



# **2020**

## **Annual Security Report (ASR)**

Yuma Campus  
Yuma, Colorado

*January-December 2019*

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# Northeastern Junior College

## Annual Security Report and Annual Fire Safety Report

### Introduction

Thank you for taking time to read this Northeastern Junior College Annual Security Report. This document details the policies and procedures that Northeastern Junior College uses to deter and respond to crimes on campus. In it, you will find listings of the measures that Northeastern Junior College has taken to help you maintain your personal safety. You will also find suggestions on how you can increase your own safety, as well as the information required by the Crime Awareness and Campus Security Act of 1990, the Campus Crime Disclosure Act of 1998, and the Campus Sex Crimes Prevention Act of 2000.

Northeastern Junior College values the safety and security of our campus community, including all of its students, faculty, staff and visitors. The U.S. Department of Education enforces the Federal Clery Act. A copy of the Annual Security Report, the Daily Crime Log, may be obtained, free of charge, or simply viewed at the office. The Daily Crime Log contains information about these events that happen on or within the campus Clery Geography.

The Northeastern Junior College Yuma Campus is a non-residential college located within the city limits of Yuma, Colorado. This is a satellite campus to the main Sterling Campus which is located in Sterling, Colorado, and has existed since 1941. The Yuma Campus became the property of Northeastern in early 2019, but classes did not start until September of 2019. Like other small, rural community colleges, Northeastern Junior College has historically been less susceptible to many of the violent crimes more prevalent at colleges located in other areas of the country. However, neither Northeastern Junior College nor any other institution of higher education can completely isolate itself from the ills of society. No institution can guarantee that all members of its community will be free from personal attack or loss of their property. This level of absolute protection is unavailable anywhere. What should be expected is that an institution will take reasonable steps to provide a level of security that is not so restrictive as to be unacceptable, yet will promote an environment in which personal security is taken very seriously by all members of the college community.

Therefore, the College encourages you to read and understand this document. Your use of the facilities, programs and services mentioned herein, along with taking steps to increase your safety, will help you have a positive educational experience at Northeastern Junior College.

**Campus Safety Begins with You**

Nothing can improve your personal safety and security better than your own prudent and reasonable actions. Take time to investigate how to access emergency services such as police, fire and ambulance. Learn about the safest and quickest routes exiting any campus building. Know how, and whom to report unsafe conditions and the conduct of others that are dangerous to themselves and others. Personal awareness and current campus information is your best protection against crime and accidents.

**Personal Safety**

- Most assaults are one-on-one. Decrease your chances of assault by walking with someone else.
- At night, stick to well-lighted, populated areas. Avoid walking alone.
- Tell others where you are going and when you expect to return.
- Report anyone who is acting suspiciously to the on-site staff or call 911 if you feel it is warranted.
- Don't let strangers into locations of the building when you do not know if they belong there.
- Do not put your address on your key holder.
- Keep emergency numbers in your cell phone.

**Personal Property**

- Keep non-public doors secure, even if you will be out for "just a minute."
- Lock your bicycles with a U-type lock to a secure bicycle rack. If possible, use extra reinforcements on your U-type lock.
- Always lock your car. Do not leave tempting valuables or property visible inside your car. Lock these items in the trunk.
- Don't leave books or other valuables, such as iPads, purses or backpacks, unattended for even short periods of time.
- When walking, hold your purse or backpack close to your body. Avoid carrying large amounts of money with you.
- Never let anyone else borrow your keys or your Student ID card.

**Sexual Offenses**

- Most sexual assaults occur between people who are acquaintances or friends. Awareness of the possibility that it may happen to you is the first step in prevention.
- Avoid drugs and alcohol. They impair your judgment and make you vulnerable to sexual assault.
- Go to parties with a group of friends and agree to leave together.
- Communicate your expectations and desires clearly. Hints and insinuations may lead to miscommunication. No means NO!
- If you are on a date and feel uneasy or feel that you might be in danger, trust your instincts and leave.
- 

**Driving**

- Park in well-lighted areas whenever possible.
- Heed speed limit signs and traffic control signage
- Do not drink and drive.
- Do not text and drive.
- Lock car doors at all times, even while driving.

**Campus Safety & Security Staff Authority**

Northeastern Junior College has one employee on staff as the Coordinator of Campus Safety & Security whose office is at the main campus in Sterling. This position is an unsworn position and his duties are to develop and enhance the Safety & Security program and procedures for the campus. The Coordinator of Campus Safety & Security will be making periodic trips to visit the Yuma Campus and to develop a good working relationship with the Yuma Police Department and the Yuma Fire Department, as well as the Yuma County Sheriff's Office, the Colorado State Patrol and the Yuma County Office of Emergency Management to grow all aspects of Safety & Security on campus.

When a crime is committed, all crime enforcement is provided by one of our Law Enforcement partners mentioned above, primarily the Yuma Police Department, as the main campus falls within the city limits. The campus Clery Geography includes the Yuma High School campus as federal law requires that adjoining public properties to a college or university become part of the institutions crime reporting geography.

It is the desire of the College to deal with the reporting of criminal actions or other emergencies that may occur on campus in an organized fashion. All emergencies or criminal actions that occur on campus should be immediately reported to the staff in the Office, or call (970) 526-5121. You may also call the Coordinator of Campus Safety & Security at (970) 521-6683.

### **Definitions:**

#### **Campus**

Campus is defined as any building or property owned or controlled by NJC. Campus also encompasses all public property within such area that provides immediate access to the facilities of NJC and any building or property owned, controlled or used by NJC for educational purposes, and used by students, even if it is not within the contiguous area. See Campus and Clery Geography starting on page 30.

#### **Emergency**

An emergency is defined as any unforeseen combination of circumstances that calls for immediate action. These circumstances can include but are not limited to, medical emergencies, natural disaster, fire, accidents, etc.

#### **Criminal Action**

A criminal action includes any act that is in violation of any city ordinance, county code, state statute or federal law.

#### **Disposition**

Upon receiving a report of an emergency or criminal action, the Vice President of Student Services or Coordinator of Campus Safety & Security shall then contact the appropriate College employee(s) or outside agency(s) to hand the reported situation.

#### **Recording of Incident**

The incident shall be recorded by the Vice President of Student Services or Coordinator of Campus Safety & Security in a Crime Log, which is available to the public upon request. This log shall contain the following information:

- Date and time of incident
- Type of incident/crime
- Location of incident
- Person or agency dispatched to handle incident

Please call the Coordinator of Campus Safety & Security to report any incident or safety concerns, or to ask any questions at 970-521-6683.

#### **Your Part**

If you are a witness to any incident, whether you believe it is a crime or not, or if you wish to make a complaint or voice a concern, please notify any faculty or staff member, or simply notify the Coordinator of Campus Safety & Security. We also ask that you go to the campus website at <https://www.njc.edu/>, scroll to the bottom of the main page, go to Tools and click on Report a Concern or Have a Complaint and fill out the form. You may remain anonymous if you so choose when making a report.

Visit that Campus Safety & Security pages at <https://www.njc.edu/safety-and-security> to learn more. We also highly recommend that you download the NJC Alert app, which is available for free at your app store.

## Access to Campus Facilities

The College wishes to provide a safe and secure environment for its students, employees and visitors. The NJC campus and facilities is public property, but the people that are allowed on campus are determined by their need to be there. Student and staff carrying a current NJC Identification Card are welcome and expected to use the campus buildings, parking and property. Visitors to our campus are expected to abide by the college rules to make their visit enjoyable and productive. Visitors can obtain a Student Handbook and campus map during the regular workdays and hours.

The campus complex houses several public, private, city and State agencies and offices, so the public is expected to come and go throughout parts of the building. Please be aware of this fact and be aware and considerate of these circumstances.

## Security Considerations

### Main Campus

The College wishes to provide a safe and secure environment for its student, employees and visitors. The following security measures are employed in an effort to create this desired environment.

### Lighting

The NJC campus has adequate lighting, but after hours it is best to walk with a friend while going to and from the campus.

### Staff

The staff at NJC work with the Yuma Police Department, reporting any law violators, assisting police in entering campus buildings, locating staff and students as needed. College staff members cooperate with and assist the Yuma Police Department whenever possible on investigations and crime prevention on campus. **Law enforcement on campus is conducted the same as any location within the city of Yuma. All law violations are reported to the police first then the college administration.**

Concerns regarding security and safety at other hours should be reported to the Coordinator of Campus Safety & Security at 970-521-6683 or the Vice President of Student Services at 970-521-6657.



The College wishes to provide a safe and secure environment for its students, faculty, staff and visitors. The following security measures are employed in an effort to create this desired environment:

### **Safety Program and Services**

During the year, educational messages and materials are posted throughout the campus. The information includes topics such as protecting yourself in your dorm, protecting yourself when walking, protecting your automobile and bicycle, and protecting yourself when driving.

