

 UNIVERSITY OF DENVER	UNIVERSITY OF DENVER POLICY MANUAL DISCRIMINATION AND HARASSMENT	
<p><u>Responsible Department:</u> Office of Equal Opportunity & Title IX <u>Recommended By:</u> Provost, SVC for Operations & Strategy Implementation, and AVC for Equal Opportunity & Title IX <u>Approved By:</u> Chancellor</p>	<p><u>Policy Number</u> EOIX 3.10.010</p>	<p><u>Effective Date</u> 08/01/2024</p>

I. INTRODUCTION

The University is an institution of higher learning dedicated to open inquiry and the exchange of ideas where community members are curious, speak and listen open-mindedly, and learn from the past in order to shape the future. The University has a long history of supporting academic freedom and freedom of expression and providing a forum where competing ideas and perspectives can co-exist.

The University is also committed to creating and maintaining a safe, welcoming, and inclusive learning, living and working environment in which community members are treated with dignity, decency, and respect. The accomplishment of this goal is essential to the academic mission of the University.

This Policy is consistent with the University’s deep commitments to both protecting individuals and groups from identity-based discrimination and harassment and preserving freedom of thought and expression. Discrimination, harassment, gender-based violence, and retaliation against members of the University community in violation of this Policy do not constitute protected expression or the proper exercise of academic freedom.

When the University becomes aware that a member of the University community may have been subjected to or affected by discrimination, harassment, or gender-based violence, the University will take prompt, appropriate action to enforce this Policy. The University’s Office of Equal Opportunity & Title IX (“EOIX”) is responsible for enforcing this Policy pursuant to the applicable EOIX procedures (collectively, the “Procedures”).

This Policy and the Procedures are intended to comply with the prohibitions of all applicable federal, state, and local non-discrimination laws.

II. POLICY OVERVIEW

A. Title IX

The University does not discriminate, nor does the University permit discrimination, on the basis of sex, including discrimination on the basis of sex stereotypes, sex characteristics, sexual orientation, or gender identity; parental, family, or marital status; or pregnancy or related conditions in its education program or activity, including with respect to applications for enrollment and/or employment. The University has adopted Procedures to implement this Policy, which provide for the prompt and equitable resolution of complaints alleging any action which would be prohibited by this Policy or by Title IX of the Education Amendments of 1972 (“Title IX”), which provides:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Sex Discrimination is also prohibited by Title VII of the Civil Rights Act of 1964 and state law.

B. Equal Opportunity

The University also provides equal opportunity in employment, educational activities, and other programs to all employees, students, and applicants. The University prohibits discrimination in any condition of employment or opportunity because of race, color, national origin (including shared ancestry or ethnic characteristics),¹ ancestry, age, religion, creed, disability, sex, sexual orientation, gender identity, gender expression, marital status, pregnancy or related conditions, genetic information, military enlistment, or veteran status (each a “Protected Status”). The University will determine what constitutes a Protected Status based on the applicable federal and/or state laws or regulations.

C. Federal Pay Transparency

Employees are not prohibited from discussing their salaries and/or compensation with other employees and non-employees. Consistent with

¹ Consistent with the U.S. Department of Education’s Office for Civil Rights’ (“OCR”) interpretation of higher education institutions’ obligations under Title VI of the Civil Rights Act of 1964, the University will interpret national origin to include, among other categories, shared Jewish, Palestinian, Arab, Muslim, and/or South Asian ancestry or ethnic characteristics. The University will respond to reports of discrimination and harassment involving antisemitism, Islamophobia, or other unlawful discrimination based on actual or perceived shared ancestry or ethnic characteristics or citizenship or residency in a country with a dominant religion or distinct religious identity consistent with this Policy and the applicable Procedures.

the University's obligations under federal pay transparency regulations, 41 C.F.R. 60-1.35(c), the University will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the University, or (c) consistent with the University's legal duty to furnish information.

D. Equal Pay Act, Colorado Equal Pay for Equal Work Act, and Pay Equity

The Equal Pay Act of 1963 and the Colorado Equal Pay for Equal Work Act prohibit discrimination on the basis of sex in the wage rate paid to members of a different sex performing substantially similar work, taking into account the skill, effort, and responsibility of the work.

The University is also committed to the principle of pay equity, and expressly prohibits disparate pay on the basis of an employee's race, color, national origin, ancestry, age (over 40 for employment), religion, creed, disability, sex, sexual orientation, gender identity, gender expression, marital status, pregnancy, genetic information, military enlistment, or veteran status. The University also prohibits pay discrimination based on sex, discriminatory pay practices based on sex, and sex discrimination affecting compensation.

