

Anschutz CSA / ASA HR Community Meeting



- ▶ **Tuesday, December 3, 2024**
- ▶ **from 10:00 to 11:30**
- ▶ **Via Zoom**

AGENDA

Adrienne Howarth-Moore, Associate Vice Chancellor & Chief Human Resources Officer

- **Welcome and Introductions**
- **Chat and Ground Rules**

Elizabeth Schrock, Assistant VC & Title IX Coordinator, Office of Equity

Mars Cruz, Prevention, Education & Outreach Coordinator, Office of Equity

- **Office of Equity Response to Reports & Investigative Process**

Florie Montoya, Assistant VC, TAC, Classification, Compensation, HCM

Justin Loiselle, HCM Program Director

- **Time & Labor Update**

Florie Montoya, Assistant VC, TAC, Classification, Compensation, HCM

- **FLSA Update**

Wrap Up

Office of Equity

Response to Reports & Investigative Process

Elizabeth Schrock, Asst. VC & Title IX Coordinator
Mars Cruz, Prevention, Education & Outreach Coordinator
Office of Equity





Office of Equity

UNIVERSITY OF COLORADO
DENVER | ANSCHUTZ MEDICAL CAMPUS

INVESTIGATIVE PROCESS

Understanding Our Resolution
and Support Measures



AY 2024-2025

Prepared by Mars Cruz, MPH, CHES

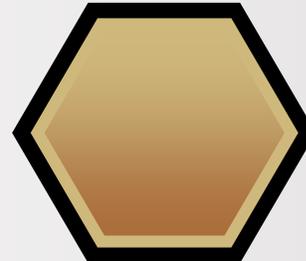
CU Anschutz | Prevention, Education, and Outreach
Coordinator

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<https://www.ucdenver.edu/offices/equity>



Training Itinerary



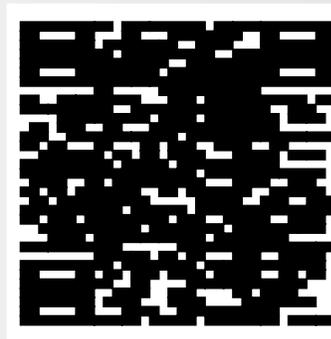
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1. Training Pretest
 2. Introduction to the Office of Equity (OE)
 3. Overview of OE Policies and Jurisdiction
 4. OE Staff Composition
 5. Investigative Process and Procedures -
From Intake to Resolution
 6. Overview and Conclusion
 7. Training Posttest



Pre-Test Link

Please either scan the QR code found below or enter the website link into your browser to complete our pretest for this training.

By doing so, you're assisting the Office of Equity further improve its trainings and ensuring our tools are effective and equitable.



Thank you as your input is invaluable to the Office of Equity!

<https://forms.office.com/r/8UdmcpXWZX?origin=lpr>
Link

CU Anschutz Medical Campus a more inclusive, safer environment for our community? If you have any questions or please feel free to reach out to either CU PEOC coordinator mars.cruz@cuanschutz.edu or peoc@cuanschutz.edu.

This form will record your name, please fill your name.

1. Rate your level of agreement with the following statement: "**After taking this training**, I understand the Office of Equity's role with investigating potential instances of sexual harassment, sexual misconduct, and violations of the University's non-discrimination policy." *

- Strongly Agree
- Agree
- Neither Agree or Disagree
- Disagree
- Strongly Disagree

2. Rate your level of agreement with the following statement: "**After this training**, I understand the general procedures taken by the Office of Equity's staff during an informal investigation, formal investigation, and what may constitute dismissing an incident report." *

- Strongly Agree
- Agree
- Neither Agree or Disagree
- Disagree
- Strongly Disagree

Disclaimers



All sample scenarios presented during this training are **fictional**. These examples do not reflect any **current or former** real-life cases investigated by the Office of Equity.



Every report, case, and set of resolution matters are different. In summary, “it depends”.



This training contains mentions of **sexual assault, harassment, and discrimination.**



Office of Equity



Our office ensures that the University of Colorado Denver | Anschutz follows appropriate policies and procedures set by the Federal Department of Education, state, and local laws in prohibiting sex discrimination in education programs and activities.



**Education-Based
Legislation**



**VAWA
Legislation**



**Civil Rights
Legislation**

Our Three Main Strategies

- 1. Transparent Investigations**
- 2. Supportive Measures**
- 3. Prevention Education**

What Does the Office of Equity Investigate?



Sexual Harassment and Misconduct

The Office of Equity investigates sexual misconduct and its related behaviors including, but not limited to: hostile environment, intimate partner violence, sexual assault, stalking, and rape.