The campus continues to look for ways to improve the awareness of safety among students and staff. Recently the campus developed a strategy to respond to emergency incidents if there was extreme trouble in a classroom or office area where staff needed help.

### **Safety Training Programs**

The Coordinator of Campus Safety & Security will offer Safety Training Programs periodically throughout the school year. These will include topics such as college Fire Safety, dealing with an Active Threat, etc. Any student or employee is urged to contact him at 970-521-6683 to request training on a specific topic.

### **Campus Security Authorities**

The college provides training to all of the Residence Hall Staff, as well as certain faculty and staff members as to their duties as what are known as CSA's, or Campus Security Authorities. These are individuals who have been designated by the college as being responsible, because of their interactions with the students, for reporting to the Coordinator of Campus Safety & Security, any reports from the students of crimes that have occurred. All crimes should be reported immediately to the Coordinator of Campus Safety & Security, and all information is kept confidential.

Definitions to follow are from the Dept. of Education and the Clery Act.

**Criminal Homicide**-these offenses are separated into two categories: **Murder/Non-Negligent Manslaughter**, and **Manslaughter by Negligence**.

**Murder and Non-Negligent Manslaughter**

The willful (non-negligent) killing of one human being by another.

**Manslaughter by Negligence**

The killing of another person through gross negligence.

**Sexual Assault (Sex Offenses)**

Any sexual act directed against another person without consent of the victim, including instances where the victim is incapable of giving consent.

**A. Rape**

Definition: 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**

Definition: The touching of the private body parts of another person for the purpose of sexual gratification, without 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**

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

**D. Statutory Rape**

Definition: sexual intercourse with a victim who is under the statutory age of consent.

**Robbery**

The taking, or attempting to take, anything of value under from the control, custody, or care of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault**

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

**Burglary**

The unlawful entry into a structure with the intent to commit a felony or a theft.

**Motor Vehicle Theft**

The theft or attempted theft of a motor vehicle.

**Arson**

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, motor vehicle, public building or aircraft or personal property of another, etc.

### **Hate Crime**

A criminal offense committed that manifests evidence that the victim was intentionally selected because of the perpetrators bias against the victim. For the purposes of Clery, the categories of bias include the victims actual or perceived, race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

For Clery purposes, Hate Crimes include any of the following offenses that are motivated by bias.

- Murder and Non-Negligent Manslaughter
- Sexual Assault
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Larceny-Theft
- Simple Assault
- Intimidation
- Destruction/Damage/Vandalism of Property

### **VAWA Offenses**

Offenses that fall under the Violence Against Women Act (VAWA) include Domestic Violence, Dating Violence, Sexual Assault, and Stalking.

### **Weapons: Carrying, Possessing, Etc.**

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

### **Drug Abuse Violations**

The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrest for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

### **Liquor Law Violations**

The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

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### **Disclosure**

The College may disclose to the victim of an alleged crime of violence the results of disciplinary proceedings brought against a student accused of the crime without prior consent of the accused. This disclosure is limited to the alleged victim, who is informed that the information may not be disclosed to the public generally (20 USC Section 1232 g(b)(6)).

### **Registered Sex Offender Information**

Information concerning persons who are required by Colorado law to register as sex offenders including registered sex offenders who are enrolled, employed, or volunteering at Northeastern Junior College, may be obtained from the Sterling Police Department, Centennial Square, 421 North Fourth Street Sterling, CO 80751. (970) 522-3512 or the Logan County Sheriff's Department, P.O. Box 749, Sterling, CO 80751, (970) 522-2578.

The following are statistics on certain reported crimes, arrests and/or referrals for campus disciplinary action that occurred on the NJC campus. For clarity, statistics are disclosed in four categories: (1) Campus (Main campus, Applied Technology Campus, Equine Center); (2) Non-campus which includes any NJC owned remote facilities used for instruction; (3) Public property, which includes publicly owned sidewalks, streets or other thoroughfares and parking facilities that provide immediate access to facilities owned by NJC and are within the same reasonably contiguous geographic area of the institution; and (4) Residential facilities, which includes all of the residence halls for students affiliated with NJC. Statistics reported are for the years between January 1, 2016 and December 31, 2018, respectively for each year by the local police department and campus officials.

Note: An "arrest" is defined as a person being taken into custody by a State, Local or Federal law officer.

**NJC Campus Statistics:**

CATEGORY	VENUE	2019		
<b>CRIMINAL HOMICIDE:</b>	On Campus**	0	0	0
<b>Murder and Non-Negligent Manslaughter</b>	In or on non-campus building or property	0	0	0
	On public property	0	0	0
<b>Manslaughter by Negligence</b>	On Campus**	0	0	0
	In or on non-campus building or property	0	0	0
	On public property	0	0	0
<b>SEXUAL ASSAULT/SEX OFFENSES:</b>				
<b>Rape</b>	On Campus**	0	0	0
<b>No cases of Fondling, Incest or Statutory Rape</b>	In or on non-campus building or property	0	0	0
	On public property	0	0	0
<b>ROBBERY</b>	On Campus**	0	0	0
	In or on non-campus building or property	0	0	0
	On public property	0	0	0
<b>AGGRAVATED ASSAULT</b>	On Campus**	0	0	0
	In or on non-campus building or property	0	0	0
	On public property	0	0	0
<b>BURGLARY</b>	On Campus**	0	0	0
	In or on non-campus building or property	0	0	0
	On public property	0	0	0
<b>ARSON</b>	On Campus**	0	0	0
	In or on non-campus building or property	0	0	0
	On public property	0	0	0
<b>MOTOR VEHICLE THEFT</b>	On Campus**	0	0	0
	In or on non-campus building or property	0	0	0
	On public property	0	0	0
<b>HATE CRIMES:</b>				
<b>Murder/Non-negligent Manslaughter</b>	On Campus**	0	0	0
	In or on non-campus building or property	0	0	0
	On public property	0	0	0
<b>Aggravated Assault</b>	On Campus**	0	0	0

	In or on non-campus building or property	0	0	0
	On public property	0	0	0
<b>Sexual Assault</b>	On Campus**	0	0	0
	In or on non-campus building or property	0	0	0
	On public property	0	0	0
<b>Arson</b>	On Campus**	0	0	0
	In or on non-campus building or property	0	0	0
	On public property	0	0	0
<b>Simple Assault</b>	On Campus**	0	0	0
	In or on non-campus building or property	0	0	0
	On public property	0	0	0
<b>Robbery</b>	On Campus**	0	0	0
	In or on non-campus building or property	0	0	0
	On public property	0	0	0
<b>Burglary</b>	On Campus**	0	0	0
	In or on non-campus building or property	0	0	0
	On public property	0	0	0
<b>Motor Vehicle Theft</b>	On Campus**	0	0	0
	In or on non-campus building or property	0	0	0
	On public property	0	0	0
<b>Larceny-Theft</b>	On Campus**	0	0	0
	In or on non-campus building or property	0	0	0
	On public property	0	0	0
<b>Intimidation</b>	On Campus**	0	0	0
	In or on non-campus building or property	0	0	0
	On public property	0	0	0
<b>Destruction/Damage/Vandalism of Property</b>	On Campus**	0	0	0
	In or on non-campus building or property	0	0	0
	On public property	0	0	0
<b>ARREST FOR:</b>				
<b>Liquor Law Violations</b>	On Campus**	0	0	0
	In or on non-campus building or property	0	0	0
	On public property	0	0	0
<b>Drug Abuse Violations</b>	On Campus**	0	0	0
	In or on non-campus building or property	0	0	0
	On public property	0	0	0
<b>Weapons Possession (carrying, possession, etc. law violations)</b>	On Campus**	0	0	0
	In or on non-campus building or property	0	0	0
	On public property	0	0	0

**DISCIPLINARY REFERRALS:**

<b>Liquor Law Violations</b>	On Campus**	0	0	0
	In or on non-campus building or property	0	0	0
	On public property	0	0	0
<b>Drug Abuse Violations</b>	On Campus**	0	0	0
	In or on non-campus building or property	0	0	0
	On public property	0	0	0
<b>Weapons Possession (carrying, possession, etc. law violations)</b>	On Campus**	0	0	0
	In or on non-campus building or property	0	0	0
	On public property	0	0	0

**VAWA Incidents** **2019**

<b>Domestic Violence</b>	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
<b>Dating Violence</b>	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
<b>Stalking</b>	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0

Also includes Sexual Assault—see statistics, above.

\*\* This category includes all on campus incidents, including those listed in the category below, "In residence halls or other residential facilities." Therefore, the two categories are not cumulative but duplicative.

