustees on December 15, 2011.

Amended by the Colorado School of Mines Board of Trustees on August 29, 2014.

Amended by the Colorado School of Mines Board of Trustees on February 8, 2019.