Discrimination Based on A Protected Class

The Office of Equity investigates discrimination and harassment based off of a protected class. These classes include but are not limited to: age, ethnicity, disability, gender identity, veteran status, and others totaling 16 unique characteristics.





Office of Equity and Title IX Investigation

1. Separate from Law Enforcement Agencies (LEA).
2. Investigations may proceed regardless of a Criminal/Civil Investigation.
3. Office of Equity can proceed in sanctions whether respondent shows up.
4. No statute of limitations.

Difference Between Office of Equity and Criminal/Civil Investigations



Criminal and Civil Investigations

1. Any party can file charges separate regardless of the decisions taken by the Office of Equity.
2. LEAs can ask the Office of Equity for evidence/assistance when appropriate.
3. LEAs utilize 'matter of fact' and much higher standards of evidence/testimonies.

CU Denver | Anschutz OE Staff Composition

Elizabeth Schrock, M.Ed.

Assistant Vice Chancellor &
Dual Title IX Coordinator

Jennifer Husum, M.A

Senior Civil Rights Investigator & Case Resolution Specialist

Tranell Mitchell, M.S

Senior Civil Rights Investigator & Case Resolution Specialist

Case Investigations



Greg Foster, M.Ed.

Coordinator of Informal Resolution, Supportive Remedies & Safety Measures

Paulina Venzor, B.A

CU Denver | Anschutz Intake Coordinator

Supportive and Informal Measures



Catherine Gamez

CU Denver Prevention, Education, and Outreach Coordinator

Mars Cruz, MPH, CHES

CU Anschutz Prevention, Education, and Outreach Coordinator

Prevention Education



Karissa Stolen

Administrative Specialist

Administration and Data Support



Primary Methods of Filing A Report With The Office Of Equity



Call Us

(303) 315-2567



Email Us

equity@ucdenver.edu



Visit Our Office

CU Denver: Lawrence Street Center
Campus, 12th Floor

CU Anschutz: Fitzsimons Building, Ground
Floor

Initial Assessment from Intake Coordinator



Intake Meeting Overview

Our intake coordinator meets with the complainant(s) and collects the following:

1. The 5 Ws of the Incident
2. Information pertaining to protective class violations
3. Type of assistance you are seeking from the Office of Equity



Risk Assessment Overview

In rare circumstances, the initial information may constitute emergency removal of the respondent. Intake Coordinator will pass on information to the Assistant Vice Chancellor and/or Supportive Measures Coordinator to assess and take appropriate action.

Preliminary Investigation - What Happens Before a Formal Investigation or Alternative Resolution

Primary Staff: Civil Rights Investigator (CRI), Supportive Measures Coordinator (SMC), Assistant Director (AD), Assistant Vice Chancellor (AVC)

What are Office of Equity Staff Evaluating At This Time?

Does the alleged conduct constitute prohibited behavior?

Available information provided by complainant and 3rd parties (e.g., reporting witnesses, LEAs, etc.).

What Are The Rights Afford to the Complainant and Respondent?

Supportive Measures Provided by OE Staff and Adjacent Departments.

Right to an Advisor.

Respondent right to the presumption of not being responsible for alleged conduct before determination.

Estimated Time to Complete: ~ 30 Days

Evaluation/Time Analysis

OE staff have to assess the available preliminary information from complainants, respondents, witnesses, and individuals relevant to a preliminary inquiry.

Students/Faculty may be difficult to schedule due to the incident, holiday schedule, intentionally leaving physical jurisdiction, may be arrested, etc.

Deviation From the Preliminary - 4 Routes

After a preliminary review of evidence and consultation, one of four procedures may be taken by Office of Equity staff.



Educational Resolution

Typically utilized for cases that, even if alleged conduct was true would not be considered prohibited behavior. **“Remedies-based solution”** for all parties.



Informal Resolution

Voluntary option that both the **complainant and respondent** are willing to engage in. Alternative solution Office of Equity staff may engage in.



Formal Investigation

Civil rights investigator (CRI) and OE staff begin the investigative process of potential instances of **prohibited behavior** (more on future slides).



Case Dismissal

Office of Equity staff determine that the alleged conduct or report **does not fall under OE jurisdiction.** Although dismissed, OE reserves the right to take action (more on future slides).

Understanding the Alternative Resolutions

Primary Staff: Supportive Measures Coordinator (SMC), Assistant Director (AD), Assistant Vice Chancellor (AVC)



Educational Resolution

Office of Equity staff may select this option and do one or more of the following:

1. Provide interim or long-term supportive measures.
2. Refer parties to other campus-based resolution processes.
3. Provide targeted or broad-based educational programming or training.