**KEY TO HATE CRIMES NOTATIONS:**

***Type of Bias or Prejudice***

Race = Ra	Religion = Re
Sexual Orientation = SO	Gender = Ge
Gender Identity = GI	Ethnicity = E
National Origin = NO	Disability = D

**Timely Warnings** differ from **Emergency Notifications**. An **Emergency Notification** will be sent in the event of an immediate danger to life, such as a tornado or an Active Threat. Other messages such as closings for severe weather will also be sent via the Emergency Notification System, or ENS. The message will be distinguished in the transmission as to the type of event, such as Security (Lockdown, Bomb Threat, etc.), Meteorological (Tornado, Blizzard, Late Opening), and so forth.

The College will send a **Timely Warning** message to the campus community for certain crimes that represent a continuing threat to students and employees.

Timely Warnings differ from immediate Emergency Notifications, in that Timely Warnings are issued as soon as pertinent information is available, rather than after the confirmation of an incident in progress.

### Purpose:

As required by the Clery Act of 1998, and in accordance with the Violence Against Women's Act of 1994 : The purpose of a Timely Warning notification is to inform the campus community of what is reported to a Campus Security Authority (CSA) or to a local police agency, to be a Clery Act crime or even non-Clery crimes or other serious incidents. These are crimes or incidents that occur within the parameters of what is defined as the Clery Act Geography of Northeastern Junior College. Notifications may also include such crimes or incidents that occur outside of the Clery Geography, that are or might be considered by the institution to represent a serious or continuing threat of danger to the students and employees.

### Responsibility:

In order to protect the campus community in the event of criminal activity or other serious incidents, a Timely Warning, defined as a mass notification that is timely and will aid in the prevention of similar crimes, shall be sent to students, faculty, and staff members via one or more of the following means: the Emergency Notification System (AppArmor), email, social media, and/or printed postings. The college will make an effort to ensure the privacy of crime victims, while still providing sufficient information for the community to make relevant safety decisions.

**Timely Warnings** and **Emergency Notifications** will initially be sent via the Emergency Notification System in the form of phone calls, text message and emails, as indicated by the end user. These messages will also be posted to the NJC Alert app, and then to our college website as time allows.

**Drug Free and Alcohol Free Campus**

NJC abides by a “zero tolerance” policy for drugs and alcohol. The NJC policy for Drug Free and Alcohol Free Campus is included in the current Student Policy Handbook and is made available to all students and staff per the campus web site or in hardcopy upon request. The college does not allow the possession, consumption, or sale of alcohol or drugs on campus or at any college sponsored events. “Under the Influence,” where a person has detectable signs of using alcohol or drugs, will be considered a college violation. Any student under the legal age will be subject to the educational sanctions required by the college. Do not bring drugs or alcohol onto the campus and do not come to the campus under the influence. For counseling assistance call (970) 521-6663.

**Description of Drug and Alcohol Abuse Education Programs**

The Student Services Department at NJC provides the alcohol and drug education program for the campus community. The philosophy behind the program is threefold: education, intervention and prevention. The purpose is to educate the campus community about responsible behaviors with regard to alcohol and drugs, to intervene when alcohol and/or drug use interferes with a healthy lifestyle, and to offer lifestyle options that prevent the onset of problems that can result from irresponsible use of alcohol and use of drugs.

In addition, housing regulations at NJC prohibit the use and/or possession of alcohol or illegal drugs in college housing. The alcohol and drug education program incorporates a component that addresses this regulation and serves as part of the disciplinary and education procedure for students who violate this policy.

The Student Success Center and Student Life departments work closely to deliver education and prevention programs:

- The NJC Alcohol and Drug Policy is discussed during Freshman Seminar Classes at the beginning of the fall and spring semesters.
- The Alcohol-Wise on line program is required of each new student. Alcohol-Wise is a brief alcohol abuse prevention program. Students are to complete it during the summer months before they arrive for New Student Orientation. There is also a marijuana component and a Consent & Respect module.
- During mandatory floor meetings, the RA's and the Hall Directors explain the NJC Alcohol and Drug policy to residents.
- When students are written up for alcohol and/or drug violations, part of the sanction is a mandatory meeting with the NJC Student Guidance Coordinator. During this meeting, the Guidance Coordinator and the student discuss the incident, as well as the role and affect that alcohol and/or drugs have in the student's life.
- With a Level I and a Level II Alcohol Sanction, students complete a written assessment of need. The results of this assessment are discussed with the student during the meeting with the Guidance Coordinator. If it is determined that additional counseling may be required, the student is referred to outside alcohol counseling service providers.
- With a Level I and a Level II Drug Sanction, students complete a written assessment of need. The results of this assessment are discussed with the student during the meeting with the counselor. If it is determined that additional counseling may be required, the student is referred to outside drug counseling service providers.
- The NJC Peer Helpers have highly visible, on-going alcohol prevention and alcohol awareness programming throughout the year. They sponsor alcohol-free campus-wide events, as well as distribute material and literature for educational awareness. Displays, bulletin boards, and giveaways enhance the Peer Helper programming efforts.
- Referral: Should a student, faculty or staff member exhibit maladjusted behaviors involving the use of alcohol and/or other drugs that warrant more intensive therapy beyond the Counseling program, a referral is made to one of the local counseling agencies. Under circumstances where the policy has been violated, the college may require referral to an alcohol and/or drug rehabilitation program. Finally, under circumstances where an individual is perceived to be a danger to him/her or others as a result of alcohol and/or drug use, the college reserves the right to involuntarily refer the individual to the appropriate treatment facility or agency.



## **Description of Sexual Assault Educational Programs**

NJC sponsors a number of educational programs to promote the awareness of rape, acquaintance rape and other sex offenses.

- The Alcohol-Wise on line program is required of each new student. Alcohol-Wise is a brief alcohol abuse prevention program. Students are to complete it during the summer months before they arrive for New Student Orientation. Alcohol Wise has a component on Sexual Assault Prevention and Respect.
- The Residence Life program promotes resident assistant program preventing sexual assault. These include inviting in community resource staff to share information on keeping oneself safe and the risks in a college environment.
- Printed information that is available in residence halls and in the student center cover the topics of date rape, stranger rape, sexual assault and other related topics including what to do should a rape occur.
- Crime prevention tips are displayed campus wide via poster and reports. Students that live on campus are given staying safe on campus material at the time that they arrive as part of their orientation. This also occurs for students who stay for shorter periods in the summer semester.
- Residence Hall staff are trained as referral people and are knowledgeable about the college and community services available to victims of sexual assault.
- The Student Success Center staff and the Peer Helper program conducts awareness/education promotions throughout the year on sexual responsibility and awareness of safety issues around drinking/drug use and date rape.
- The Student Success Center also offers a library of self-help written materials that can be checked out.
- Individual personal adjustment assistance is available by request or by referral in the Student Success Center, Hays Student Center 104.
- The college has a cooperative relationship with Centennial Mental Health Center, a social service provider for long-term assistance. The college support S.A.R.A. Inc (Sexual Assault Response Advocates) and establishes communication each year as new staff come into the college. SARA provides sexual assault awareness and prevention programs to our student population, especially to new students during Orientation programming.

The college realizes the necessity of education as a prevention strategy and will continue to seek ways to deliver this message to our students.

### **Assistance for Sexual Assault**

Northeastern Junior College encourages all student victims of rape, or any sexual offense, to report such crimes to the appropriate police agency where the assault occurred. If an NJC staff member is notified or aware of such an incident, they have responsibility to assist the victim in knowing their options for reporting and to get medical attention. The victim has the right to determine whether they want to report and file charges with local police. When the local police are contacted, an officer trained in sexual assault support services as well as a rape response counselor will respond to preserve evidence, arrange personal/psychological counseling and attend to the immediate needs of the student. Following a sexual assault, the victim's physical well-being is the primary concern. Support staff on campus will provide support at the request of the victim and confidentiality will be strictly maintained in all sexual offense cases. The college will provide the necessary support to prevent long term physical and emotional consequences.

The college also follows lawful procedures for investigating Sexual misconduct in accordance with Title IX laws and regulations. NJC Title IX sexual assault investigators are trained through the Colorado Community College System legal counsel and through NCHERM and ATIXA.

Possible sanctions for rape, acquaintance rape or other sex offenses (forcible or non-forcible) following an on-campus formal report resulting in disciplinary procedure may include, but are not limited to, “probation, suspension, restriction, or dismissal from student housing and/or the college.” The victim must formally report the alleged rape to the chief student affairs officer in order for campus judicial process to move forward. The due process rights of both the alleged victim and perpetrator will be protected.

**Preventing Sexual Harassment**

Sexual harassment incident must be reported to the Title IX Investigator which allows the victim to file an informal or formal complaint. In student harassment incidents, both the student victim and the student respondent will be asked to file statements for the judicial decision. College jurisdiction is limited to college enrollment status of any student; the victim may also consider filing legal charges. The college does not tolerate student harassment in any form. For any alleged victim of sexual assault and harassment the college will give the victim the option of changing academic and living situation to alleviate personal distress.