E. Application

This Policy applies to Prohibited Conduct that allegedly occurred on or after August 1, 2024. For Prohibited Conduct that allegedly occurred prior to August 1, 2024, the University will apply the definitions in effect at the time the conduct is alleged to have occurred (if available), and the Associate Vice Chancellor of Equal Opportunity & Title IX/Title IX Coordinator, in their discretion, shall determine the applicable Procedures.

This Policy applies to students, employees, and third parties. For purposes of this Policy and the Procedures, Students are defined as any individual registered for or auditing classes at the University; admitted to or enrolled in any University program; or on University premises for any purpose related to the same regardless if the class, program, or other

education activity is credit earning or part of a degree or non-degree program (“Students”). An individual is also considered a Student under this definition if they have completed the immediately preceding term and are enrolled for a subsequent term or program; if they are representing the University between terms or programs; or, if they have been previously enrolled, but are on a leave of absence or otherwise have a continuing relationship with the University.

University employees are defined under this Policy and the Procedures as all full-time and part-time faculty, University staff, student workers, temporary employees, professional research staff, and post-doctoral fellows (collectively “Employees”).

Third parties are defined under this Policy and the Procedures as consisting of contractors, vendors, visitors, guests, prospective students, applicants for employment, alumni, or other third parties (“Third Parties”).

F. Scope and Jurisdiction

This Policy applies to conduct that occurs under the University’s education program or activity and includes, but is not limited to (a) conduct that occurs in a building owned or controlled by a student organization that is officially recognized by the University; and (b) conduct that is subject to the University’s disciplinary authority.

For Students, this Policy applies to conduct that takes place from the date on which an individual meets the definition of a Student and until the Student withdraws, graduates, or is expelled. For Employees, this Policy applies to conduct that takes place from the date on which the individual accepts an offer of employment with the University until their employment ceases. If a Student graduates, withdraws, or is expelled, or if an Employee voluntarily resigns or is terminated prior to final resolution of any matter, EOIX has the discretion to retain jurisdiction in order to address the matter as necessary to fulfill the University’s obligations under applicable laws and regulations. Third Parties are both protected from and subject to the restrictions on Prohibited Conduct in this Policy. However, Third Parties do not have any contractual rights pursuant to this Policy or the Procedures.

III. PROHIBITED CONDUCT UNDER THIS POLICY

The following conduct (collectively “Prohibited Conduct”) is prohibited under this Policy:

A. Discrimination

Discrimination is an adverse action with respect to an individual's employment or participation in an education program or activity based, in whole or in part, upon the individual's Protected Status.

Sex discrimination includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

Discrimination may also include a failure to provide reasonable accommodations, such as for disability, religion, or creed, or reasonable modifications for pregnancy or related conditions, as required by law.

B. Discriminatory Harassment

Discriminatory Harassment is a form of discrimination based, in whole or in part, upon an individual's Protected Status and includes the following:

1. Quid Pro Quo Harassment

Quid Pro Quo Harassment occurs when an Employee, agent or other person authorized by the University to provide an aid, benefit, or service within a University education program or activity explicitly or impliedly conditions the provision of that aid, benefit, or service on an individual's participation in unwelcome conduct.

2. Hostile Environment Harassment

Hostile Environment Harassment is unwelcome conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the University's education program or activity or, in the context of employment, is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

C. Sex-Based Harassment

Sex-based Harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex that satisfies one or more of the following:

1. Quid Pro Quo Sex-Based Harassment

Quid Pro Quo Sex-based Harassment occurs when an Employee, agent, or other person authorized by the University to provide an aid,

benefit, or service under a University education program or activity explicitly or impliedly conditions the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct.

2. Hostile Environment Sex-Based Harassment

Hostile Environment Sex-based Harassment is unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from a University education program or activity, or, in the context of employment, is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:

- a. The degree to which the conduct affected the Complainant's ability to access a University education program or activity;
- b. The type, frequency, and duration of the conduct;
- c. The parties' ages, roles within the University's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
- d. The location of the conduct and the context in which the conduct occurred; and
- e. Other sex-based harassment in the University's education program or activity.

The University has an obligation to address a sex-based hostile environment under a University program or activity even when some conduct alleged to be contributing to the hostile environment occurred outside a University education program or activity or outside the United States.