Informal Resolution

After being notified by complainant and respondent of interest, Office of Equity may select this option and do one or more of the following:

1. Mediation
2. Restorative Justice
3. Shuttle Diplomacy
4. Counseling Referrals
5. Disciplinary Sanctions
6. Follow-Up Review

*Paraphrasing, unless quoted OE Resolution Procedures 8.1.2024
p. 27 - 30; 32 - 33*

Understanding OE Supportive Measures

Primary Staff: Civil Rights Investigator (CRI), Supportive Measures Coordinator (SMC), Assistant Director (AD), Assistant Vice Chancellor (AVC), Intake Coordinator (IC), Prevention Coordinators (PEOCs)

Whether during an investigation, training, or prevention initiative, our office strives to ensure all CU community members know how OE can support them.



Academic Support

1. Retake a Course
2. Excusing Related Absences
3. Extensions on Assignments or Exams
4. Withdrawing from a Class



Workplace Safety

1. Employment Modifications
2. Transportation/Parking Changes
3. No Contact Orders



Medical Assistance

1. Assistance Accessing Medical Services
2. Assistance Accessing Counseling Services

Grounds for Automatic Case Dismissal



Out of OE Jurisdiction

Either the incident **did not involve** a student/faculty/staff member of the University of Colorado or the incident happened **outside** of the United States and its recognized territories. (OE reserves the right to report said incident to foreign law enforcement agencies).



Respondent Leaves

The respondent is **no longer under the jurisdiction of the University of Colorado**. This does **not** restrict complainants or those who may have experienced prohibited behavior on CU campus from reporting conduct to the Office of Equity.



Voluntary Withdrawal

The complainant **voluntarily, in writing**, withdraws any and/or all allegations to the AVC/Dual Title IX Coordinator.



Emergency Circumstances



Immediate Threat to Campus Safety

Although rare, the Office of Equity staff will override the procedures within this training to protect community members. This includes coordinating with campus police alongside law enforcement (e.g., Denver Police Department, Aurora Police Department, Adams County Sheriff's Department, etc.)



Extreme Circumstances

This can involve assault with a weapon or scenarios in which the complainant(s) are minors regardless of whether the complainants are related to the CU community.



Repeated Instances of Prohibited Behavior

This can include multiple instances of prohibited behavior against one complainant, multiple complainants, etc..



What Happens At the Start and During a Formal Investigation?

Primary Staff: Civil Rights Investigator (CRI), Supportive Measures Coordinator (SMC), Assistant Director (AD), Assistant Vice Chancellor (AVC),

After sending out notices to all parties, the Civil Rights Investigator conducts interviews with all parties, collects, and documents evidence.

What may be considered evidence during an investigation?



Written Testimonies



Police Reports



Audio Recordings



Forensic Exam Kits



Estimated Time to Complete: ~ 90 Days+

Evaluation/Time Analysis

CRIs, AD, and/or AVC have to collect, interview, and analyze evidence provided by all parties. Includes scheduling interviews, working alongside the SMC while supportive measures are issued, and verifying statements provided.

Additionally, OE staff work with faculty, supervisors, and others relevant to either parties to ensure the educational and/or work environment is not severely affected.

The Hearing Process: Next Steps of a Formal Investigation Involving Alleged Violations of Sexual Harassment

Primary Staff: Civil Rights Investigator (CRI), Supportive Measures Coordinator (SMC), Assistant Director (AD), Assistant Vice Chancellor (AVC),

Secondary Staff: CU System - Hearing Office, Legal Counsel

Estimated Time to Complete: ~ 14 - 30 Days

What Has Had to Happen to Constitute A Hearing?



Alleged conduct could violate CU's Sexual Harassment and Misconduct Policy.



Civil Rights Investigator has conducted a comprehensive investigation within a reasonable timeframe.



Appropriate CU System Staff, Hearing Officer, and Panel have been scheduled.

Evaluation/Time Analysis

*External CU staff from the Office of Equity are integrated into the process. This includes the Hearing Officer who oversees the Formal Hearing. In addition, if a party does not have an advisor at this time, the University will provide an advisor to ask questions during the hearing, **primarily** during the cross-examination process.*

*Note: The appointed Hearing Officer **Cannot Be The CRI.***

Paraphrasing, unless quoted, APS 5014-2021 p. 12-14; OE Resolution Procedures 8.1.2024 p. 39-43

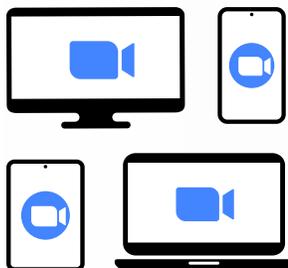
The Hearing Process Cont.