## College and Community Referral Services

NJC Student Guidance staff are available to assist any sexual assault victim to support the person with personal decisions regarding legal and medical needs. The college Guidance Coordinator will explain the immediate steps to be taken and the resources that are available. The Guidance Coordinator will assist the victim with making connections with community resources as needed and desired by the student.

### Northeastern Junior College

Northeastern Junior College Student Success Center 970-521-6663

### Yuma

S.A.R.A., Inc. (Ft. Morgan)	970-867-2121 or 855-440-SARA
N.E. Colorado Health Department	970-848-3811
Help for Abused Partners (Sterling)	970-522-2307
Centennial Mental Health (Akron)	970-345-2254
Yuma Police Department	970-848-3878
Yuma County Sheriff's Department	970-332-4805

## Off Campus Conduct

The college is a part of the local community and we expect students to be good representatives of the college both on and off campus. Acceptable conduct for all students is described in the Student Code of Conduct. Jurisdiction for student legal and behavioral problems off campus/non-college activity are limited to conduct that has impact upon the college and is a violation of the Code of Conduct. A student violation of law or the Code of Conduct committed off campus that has a severe and detrimental impact on any student, staff or the college is grounds for interim suspension. The safety and security of students and staff will be considered when off campus conduct warrants college action. The college has a close working relationship with the Yuma Police Department, and the Yuma County Sheriff's Department to preserve and protect the citizens of Yuma County and the students and staff of Northeastern Junior College.

## Closing Comments

Northeastern Junior College strives to ensure an open and honest level of communication with regard to campus crimes and issues of safety and security on our campus. We hope this booklet has helped you identify those features of the campus safety program that can help you have a positive educational experience at Northeastern Junior College.

In our efforts to continual, enhance our safety program we welcome your input regarding NJC's safety and security programs and services.

POLICY STATEMENT FOR ANNUAL SECURITY REPORT  
JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT, AS AMENDED BY THE  
VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

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Northeastern Junior College does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, Northeastern Junior College issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a College official. In this context, NJC prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the College community.

Northeastern Junior College is a part of the Colorado Community College System (CCCS) and is governed by the State Board for Community Colleges and Occupational Education (SBCCOE). For a complete copy of the SBCCOE Board Policies (BP), as well as policies and procedures, visit <https://www.cccs.edu/about-cccs/state-board/policies-and-procedures/>.

Additionally, the Board has delegated procedural authority to the Colorado Community College System President. As a result, the pertinent CCCS System President's Procedures (SP) on Sexual Misconduct, visit <https://www.cccs.edu/policies-and-procedures/civil-rights-and-sexual-misconduct-resolution-process/>. For CCCS employees, authorized volunteers, guests and visitors, SP 3-120a applies. For students, SP 4-120a applies.

All Sexual Misconduct complaints are investigated pursuant to System President's Procedures, Civil Rights Grievance and Investigation Process. If the respondent to a complaint is a CCCS employee, authorized volunteer(s), guest(s), or visitor(s), SP 3-50b will apply. If the respondent is a student, SP 4-31a applies. Again, the procedures can be located at <https://www.cccs.edu/about-cccs/state-board/policies-procedures/>.

#### A. Definitions

**Consent, Unlawful Sexual Behavior**-Colorado Revised Statutes (C.R.S.) 18-3-401, means cooperation in act or attitude pursuant to an exercise of free will and with knowledge of the nature of the act. A current or previous relationship shall not be sufficient to constitute consent. Submission under the influence of fear shall not constitute consent.

**Sexual Assault**-C.R.S. 18-3-402, Colorado law defines sexual assault as any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if:

- The actor causes submission of the victim by means of sufficient consequence reasonably calculated to cause submission against the victim's will; or
- The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or
- The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or
- At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim and is not the spouse of the victim; or
- At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age and the actor is at least ten years older than the victim and is not the spouse of the victim; or
- The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority to coerce the victim to submit, unless the act is incident to a lawful search; or
- The actor, while purporting to offer a medical service, engages in treatment or examination of a victim for other than a bona fide medical purpose or in a manner substantially inconsistent with reasonable medical practices; or

- The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented.

Sexual Assault on a Child-C.R.S. 18-3-405, means any actor who knowingly subjects another not his or her spouse to any sexual contact commits sexual assault on a child if the victim is less than fifteen years of age and the actor is at least four years older than the victim.

**Domestic Violence**-C.R.S. 18-6-800.3 means an act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. Domestic Violence also includes any other crime against a person, or against property, including an animal or any municipal ordinance violation against a person, or against property, including an animal, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship.

*Dating Violence-There is no Colorado state law on dating violence; therefore, the college abides by the definition used in the Violence Against Women Reauthorization Act (VAWA) of 2013.*

Dating Violence means 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, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Stalking-C.R.S. 18-3-602, means a person commits stalking if directly, or indirectly through another person, the person knowingly:

- Makes a credible threat to another person and, in connection with the threat, repeatedly follows, approaches, contacts, or places under surveillance that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship; or
- Makes a credible threat to another person and, in connection with the threat, repeatedly makes any form of communication with that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship, regardless of whether a conversation ensues; or
- Repeatedly follows, approaches, contacts, places under surveillance, or makes any form of communication with another person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship in a manner that would cause a reasonable person to suffer serious emotional distress and does cause that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship to suffer serious emotional distress. For purposes of this paragraph (c), a victim need not show that he or she received professional treatment or counseling to show that he or she suffered serious emotional distress.

Additional definitions as it relates to "Stalking" under Colorado law:

- Conduct "in connection with" a credible threat means acts that further, advance, promote, or have a continuity of purpose, and may occur before, during, or after the credible threat.
- "Credible threat" means a threat, physical action, or repeated conduct that would cause a reasonable person to be in fear for the person's safety or the safety of his or her immediate family or of someone with whom the person has or has had a continuing relationship. The threat need not be directly expressed if the totality of the conduct would cause a reasonable person such fear.
- "Immediate family" includes the person's spouse and the person's parent, grandparent, sibling, or child.

- "Repeated" or "repeatedly" means on more than one occasion.

#### B. Education and Prevention Programs

The College engages in comprehensive educational programming to prevent domestic violence, dating violence, sexual assault and stalking. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and faculty that:

- Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- Defines what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;

The College offered the following ongoing awareness and prevention programs for students in 2019:

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Which Prohibited Behavior Covered?</u>
Alcohol-wise Marijuana-wise Consent & Respect	06/01/2019 and 12/01/2018	Online	Alcohol, Drugs, DaV, SA

❖ DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault, and S means Stalking

#### C. Civil Rights and Sexual Misconduct Resolution Process

The College has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of medical, counseling and support services, and additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. Students and employees should contact the NJC Human Resources Office in Walker Hall (phone: (970) 521-6730).

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, Jeri Estrada (HR Director in Sterling) at (970) 521-6730 in an accurate and timely manner. The college encourages accurate and prompt reporting of all crimes to the Coordinator of Campus Safety & Security and to appropriate law enforcement agencies.

If a victim is unable to make the report themselves, then the campus community is encouraged to report crimes of which they are aware. Additionally, NJC encourages pastoral counselors and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in our annual security report.

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at the Sterling Regional Med Center or Family Care Clinic of Sterling. In Colorado, evidence may be collected even if you choose not to make a report to law enforcement. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence as may be necessary to the proof of criminal activity may be preserved. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of

documents, if they have any, that would be useful to College hearing boards/investigators or police. Although the College strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. The Vice President of Student Services will assist any victim with notifying local police if they so desire. City of Yuma Police Department may also be reached directly by calling (970) 522-3512, in person at 421 N. 4<sup>th</sup> Street.

### CCCS System Procedure SP 19-60

#### **Application**

This procedure applies to the Community Colleges within the Colorado Community College System and the System Office (CCCS).

Allegations that an individual has engaged in any discriminatory, harassing, and/or retaliatory behavior, including Sexual Misconduct, after the effective date of this procedure will be resolved under this procedure.

#### **Basis**

Board Policy (BP) 19-60 provides that individuals affiliated with CCCS shall not discriminate or harass on the basis of sex, gender, race, color, age, creed, national or ethnic origin, ancestry, physical or mental disability, familial status, veteran or military status, pregnancy status, religion, genetic information, gender identity, sexual orientation, or any other protected class or category under applicable local, state or federal law (also known as "civil rights laws"), in connection with employment practices or educational programs and activities (including in admissions). BP 19-60 further provides that individuals affiliated with CCCS shall not retaliate against any person who opposes discrimination, harassment or retaliation, or participates in any complaint or investigation process.

#### **Definitions**

For definitions applicable to this procedure, refer to Appendix A.

#### **Procedure**

##### *Filing a Complaint*

Any person who believes they have been subjected to a civil rights violation should follow this procedure to report their concerns. CCCS will act on any complaint brought to the attention of the Title IX/EO Coordinator that is made under this procedure.