Sex-based Harassment also includes specific offenses as defined by law,² including the following:

3. Sexual Assault

Sexual Assault is any sexual act directed against another person, without the Consent of the victim, including instances where the victim is

² The definitions in Section III.C.3.a through d and Section III.C.4 through 6 use the wording set forth in the regulations implementing the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 (the "Clery Act"). The University recognizes that Sexual Assault, including Rape, can occur between individuals of the same or different sexes and/or gender identities. Because the University is using the language from the Clery Act without alteration, these definitions use gendered pronouns.

incapable of giving Consent. Sexual Assault includes the following:

a. Rape

Rape is 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.

b. Fondling

Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the Consent of the victim, including instances where the victim is incapable of giving Consent because of his/her age or because of his/her temporary or permanent mental incapacity.

c. Incest

Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

d. Statutory Rape

Statutory Rape is sexual intercourse with a person who is under the statutory age of consent.

e. Consent

For all forms of Sexual Assault set forth above under this Policy, Consent is (1) mutually understandable, clear, knowing and voluntary affirmative permission (2) given through clear words or actions (3) regarding the willingness to engage in and the conditions for sexual activity.

Consent cannot be obtained by:

- *Incapacitation*, which means that a person is impaired to such a level that they lack the ability to make informed, rational judgments about whether or not to engage in sexual activity.
- A person who is incapacitated is unable, temporarily or permanently, to give Consent because of mental or physical helplessness, sleep, unconsciousness, or lack of awareness that the sexual activity is taking

- place.
 - A person may be incapacitated as a result of the consumption of alcohol or other drugs or due to a temporary or permanent physical or mental health condition.
 - Consent cannot be gained by taking advantage of the incapacitation of another, where the person initiating sexual activity knew or reasonably should have known that the other was incapacitated.
 - A person may also lack capacity because of their age.
- *Force*, which means physical violence involving a person exerting control over another person through the use of physical force. Examples of physical violence include hitting, punching, slapping, kicking, restraining, strangling, and brandishing or using any weapon.
 - *Threats*, which are words or actions that would compel a reasonable person to engage in unwanted sexual activity. Examples include threats to harm a person physically, to reveal private information to harm a person's reputation, or to cause a person academic or economic harm.
 - *Coercion*, which is the use of an unreasonable amount of pressure to induce participation in sexual activity. Coercion is more than an effort to persuade, entice, or attract another person to have sex. When a person makes clear a decision not to participate in a particular form of sexual contact or sexual intercourse, a decision to stop, or a decision not to go beyond a certain sexual interaction, continued pressure can be coercive. In evaluating whether coercion was used, the University will consider:
 - the frequency of the application of the pressure,
 - the intensity of the pressure,
 - the degree of isolation of the person being pressured, and
 - the duration of the pressure.
 - *Abuse of Power*, which occurs when an individual in a position of authority, whether that authority is real or perceived, induces another individual to engage in activity that would otherwise be nonconsensual based

on the need for a specific performance or duty (e.g., grading, performance evaluation).

4. Dating Violence

Dating Violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For purposes of this definition,

- a. Dating violence, includes, but it not limited to, sexual or physical abuse or the threat of such abuse.
- b. Dating violence does not include acts covered under the definition of domestic violence.

5. Domestic Violence

Domestic Violence is a felony or misdemeanor crime of violence committed:

- a. By a current or former spouse or intimate partner of the victim;
- b. By a person with whom the victim shares a child in common;
- c. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- d. By a person similarly situated to a spouse of the individual under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
- e. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

6. Stalking

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress.

For purposes of this definition,

- a. 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.
- b. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
 - c. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

D. Discrimination under the Equal Pay Act and/or Colorado Equal Pay for Equal Work Act

Discrimination under the Equal Pay Act and/or Colorado Equal Pay for Equal Work Act occurs when employees of one sex are paid a wage rate less than the wage rate for employees of a different sex for substantially similar work (considering skill, effort including consideration of shift work, and responsibility), except where such wage rate differential is based on: (i) a seniority system, (ii) a merit system, (iii) a system that measures earnings by quantity or quality of production, (iv) the geographic location where the work is performed; (v) education, training or experience to the extent that they are reasonably related to the work in question; or (iv) travel, if the travel is a regular and necessary condition of the work performed. For purposes of this provision, wage rate means: (a) for hourly employees, the hourly compensation paid to the employee plus the value per hour of all other compensation and benefits received by the employee from the University; and (b) for salaried employees, the total of all compensation and benefits received by the employee from the University.