Primary Staff: Civil Rights Investigator (CRI), Supportive Measures Coordinator (SMC), Assistant Director (AD), Assistant Vice Chancellor (AVC),



Secondary Staff: CU System - Hearing Office, Legal Counsel



Step-By-Step of the Hearing Procedures

Step-By-Step of the Hearing Procedures

1. Pre-Hearing Conference Takes Place
2. Cross Examination Procedure
3. Determination Regarding Responsibility
4. Written Determination is Drafted
5. CU Counsel Reviews Determination
6. Determination is Issued to All Parties



Preponderance of Evidence Review

Did You Know About Tiers of Evidence Standards?

Evidence standard utilized in civil cases. In terms of **“burden of proof”**, it is less rigorous than the ‘clear and convincing evidence’ and ‘beyond a reasonable doubt’ **more common in criminal cases.**

Estimated Time to Complete: ~ 90 Days+

Evaluation/Time Analysis

The Hearing Officer provides a Written Determination to CU OE and Legal Counsel for review. During this time at minimum, two separate 7 day intervals are provided to all parties to appeal any findings within the Written Determination.

What Happens Next? Sanctioning Board, Determining Factors, and Next Steps for Parties

Primary Staff: Assistant Vice Chancellor (AVC), CU Counsel

Secondary Staff: Hearing Officer, Sanctioning Board (Deans, etc.)

Estimated Time to Complete: ~ 30 - 60 Days

Evaluation/Time Analysis

During this time, OE staff consult and collaborate with a variety of CU Central and CU Denver | Anschutz staff to ensure that the potential sanctions are sufficient before being issued to the parties.

1. Sanctioning Board or Governing Body are gathered to determine potential consequences or remedies.



2. Sanctions and/or remedies are issued out to all all parties

3. Allotted time is allowed for any and all parties to appeal sanctions and its findings.





Post-Test Link

Please either scan the QR code found below or enter the website link into your browser to complete our posttest for this training.

By doing so, you're assisting the Office of Equity further improve its trainings and ensuring our tools are effective and equitable.



Again, thank you as your input is invaluable to the Office of Equity!

<https://forms.office.com/r/8UdmcpXWZX?origin=lpr>
Link



CU-Anschutz Medical Campus a more inclusive, safer environment for our community? If you have any questions or concerns, please feel free to reach out to either CU PEOC coordinator mars.cruz@cuanschutz.edu or peoc@cuanschutz.edu.

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Thank You For Listening!

If you have further questions or concerns, feel free to contact:

Elizabeth Schrock, M.Ed.

CU Denver & Anschutz | Assistant Vice Chancellor & Dual Title IX Coordinator

elizabeth.schrock@ucdenver.edu

elizabeth.schrock@cuanschutz.edu

Mars Cruz, MPH, CHES

CU Anschutz | Title IX Prevention, Education, and Outreach Coordinator

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Time & Labor Project Update

Florie Montoya, Assistant Vice Chancellor, TAC, Classification, Compensation, HCM

Justin Loiselle, HCM Director

Human Resources



Time & Labor

PROJECT UPDATE

Project Overview

What is the PeopleSoft Time & Labor (T&L) project?

T&L is a university-wide initiative aimed at replacing our patchwork of legacy systems, including the My Leave system and other manual timekeeping processes, with PeopleSoft Time & Labor.



Why are we replacing My Leave?