All complaints shall be made as promptly as possible after the occurrence, so that CCCS can more effectively address the reported concerns. A delay in reporting may result in the loss of relevant evidence and witness testimony, and may affect the ability of CCCS to substantiate the allegations. The complaint should describe the alleged incident, which may include when and where it occurred, the parties involved, and the desired remedy sought. Any supporting documentation and evidence may be referenced within the body of the complaint.

The System Office and each College must include a clearly visible link on its web page for filing civil rights complaints, and publish the name, title, address, telephone number, and email address of the Title IX/EO Coordinator. Complaints may also be submitted directly to the Title IX/EO Coordinator verbally or in writing. Complainants may be asked to reduce verbal complaints to writing and sign them (in person or electronically) before proceeding through the resolution process (e.g., Sexual Harassment/Title IX complaints must be in writing and signed by the Complainant or Title IX Coordinator before proceeding with formal investigation). The System Office and each College must also annually distribute through electronic or other means of communication the institution's nondiscrimination policy, which includes

the sexual misconduct policy and procedure, and shall make available educational programs to all incoming students and newly employed faculty and staff.

### *Confidentiality*

CCCS employees, depending on their roles, have varying reporting responsibilities and may not be able to maintain confidentiality of information reported to them. Any person who reports concerns of civil rights violations should not assume that confidentiality or anonymity can be protected in connection with making a report.

At individual Colleges, some confidential resources may be available, such as mental health counselors, either on or off campus, campus health service providers, off-campus rape crisis resources, legal professionals, and/or members of the clergy. Except in rare circumstances, such as the existence of an immediate threat of harm, these individuals can offer options and advice without any obligation to report internally or externally unless the Complainant has requested information be shared. Other outside confidential resources are available, and the Title IX/EO Coordinator can assist in connecting an individual to these resources.

Any person who reports concerns of civil rights violations should also be aware that CCCS must issue immediate emergency notifications and/or timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. CCCS will make every effort to ensure that a Complainant's name and other identifying information is not disclosed, while still providing adequate information for community members to make safety decisions in light of the danger.

### *Employee Reporting Obligations*

CCCS employees (including student employees), unless deemed a confidential resource by law, have an ethical obligation to promptly report any incidents they are aware of concerning civil rights violations. Reports should be made within 24 hours, unless there is reasonable justification for a delay. Employees unsure of the scope of this requirement may direct their questions to the Title IX/EO Coordinator. Failure to report will be considered a violation of BP 3-70, Colorado Community College System Code of Ethics, and may result in discipline, up to and including termination. All other individuals affiliated with CCCS are strongly encouraged to report civil rights violations.

### *Preliminary Steps and Timeline*

Upon receipt of a complaint, the Title IX/EO Coordinator will review the complaint to determine whether the complaint alleges sufficient information to support that a civil rights violation has occurred (reasonable cause). If the Title IX/EO Coordinator is unable to make this determination in reviewing the complaint alone, the Title IX/EO Coordinator may, at their discretion, reach out to the Complainant or others, as relevant, for clarification and/or additional information.

If no reasonable cause is found to initiate a formal investigation, the Title IX/EO Coordinator shall inform the Complainant of this decision and discuss other options for addressing the reported concerns.

If there is reasonable cause and the Complainant wishes to proceed, the Title IX/EO Coordinator will initiate an informal resolution or a formal investigation. If the Complainant does not wish to proceed, the Title IX/EO Coordinator will give consideration to the Complainant's preference, but reserves the right, when necessary to protect the CCCS community, to initiate an informal resolution or formal investigation of the complaint. The Title IX/EO Coordinator also reserves the right to initiate an investigation and resolve a complaint without a participating or identifiable Complainant.

The Title IX/EO Coordinator may consider a number of factors when determining whether to initiate an informal resolution or formal investigation without the Complainant's participation and/or without an identifiable Complainant.

These factors may include, but are not limited to, the following:

- Seriousness of the alleged conduct;
- Risk that the Respondent will similarly harm others;
- Previous complaints or allegations involving similar conduct;
- Whether multiple Complainants were involved;



- Whether the conduct was facilitated by incapacitation;
- Whether a weapon or violence was used;
- Whether the Complainant is a minor and/or at-risk;
- Whether the conduct was predatory in nature; and/or
- Any other information deemed relevant by the Title IX/EO Coordinator.

The informal resolution and formal investigation processes are designed to address the reported concerns, end the inappropriate behavior, and prevent its reoccurrence. This may include providing a fair and reliable determination about whether policies or procedures have been violated.

The Title IX/EO Coordinator will also evaluate the complaint to determine if it alleges Sexual Harassment under Title IX and occurred within one of its programs or activities in the United States. In such cases, the specific procedures applicable to Sexual Harassment (e.g., live hearing) will apply. If not, the complaint must be closed for Title IX Sexual Harassment purposes, but it may be addressed under other civil rights procedures outlined herein. Dismissal of a Title IX Sexual Harassment case is subject to the appeal procedures outlined herein. If a complaint involves allegations of Title IX Sexual Harassment within a CCCS program or activity in the United States along with other conduct that is not covered by Title IX, the Title IX/EO Coordinator in their discretion will either process the entire complaint under Title IX Sexual Harassment procedures or will divide the allegations and process them separately under applicable provisions of this procedure.

CCCS shall make every effort to complete the resolution or investigation process within approximately 90 days from the date the complaint is filed. If CCCS cannot resolve the complaint within this timeline, the Title IX/EO Coordinator may extend the timeline when necessary, to properly resolve the complaint. Written notice will be provided to the parties regarding the extension.

#### *Interim Actions*

The Title IX/EO Coordinator, in consultation with appropriate administrative personnel, may implement interim actions, including Supportive Measures, intended to protect the safety and security of the campus community, address the effects of the reported behavior, and prevent further violations, while the complaint is under review or investigation. These remedies may include, but are not limited to, placing an employee on administrative leave, interim actions outlined in the SP 4-30 Student Disciplinary Procedure, campus bans/emergency removals, referral to counseling and health services or to the Colorado State Employee Assistance Program (CSEAP), education to the community, altering housing situations, altering work arrangements, providing campus escorts, implementing contact limitations between the parties (e.g., no contact orders), offering adjustments to academic deadlines or course schedules, and/or suspending privileges such as attendance at College activities or participation in College-sponsored organizations. Any campus ban/emergency removal will be implemented only after a determination that the person poses an immediate threat to the physical health or safety of another.

In all cases in which an interim action is imposed, the individual will be given the opportunity to meet with the Title IX/EO Coordinator prior to such action being imposed, or as soon thereafter as reasonably possible, to show cause why the interim action should not be implemented. The Title IX/EO Coordinator shall have sole discretion to implement or stay an interim action, and to determine its conditions and duration. Violation of an interim action may be grounds for disciplinary action, up to and including expulsion, termination, a “Cease Communications” directive, or issuance of a “No Trespass” order, also known as a *persona non grata*.

Following the completion of the investigation or resolution process, interim actions may be continued or made permanent as deemed necessary.

#### *Rights of Involved Parties*

Throughout the civil rights and sexual misconduct resolution process, Complainants and Respondents shall be entitled to the following:

- To be treated with respect by CCCS employees.

- To take advantage of Supportive Measures and other resources, such as counseling, psychological services, and health services.
- To experience a safe living, educational, and work environment.
- To have an advisor of their choice present at any meeting.
- To have access to a Title IX/EO Coordinator, investigator(s), hearing officers/decision-maker(s) for Title IX cases, and/or other individuals assisting with the resolution process who do not have a conflict of interest or bias for or against either party.
- To receive amnesty for minor student misconduct (such as alcohol or drug violations) that is ancillary to the incident.
- To be free from retaliation.
- To be informed of the outcome/resolution of the complaint, and the sanctions and rationale for the outcome where permissible.
- To have assistance in contacting law enforcement, if desired.
- To request housing, employment, and/or educational modifications, as deemed appropriate and reasonable.
- To request no further contact with the opposite party, as deemed appropriate, allowable and reasonable.

### *Informal Resolution*

The Title IX/EO Coordinator, in consultation with the parties, may determine that an informal resolution is appropriate to resolve the reported concerns. The primary focus during an informal resolution remains the welfare of the parties and the safety of the CCCS community, but it does not involve a written investigation report or an opportunity to appeal. An informal resolution may include but is not limited to:

- The provision of interim or long-term remedial measures;
- Referral to other resolution processes;
- Training or educational programming for the parties;
- The Title IX/EO Coordinator or a designee serving as a facilitator to discuss the reported concerns with the Complainant and Respondent (either separately or together) and to identify possible resolutions and/or appropriate future conduct; and/or
- Referral to a Disciplinary Authority to further address the reported behavior, as deemed appropriate.

Notice of the allegations and specific Informal Resolution process will be provided to both parties.

At any time during the informal resolution process, the Title IX/EO Coordinator may elect to initiate a formal investigation as deemed appropriate to resolve the matter. The parties can elect to cease the informal resolution process at any time before it concludes and proceed with a formal investigation. The informal resolution process is not available in Sexual Harassment cases involving a student Complainant and an employee Respondent.