E. Harassment under the POWR Act

1. For purposes of the University's compliance with the Colorado Protecting Opportunities and Workers' Rights ("POWR") Act, for an allegation by a University employee of harassment, the University defines harassment under the POWR Act as any unwelcome physical or verbal conduct or any written, pictorial, or visual communication directed at an individual or group of individuals because of that individual's or group's membership in, or perceived membership in, a protected class listed in the POWR Act (disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, religion, age, national origin, or ancestry), which conduct or communication is:
 - a. Subjectively offensive to the individual alleging harassment; and
 - b. Is objectively offensive to a reasonable individual who is a

member of the same protected class.

2. The conduct or communication need not be severe or pervasive to constitute a discriminatory act or unfair employment practice under the POWR Act if:
 - a. Submission to the conduct or communication is explicitly or implicitly made a term or condition of the individual's employment;
 - b. Submission to, or objection to, or rejection of the conduct or communication is used as a basis for employment decisions affecting the individual; or
 - c. The conduct or communication has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment.
3. The nature of the work or the frequency with which harassment in the workplace occurred in the past is not relevant to whether the conduct or communication is a discriminatory or an unfair employment practice under the POWR Act.
4. Petty slights, minor annoyances, and lack of good manners do not constitute harassment unless the slights, annoyances, or lack of manners, when taken individually or in combination and under the totality of the circumstances, meet the standards set forth in Section III.E.1 above.
5. Because the scope of the POWR Act is limited to allegations by a University employee of harassment, the standard set forth above does not apply to allegations by a student of harassment outside of the context of their employment by the University.

F. Sexual Exploitation

Sexual Exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for their own advantage or benefit or to benefit or advantage anyone other than the individual being exploited, when that conduct does not otherwise constitute Prohibited Conduct under this Policy. Examples of Sexual Exploitation include, but are not limited to:

1. Prostituting another person;
2. Recording or photographing private sexual activity and/or a person's private parts (genitalia, breasts, or buttocks) without knowledge and agreement of the other party;

3. Disseminating or posting images of private sexual activity and/or a person's private parts (genitalia, breasts, or buttocks) without knowledge and agreement of the other party;
4. Allowing third parties to observe private sexual activity, such as from a hidden location (e.g., closet) or through electronic means (e.g., video feed, video calling or livestreaming images) without knowledge and agreement of the participant(s);
5. Engaging in voyeurism (e.g., watching private sexual activity without the knowledge and agreement of the participant(s) or viewing another person's private parts (including genitalia, breasts, or buttocks) in a place where that person would have a reasonable expectation of privacy);
6. Endangering the health and safety of another without the knowledge and agreement of the other party (such as knowingly exposing another individual to a sexually-transmitted infection);
7. Exposing one's private parts (including breasts, buttocks, or genitals) in a non-consensual circumstance or inducing another to expose such private parts;
8. Causing the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give Consent to sexual activity; or
9. Using a fake or stolen identity for an online persona to deceive or manipulate another person into a romantic or sexual relationship (i.e., catfishing).

G. Intimate Partner Violence

Intimate Partner Violence includes any act of violence or threatened act of violence that occurs between individuals who are involved or have been involved in a sexual, dating, spousal, domestic, or other intimate relationship. The existence of such a relationship is determined based on consideration of the (1) length of the relationship, (2) type of relationship, and (3) frequency of interaction between the persons involved in the relationship.

H. Physical Misconduct Based on a Protected Status

Physical Misconduct Based on a Protected Status means any intentional (not incidental or accidental) act causing or likely to cause bodily harm to any person when the act was motivated, in whole or in part, by the Protected Status of that person.

I. Failure to Inform Supervisor of a Consensual Sexual Relationship with a Student or a Supervisee

The University strongly discourages romantic or sexual relationships between a teacher and student or between a supervisor and supervisee. In the event of such a relationship between a teacher and student or between a supervisor and supervisee, the person in a position of authority must notify their own supervisor of the relationship so that the supervisor can address any issues raised by the relationship through this Policy. Failure to provide such notice is a violation of this Policy.

1. For purposes of this Policy, teacher includes a faculty member, teaching assistant, graduate student, administrator, coach, advisor, counselor, professional housing staff, program director or other University employee having supervisory, teaching, mentoring, or other evaluative responsibilities for students.
2. Where a Complainant who in a subordinate position alleges Discrimination, Sex-Based Harassment or Discriminatory Harassment pursuant to this Policy, and the Respondent has not disclosed the relationship as provided herein, the Respondent's assertion that the Complainant consented to the relationship shall not be a sufficient defense for Prohibited Conduct.