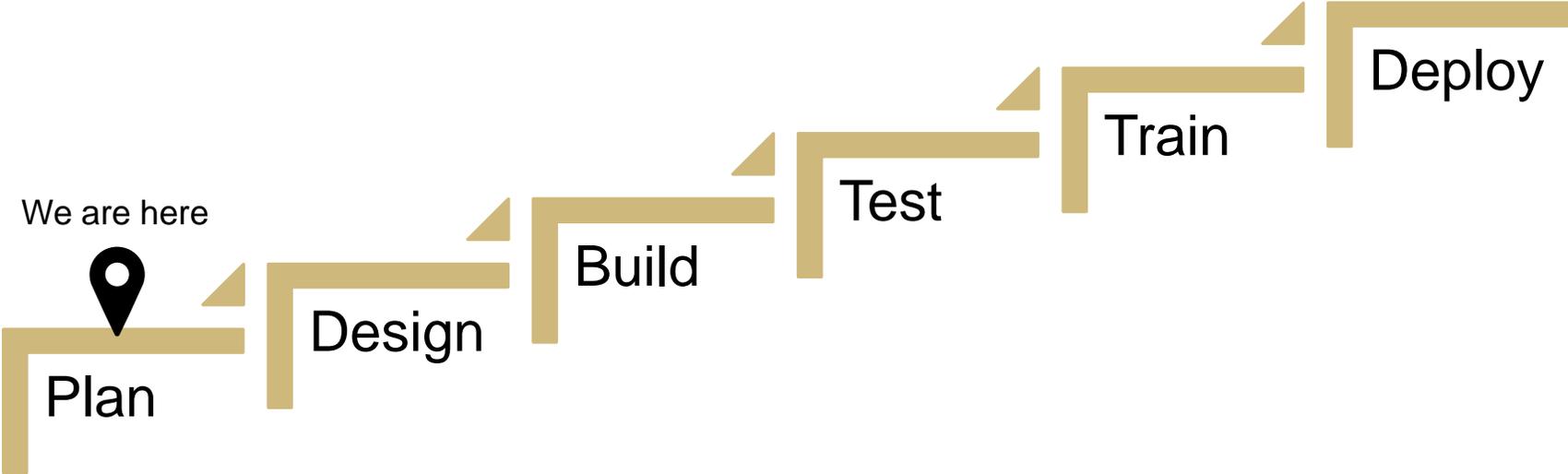
- My Leave is a custom-built platform that creates considerable cost to update the platform and inhibit integration with other useful software.
- These limitations have made My Leave impractical for many departments to use.



What are the benefits of this project?

- Consolidated timekeeping functions into a single, modern solution.
- Improved timekeeping accuracy and efficiency.
- Scalable system that supports future growth and innovation.
- Enhanced user interface to make the system more intuitive and user-friendly.

Project Timeline



Project Status

Previous Phase: Current State Analysis

- Gathered information on current timekeeping and leave request processes
- Engaged with campus subject matter experts
- Developed a comprehensive understanding of Anschutz's needs for managing employee timekeeping



Focus During Planning Phase (now – Feb 2025)

- Consolidating cross-campus requirements
- Conducting a fit-gap analysis
- Defining the project's scope
- Finalizing key decisions on timekeeping processes and third-party system integrations

Next Steps

Current Activities:

- Validating Cross-Campus Requirements
 - Collected from Anschutz campus during the “current-state assessment”
 - Conducting cross-campus meetings to create a shared vision of our requirements
- Engagement
 - We may reach out for additional insights regarding specific Anschutz requirements
 - Please respond to help us stay on schedule

Key Decisions During Planning Phase:

- Timekeeping processes
- Strategies for integrating third-party timekeeping systems
- Payroll future state



Thank you!

12/3/2024



Human Resources
UNIVERSITY OF COLORADO
ANSCHUTZ MEDICAL CAMPUS

TIME & LABOR – PROJECT
UPDATE

FLSA Update

Florie Montoya, Assistant Vice Chancellor, TAC, Classification,
Compensation, HCM

Human Resources



FLSA Salary Threshold Update

Florie Montoya

FLSA Salary Threshold

November 15 Changes

- **Federal Judge ruled to strike down all components of the FLSA overtime final rule including July 1, 2024, and January 1, 2025, salary threshold amounts and triennial updates. The decision applies to all covered employers and employees under the FLSA nationwide.**
- **Anschutz has decided to maintain the July 1 salary threshold.**

FLSA Salary Threshold

Campus Decisions

- **New hires and changes to FTE will follow the \$43,888 salary threshold.**
- **Employees converted to non-exempt on July 1 will continue to be designated as non-exempt. Will also include overall inventory of employees to ensure consistent application.**

FLSA Salary Threshold

Entry Level University Staff

- **Will proceed with adjusting positions previously designated as non-exempt based on being “in training” effective on February 1, 2024.**
- **Will shift to exempt and ensure at or above the \$43,888 salary threshold.**

FLSA Salary Threshold

Reminder - Positions (subject to salary test along with duties test)

- Post Docs
- PRA, Senior PRA, Research Associate, Senior Research Associate
- University Staff
- Classified Staff
- Staff Retirees (University Staff and Faculty based on work)
- Pharmacy Residents (1469 - Instructor Fellow job code)
- Visiting Researchers (1313, 1308 job codes)

Please ensure the salary test is completed//applied for new hires and changes in FTE and non-exempt designation/comp time language is included in offer/addendum letters if below \$43,888. Reminder: no annualization of part-time salaries.

FLSA Salary Threshold

Discussion/Questions?

Thank You for Joining Us

Next HR Community Meeting

February 4, 2025
10:00 to 11:30 am