### *Formal Investigation*

If a formal investigation is initiated, the Title IX/EO Coordinator shall provide written notice (Notice of Investigation) to the Complainant and Respondent notifying them of the investigation and will assign one or more impartial investigators to conduct an investigation into the complaint. The investigation will include an objective evaluation of all relevant evidence, both inculpatory (incriminating or tending to show responsibility for a violation) and exculpatory (exonerating or tending to negate responsibility for a violation). The investigator(s) may request an interview with the Complainant, the Respondent, and any witnesses, including expert witnesses for Sexual Harassment cases, deemed relevant by the investigator(s). The parties will be provided with sufficient details of the allegations (such as identity of parties, nature of the conduct, and date/location of the incident, if known). All parties and other witness or participants in the investigation process will be provided written notice of the date, time, location, participants and purpose of any interview or meeting with sufficient time to prepare to participate.

Throughout the investigation, all questions will go through the assigned investigators. The Complainant and Respondent may offer any documentation, witnesses, or other materials in support of their position as it relates to the complaint. There will be a presumption that the Respondent is not responsible for the alleged conduct until a determination regarding

responsibility has been made at the conclusion of the resolution process. Any credibility determinations made by investigators will not be based upon a person's status as a Complainant, Respondent, or witness.

The Complainant and the Respondent have the opportunity to be advised and accompanied by an advisor of their choice, at their expense, at any stage of the process. In the event of a live hearing, if either party does not have an advisor, the College will provide one to that party at no cost. An advisor may consult and advise their advisee, but may not speak on behalf of their advisee. These procedures are entirely administrative in nature and are not considered legal proceedings. The investigator(s) may end a meeting or remove or dismiss an advisor who becomes disruptive or who does not abide by the restrictions on their participation as explained above.

Should the Complainant or Respondent decide to withdraw from courses or resign employment while a complaint is pending, the process may proceed in that party's absence and sanctions may still be imposed affecting the party's ability to return to CCCS. Additionally, the Title IX/EO Coordinator may dismiss the formal complaint if the Complainant requests such dismissal in writing, if the Respondent is no longer enrolled/employed at CCCS, or other specific circumstances prevent the investigators from gathering evidence sufficient to reach a determination. Notice regarding the dismissal will be provided in writing simultaneously to the parties.

No unauthorized recording will be allowed, and all parties must request permission to record in advance. CCCS, at its discretion, may grant authorization for recording of an interview, and in that case, CCCS will also record to ensure there is an accurate record.

Throughout the formal investigation process, the Title IX/EO Coordinator will provide regular written updates on the status of the investigation to the Complainant and the Respondent through the conclusion of the investigation.

#### *Preliminary Investigation Report*

Following the fact gathering stage of the formal investigation, the investigator(s) shall issue a Preliminary Investigation Report to the Complainant and Respondent (and their advisors, if applicable) for review. The Preliminary Investigation Report will include relevant facts as gathered by the investigators. At this stage, parties may review upon request all evidence collected as part of the investigation, whether or not it will be relied upon in reaching a determination. The Complainant and the Respondent will have ten (10) calendar days to review and respond to the Preliminary Investigation Report with any changes, clarifications, or questions.

#### *Final Investigation Report*

At the conclusion of the fact gathering stage and formal investigation, including any relevant information submitted in response to the Preliminary Investigation Report, the investigator(s) shall issue a Final Investigation Report to the Title IX/EO Coordinator detailing the factual findings and summarizing the relevant evidence. This report will not contain any determinations as to whether the conduct is in violation of applicable policies.

Upon receipt of the Final Investigation Report, the Title IX/EO Coordinator shall proceed as follows:

- For cases involving Sexual Harassment within the United States, the Title IX/EO Coordinator shall initiate a live hearing as described below. If a live hearing cannot be held due to refusal of parties to participate, CCCS reserves the right to address the conduct through the procedures applicable to non-Sexual Harassment/Title IX cases.
- For other civil rights cases (non-Sexual Harassment or Sexual Harassment outside the United States), the Title IX/EO Coordinator will obtain a written Determination Report from the investigators as to whether or not, based on a preponderance of the evidence, the alleged behavior took place and whether that behavior constitutes a civil rights violation. The determination shall include a summary of all evidence and information used to reach these conclusions.

#### *Live Hearing for Sexual Harassment Cases*

Live hearings are subject to the following procedures:

**Scheduling** – A live hearing must be scheduled no earlier than ten (10) days after issuance of the Final Investigation Report. Written notice of the date, time, location, participants and purpose for the hearing will be provided to the parties. The parties must notify the Title IX/EO Coordinator if any other witnesses will be presented so they can be notified of the hearing. Written notice of the date, time, location, participants and purpose for the hearing will be provided to all individuals who are invited or expected to participate allowing them reasonably sufficient time to prepare.

**Hearing Officer(s)** – A Hearing Officer is responsible for overseeing the hearing; making determinations as to relevance of evidence/questioning, determining whether evidence will be permitted, and making a final determination regarding the allegations. A Hearing Officer must be a different individual than any investigator or Title IX/EO Coordinator assigned to the case. A Hearing Officer has discretion regarding the details and order that parties will be permitted to present evidence, provided that both parties are given equal opportunities to present relevant evidence, both inculpatory (incriminating or tending to show responsibility for a violation) and exculpatory (exonerating or tending to negate responsibility for a violation), and cross-examine witnesses. The Hearing Officer may issue a document to the parties in advance outlining the hearing process that will be followed on the day of the hearing.

**Advisors** – At the hearing, the Complainant and Respondent must be accompanied by an advisor. If the party does not provide their own, CCCS will provide an advisor at no charge. The advisor is responsible for questioning the witnesses; the Complainant and Respondent are not permitted to ask questions directly.

**Questioning and Cross-Examining Witnesses** – Each party's advisor may question the other party and any witnesses with relevant questions and follow-up questions, including those challenging credibility. Questioning will be done directly, orally and live. At the request of a party or at the discretion of CCCS, the parties may be located in separate rooms using technology for live viewing of other participants. After each question is stated, the Hearing Officer will decide whether it is relevant and permissible before the party/witness provides an answer. If it is excluded, the reason for exclusion will be provided. Evidence of the Complainant's prior sexual predisposition or behavior is not relevant except to prove that someone other than the Respondent committed the alleged conduct or to prove consent.

**Recording/Transcript** – CCCS shall record the hearing and make it available to all parties. Alternatively, CCCS, in its discretion, may elect to transcribe the proceedings as the method of record keeping.

**Determination Report** – Following the hearing, the Hearing Officer will issue a Determination Report to the Title IX/EO Coordinator as to whether or not, based on a preponderance of the evidence, the alleged behavior took place and whether that behavior constitutes a civil rights violation. In reaching this determination, the Hearing Officer must consider all relevant evidence, except for any privileged information (unless waived) or medical records (unless specific, written consent is obtained). If a party or witness does not submit to cross-examination during the live hearing, the Hearing Officer cannot rely on any of their statements in their determination, and may not draw any inferences based solely on a party or witness failing to submit to cross-examination. The Determination Report shall include a summary of the allegations; a summary of the procedural steps in the case; findings of fact supporting the determination, conclusions regarding violation of applicable policies with supporting rationale; any disciplinary steps or remedial measures imposed; and the parties' appeal rights.

#### *Notice of Findings*

Once a Determination Report is received (either from the investigator(s) or the Hearing Officer following a live hearing), the Title IX/EO Coordinator shall provide written notice (Notice of Findings) simultaneously to the Complainant and Respondent (and their advisors, if applicable) notifying them of the findings. A copy of the Final Investigation Report and Determination Report, if applicable, shall be attached to the Notice of Findings. The Complainant and Respondent shall be advised of their right to appeal, subject to the grounds below, by filing a written appeal with the Title IX/EO Coordinator within ten (10) calendar days of service of the decision.

#### *Appeals for Formal Investigations*

In the event of an appeal, the Title IX/EO Coordinator shall perform an initial review to determine if the appeal meets the limited grounds listed below and is timely (filed within ten [10] calendar days, as noted above). If the appeal is found to meet these criteria, the Title IX/EO Coordinator shall forward the appeal to a designated appellate officer, who shall give

written notice to the opposing party and provide a suitable time frame for the opposing party to submit a written response to the appeal. The appeal and any responses shall be reviewed by the appellate officer. The party requesting an appeal must show error, as the original finding is presumed to have been decided reasonably and appropriately. The only grounds for appeal are as follows:

1. A procedural error occurred that significantly impacted the outcome of the decision (e.g., substantiated bias, conflict of interest, or material deviation from established procedures). The written appeal shall specify the procedural error and how it impacted the outcome of the decision.
2. The findings are not supported by substantial evidence in the investigation report or the report does not articulate a rational connection between the facts found and the decision made. The written appeal shall specify the finding(s) not supported by substantial evidence or for which the report does not articulate a rational connection between the facts found and the decision made; or
3. To consider new evidence, unavailable during the original investigation, that could substantially impact the original finding(s). Any new evidence and its impact must be included in the written appeal.