J. Retaliation

1. Retaliation means:
 - a. an adverse action or other form of negative treatment, including but not limited to intimidation, threats, coercion, discrimination, or harassment
 - b. against any person(s)
 - c. by the University, a Student, an Employee, or other person authorized by the University to provide an aid, benefit, or service under a University education program or activity
 - d. for the purpose of interfering with any right or privilege under the applicable laws covered by this Policy or because the person has
 - i. reported information; or
 - ii. made a complaint, testified, assisted or participated or refused to participate in any manner in any investigation,

proceeding, hearing, or any other action taken by the University under the Procedures, including any formal or informal resolution process.

2. To be a violation of this Policy, the challenged actions or treatment must be sufficient to discourage a reasonable person from further reporting, assistance, or participation in any investigation, proceeding, hearing, or any other action taken by the University under the Procedures.
3. Retaliation also includes peer retaliation, which means retaliation by a student against another student.
4. Individuals are also protected from Retaliation for making good faith requests for accommodations on the basis of religion or disability or for making requests for reasonable modifications on the basis of pregnancy or related conditions.
5. The University will treat Retaliation as a separate incident of Prohibited Conduct under this Policy.

K. Obstruction

Obstruction means when any person, on their own behalf or on behalf of another person, intentionally deters, interferes, or hinders:

1. The University's ability to conduct an investigation (e.g., the destruction or request to destroy relevant evidence after notice of the University's investigation);
2. Another person from reporting allegations of Prohibited Conduct; or
3. Another person from participating in any process under this Policy or the Procedures.

IV. RECORDS

- A. Consistent with its obligations under Title IX, the University will maintain for a period of at least seven (7) years:
 1. For each complaint of sex-based discrimination, records documenting the resolution process and, if applicable, the resulting outcome; and
 2. For each notification received by the Title IX Coordinator of

information about conduct that reasonably may constitute sex-based discrimination, records documenting the actions the University took to meet its obligations under applicable law.

- B. Consistent with its obligations under the POWR Act, the University will preserve any personnel or employment records made, received, or kept for at least five (5) years after the later of:
1. The date the University made or received the record; or
 2. The date of the personnel action about which the record pertains or the final disposition of a charge of discrimination or related action, as applicable.

The University will maintain an accurate repository of all written or oral complaints of discriminatory or unfair employment practices under the POWR Act, including the date of the complaint, the identity of the complaining party (if the complaint was not made anonymously), the identity of the alleged perpetrator, and the substance of the complaint.

- C. The University will maintain records related to the reporting, review, investigation, and resolution of other alleged Prohibited Conduct reported pursuant to this Policy consistent with the applicable federal and/or state laws and regulations.

V. PROCESS OVERVIEW

The Associate Vice Chancellor for Equal Opportunity & Title IX/Title IX Coordinator shall develop and publish procedures that describe the rights and obligations under the Policy as well as clarify definitions and scope within this Policy. The Associate Vice Chancellor for Equal Opportunity & Title IX/Title IX Coordinator submits recommendations for substantive changes to this Policy to the Senior Vice Chancellor for Operations and Strategy Implementation and to the Provost and Executive Vice Chancellor for their review and approval.

VI. DEFINITIONS

“Complainant” means an individual who is alleged to have experienced conduct that could constitute Prohibited Conduct as defined in this Policy. “Complainant” also refers to the University when it exercises the right to initiate a complaint under the Procedures. For purposes of the University’s Title IX obligations, Complainant means (1) a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or (2) a person other than a student or employee

who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX and who was participating or attempting to participate in the University’s education program or activity at the time of the alleged sex discrimination.

“**Respondent**” means an individual or group who is alleged to have engaged in conduct that could constitute Prohibited Conduct as defined in this Policy.

VII. RESOURCES

[University of Denver Non-Discrimination Statement](#)

[Office of Equal Opportunity & Title IX Policies and Procedures](#)

[Statement of Policy and Principles on Freedom of Expression](#)

[Interim Policy on Demonstrations, Protest, and Free Expression](#)

[University of Denver Honor Code](#)

Revision Effective Date	Purpose
8/1/2024	To conform with statutory and regulatory changes, to align policy with practice, and to make clerical changes.