If the appellate officer determines a procedural error occurred that significantly impacted the outcome of the decision, the appellate officer shall return the complaint to the Title IX/EO Coordinator with instructions to convene a new investigation or the appellate officer shall otherwise cure the procedural error.

If the appellate officer determines the findings were not supported by substantial evidence in the investigation report, the report does not articulate a rational connection between the facts found and the decision made, or new evidence substantially impacts the original finding(s), the appellate officer shall conduct or request appropriate additional steps (such as requesting additional investigation by the investigators) and/or modify the findings accordingly.

Written notice of the outcome of the appeal shall be provided simultaneously to the parties.

#### *Sanctions*

Once the appeal process has been exhausted, if the Respondent is found not in violation of policies or procedures outlined herein, the complaint shall be closed with no further disciplinary action. If additional concerns, outside the scope of this procedure, are identified during the course of the investigation, the findings may be shared with appropriate administrative personnel to further address, as deemed appropriate.

If the Respondent is found in violation of policies or procedures outlined herein, the findings shall be provided to the Disciplinary Authority to proceed in accordance with applicable policies:

- For classified employees, disciplinary action will be taken pursuant to the applicable State Personnel Rules and Regulations: <https://www.colorado.gov/spb>
- For students, disciplinary action will be taken pursuant to BP and SP 4-30, Student Discipline: <https://www.cccs.edu/wp-content/uploads/2013/09/SP4-30.pdf>
- Instructors and Administrative, Professional-Technical (APT) employees are at-will under BP 3-10, and may not be subject to additional procedures when issuing sanctions: <https://www.cccs.edu/policies-and-procedures/board-policies/bp-3-10-administration-of-personnel/>.

Disciplinary Authorities may consider a number of factors when determining a sanction. These factors may include, but are not limited to, the following:

- The nature, severity of, and circumstances surrounding the violation;
- An individual's disciplinary history;
- Previous complaints or allegations involving similar conduct; and/or
- Any other information deemed relevant by the Disciplinary Authority.

The following sanctions may be imposed:

- For students: warning, probation, fines, restitution, denial of privileges, assignment to perform services for the benefit of the CCCS community, re-assignment to another class section (including the option for an on-line section), suspension, expulsion, a “Cease Communications” directive, or a “No Trespass” directive.
- For CCCS employees: warning, corrective action, probation, restitution, denial of privileges, suspension, demotion, reduction of pay, termination of employment, a “Cease Communications” directive, or a “No Trespass” directive.
- For authorized volunteers, guests, or visitors: warning, probation, denial of privileges, removal from CCCS property, a “Cease Communications” directive, or a “No Trespass” directive.

In addition to sanctions, other action may be taken as deemed appropriate to bring an end to the violation, to prevent future reoccurrence, and to remedy the effects of the violation.

#### *Student Privacy*

The outcome of a CCCS investigation is an educational record of a student Respondent, and is subject to privacy protections under the federal Family Educational Rights and Privacy Act (FERPA). However, CCCS observes the legal requirements to disclose the records as follows:

- Complainants in non-consensual sexual contact/intercourse, sexual exploitation, sexual harassment, stalking, and/or relationship violence incidents have an absolute right to be informed in writing of the outcome, essential findings, and sanctions without condition or limitation.
- CCCS may release publicly the name, nature of the violation, and the sanction imposed for any individual who is found to have committed a “crime of violence,” including: arson, burglary, robbery, criminal homicide, sex offenses, assault, destruction/damage/vandalism of property, and kidnapping/abduction. CCCS will release this information to the Complainant in any of these offenses regardless of the outcome.
- CCCS reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, and/or change in student status or conduct situation, particularly alcohol and other drug violations. CCCS may also notify parents/guardians of non-dependent students who are under age 21 of alcohol and/or drug policy violations. Where a student is non-dependent, CCCS will contact the appropriate next of kin to inform them of situations in which there is a significant and articulable health and/or safety risk. CCCS also reserves the right to designate which CCCS officials have a need to know about individual conduct complaints pursuant to FERPA.

#### *Outside Reporting*

In addition to reporting to CCCS, any person has the right to file a police report. Complainants requiring assistance with this should contact the Title IX/EO Coordinator.

Student Complainants also have the right to make inquiries and/or file a complaint with:

Office for Civil Rights (OCR)  
U.S. Department of Education  
Cesar E. Chavez Memorial Building  
1244 Speer Boulevard, Suite 310  
Denver, CO 80204-3582  
Telephone: (303) 844-5695  
Facsimile: (303) 844-4303  
Email: [OCR.Denver@ed.gov](mailto:OCR.Denver@ed.gov)  
Web: <http://www.ed.gov/ocr>

Employee Complainants also have the right to make inquiries and/or file a complaint with:

Colorado Department of Regulatory Agencies (DORA)  
Colorado Civil Rights Division (CCRD)  
1560 Broadway  
Suite 825

Denver, CO 80202  
Telephone: (303) 894-2997  
Facsimile: (303) 894-7570  
Email: [dora\\_CCRD@state.co.us](mailto:dora_CCRD@state.co.us)  
Web: <https://www.colorado.gov/pacific/dora/civil-rights>

Or

United States Equal Employment Opportunity Commission (EEOC)  
303 E. 17th Avenue  
Suite 410  
Denver, CO 80203  
Telephone: (800) 669-4000  
Facsimile: (303) 866-1085  
Web: <https://www.eeoc.gov/field-office/denver/location>

#### Recordkeeping

Records of Civil Rights complaints (including Sexual Misconduct) must be maintained for a period of seven (7) years. Such records may include: Informal Resolution outcomes, Preliminary Investigation Reports, Final Investigation Reports, Determination Reports, recordings/transcripts of Live Hearings in Sexual Harassment cases, Notices of Findings, appeals and appeal outcomes, and discipline or remedies imposed.

#### Revising this Procedure

CCCS reserves the right to change any provision or requirement of this procedure at any time and the change shall become effective immediately.

### **APPENDIX A – DEFINITIONS**

ADA, Title VI, and Title VII Coordinator (EO Coordinator) and Title IX Coordinator(s) are the employee(s) designated at each College and the System Office to oversee all civil rights, including sexual misconduct, complaints. A “Deputy” EO and Title IX Coordinator may also be designated to act on behalf of the Coordinator. All references in policies and procedures to the Coordinator include the Deputy Coordinator.

Coercion, in the context of Sexual Misconduct, is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When a person makes it objectively clear that they do not want to engage in sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Complainant is a person who is subject to alleged inappropriate or unlawful civil rights behavior. For purposes of this procedure, a Complainant can be a CCCS employee, student, authorized volunteer, guest, or visitor.

Consent for sexual activity must be clear, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions demonstrate permission, based on an objective standard, regarding willingness to engage in (and the conditions of) sexual activity. Further, consent to any one form of sexual activity does not automatically imply consent to any other forms of sexual activity. Previous sexual activity or prior consent do not imply consent to future sexual acts. The consideration of prior, irrelevant sexual conduct, except relating to a prior relationship or history between the parties if relevant to some material issue in the process, is prohibited.

Disciplinary Authority is the individual with authority, or delegated authority, to impose discipline upon a Respondent.

Discrimination is any distinction, preference, advantage, or detriment given to a person based on one or more actual or perceived protected classes.

Force is the use of physical violence and/or imposing on someone physically to engage in sexual activity. Force also includes threats, intimidation (implied threats) and coercion that overcomes resistance.

Harassment is a form of Discrimination that includes Quid Pro Quo and Hostile Environment.

Hostile Environment occurs when a person is subjected to verbal or physical conduct based on a protected class that is sufficiently severe, persistent or pervasive, and objectively offensive to alter the conditions of a person's employment or unreasonably interfere with a person's ability to participate in or benefit from CCCS educational programs or activities, from both a subjective and objective viewpoint.

Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent. Incapacitation could result from mental or physical disability, sleep, unconsciousness, involuntary physical restraint, being underage, or from the ingestion of drugs or alcohol.

Sexual activity with someone whom one should know to be—or based on the circumstances should reasonably have known to be—mentally or physically incapacitated, is a form of Sexual Misconduct.

Use of alcohol or other drugs will never function as a defense to a violation of this procedure.

Investigator is a person charged to investigate the civil rights complaint by the Title IX/EO Coordinator.

Jurisdiction applies to behaviors that take place on a CCCS campus, at CCCS sponsored events, and may also apply to off-campus and online behavior when the Title IX/EO Coordinator determines that the off-campus or online behavior affects a substantial CCCS interest.

Quid Pro Quo is a type of Sexual Harassment that exists when an employee conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct, such as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature.

Respondent is a person whose alleged conduct is the subject of a complaint. For purposes of this procedure, a Respondent can be a CCCS employee, authorized volunteer, guest, visitor, or student.

Retaliation is any adverse employment or educational action taken against a person because of the person's participation, or perceived participation, in a complaint or investigation of discrimination and/or harassment. Retaliation includes acts to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege provided by applicable civil rights laws, policies and procedures.

Sexual Misconduct is a type of prohibited discrimination based on sex and includes, but is not limited to:

- *Sexual Harassment*, which may be in the form of Hostile Environment, Quid Pro Quo, Sexual Assault, Dating Violence, Domestic Violence or Stalking, as those terms are defined herein.
- *Non-Consensual Sexual Contact/Sexual Assault* (or attempts to commit same), which is any intentional sexual touching, however slight, with any body part or object, by any individual upon any individual, that is performed without consent. Sexual touching includes any bodily contact with the breasts, groin, genitals, mouth or other bodily orifice of another individual, or any other bodily contact in a sexual manner. Sexual assault also includes any nonconsensual sexual act proscribed by federal or state law, including when the victim lacks capacity to consent.
- *Non-Consensual Sexual Intercourse/Rape* (or attempts to commit same), which is any sexual penetration, no matter how slight, with any body part or object, or oral penetration by a sex organ of another person, without consent.
- *Dating Violence*, which 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. There is no Colorado state law on dating violence; therefore, CCCS abides by the definition used in the Violence Against Women Reauthorization Act (VAWA) of 2013.

- Dating Violence is violence and abuse committed by a person to exert power and control over a current or former dating partner.
- Dating violence often involves a pattern of escalating violence and abuse over a period of time. Dating violence covers a variety of actions, and can include physical abuse, physiological and emotional abuse, and sexual abuse. It can also include “digital abuse”, the use of technology, such as smartphones, the internet, or social media, to intimidate, harass, threaten, or isolate a victim.
- *Domestic Violence*, which includes any act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. Domestic Violence also includes any other crime against a person or property, including an animal or any municipal ordinance violation against a person, or against property, including an animal, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship. C.R.S. 18-6-800.3. Domestic violence further includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Colorado, or 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 Colorado.
  - Domestic violence is a pattern of abusive behavior in a relationship that is used by one partner to maintain power and control over another current or former intimate partner.
  - Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behavior that intimidates, manipulates, humiliates, isolates, frightens, terrorizes, coerces, threatens, hurts, injures, or wounds someone.
- *Stalking*, which is directly or indirectly through another person, is knowingly:
  - Making a credible threat to another person and, in connection with the threat, repeatedly following, approaching, contacting, or placing under surveillance that person, a member of that person’s immediate family, or someone with whom that person has or has had a continuing relationship; or
  - Making a credible threat to another person and, in connection with the threat, repeatedly making any form of communication with that person, a member of that person’s immediate family, or someone with whom that person has or has had a continuing relationship, regardless of whether a conversation ensues; or
  - Repeatedly following, approaching, contacting, placing under surveillance, or making any form of communication with another person, a member of that person’s immediate family, or someone with whom that person has or has had a continuing relationship in a manner that would cause a reasonable person to suffer serious emotional distress and does cause that person, a member of that person’s immediate family, or someone with whom that person has or has had a continuing relationship to suffer serious emotional distress. C.R.S. 18-3-602.
  - Stalking is a pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear. Stalking can include frightening communications, direct or indirect threats, and harassing a victim through the internet.
  - Stalking also includes engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.
- *Sexual Exploitation*, which 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 one being exploited. Examples include invasion of sexual privacy, prostituting another person, non-consensual recording of sexual activity, going beyond the boundaries of consent, engaging in voyeurism, knowingly transmitting a sexually transmitted infection or disease to another, exposing one’s genitals or inducing another to expose their genitals, possession or viewing of pornography on CCCS property or at CCCS activities, or sexually based bullying.

Supportive Measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to educational and employment programs and/or activities without unreasonably burdening the other party, including

measures designed to protect the safety of all parties or the educational/employment environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. CCCS will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of CCCS to provide the supportive measures. The Title IX/EO Coordinator is responsible for coordinating the effective implementation of supportive measures.

Other Civil Rights Offenses include, but are not limited to, the following, when the act is based upon one or more actual or perceived protected classes:

- Threatening or causing physical harm, verbal abuse, or other conduct which threatens or endangers the health or safety of any person.
- Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another.
- Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the CCCS community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity; hazing is also illegal under Colorado law.
- Bullying, defined as repeated and/or severe aggressive or negative actions or behaviors intentionally or reasonably likely to intimidate, hurt, control or diminish another person, physically, mentally, or emotionally. Bullying may include direct or indirect communications in verbal or nonverbal form and specifically includes bullying by electronic means (i.e. cyberbullying). Note: Any non-civil rights related bullying will be addressed under System Procedure 19-10, Bullying/Violence/Firearms on Campus.
- Violation of any other System or College rule.

#### D. Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint, the College will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights. The college shall assist victims with counseling, health, mental health, victim advocacy and legal assistance, as well as visa and immigration assistance and student financial aid services. The victim shall be made aware of services available both on the college campus and within the community. In Colorado, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

##### Rights Afforded to Victims-C.R.S. 24-4.1-302.5

In order to preserve and protect a victim's rights to justice and due process, each victim of a crime shall have the following rights:

- The right to be treated with fairness, respect, and dignity, and to be free from intimidation, harassment, or abuse, throughout the criminal justice process;
- The right to be informed of, be present or not present, and without submitting a written request for notification, for all critical stages of the criminal justice process as specified in state statute (C.R.S. 24-4.1-302(2));
- The right to be informed of the filing of a petition by a perpetrator of the offense to terminate sex offender registration pursuant to section 16-22-113(2)(c), C.R.S.;
- The right to be informed, upon request by the victim, when a person who is accused or convicted of a crime against the victim is released or discharged from county jail; and
- The right to be informed, upon written request by the victim, when a person who is accused or convicted of a crime against the victim is released or discharged from custody other than county jail, is paroled, escapes from a secure or non-secure correctional facility or program, or absconds from probation or parole.

Further, NJC complies with Colorado law in recognizing orders of protection by: letting local law enforcement know about such orders, and notifying hall directors and other persons of necessity of such orders. Any person who obtains an order of protection from Colorado or any reciprocal state should provide a copy to the Vice President of Student Services/Title IX Coordinator. A complainant may then meet with the Vice President of Student Services to develop a Safety Action Plan, which is a plan for college authorities and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, providing a temporary cellphone, changing classroom location or allowing a student to complete assignments from home, etc.)

Protection from abuse orders may be available through an Emergency Protection Orders, C.R.S. 13-14-103.

Any county or district court shall have the authority to enter an emergency protection order, which may include:

- Restraining a party from contacting, harassing, injuring, intimidating, threatening, molesting, touching, stalking, sexually assaulting or abusing any other party, a minor child of either of the parties, or a minor child who is in danger in the reasonably foreseeable future of being a victim of an unlawful sexual offense or domestic abuse;
- Excluding a party from the family home or from the home of another party upon a showing that physical or emotional harm would otherwise result;
- Awarding temporary care and control of any minor child of a party involved;
- Enjoining an individual from contacting a minor child at school, at work, or wherever he or she may be found;
- Restraining a party from molesting, injuring, killing, taking, transferring, encumbering, concealing, disposing of or threatening harm to an animal owned, possessed, leased, kept, or held by any other party, a minor child of either of the parties, or an elderly or at-risk adult; or
- Specifying arrangements for possession and care of an animal owned, possessed, leased, kept, or held by any other party, a minor child of either of the parties, or an elderly or at-risk adult.

In cases involving a minor child, the juvenile court and the district court shall have the authority to issue emergency protection orders to prevent an unlawful sexual offense, or to prevent domestic abuse, when requested by the local law enforcement agency, the county department of social services, or a responsible person who asserts, in a verified petition supported by affidavit, that there are reasonable grounds to believe that a minor child is in danger in the reasonably foreseeable future of being the victim of an unlawful sexual offense or domestic abuse, based upon an allegation of a recent actual unlawful sexual offense or domestic abuse or threat of the same. Any emergency protection order issued shall be on a standardized form prescribed by the judicial department and a copy shall be provided to the protected person.

A verbal emergency protection order may be issued only if the issuing judge finds that an imminent danger in close proximity exists to the life or health of one or more persons or that a danger exists to the life or health of the minor child in the reasonably near future.

To the extent of the victim's cooperation and consent, College offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal College investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services and assistance in notifying appropriate local law enforcement. The Student Success Center or the Vice President of Student Services will assist students with these efforts. Both are in the Hays Student Center, first floor. Written information about available accommodations shall be provided to the victim. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant. The College does not publish the name of crime victims nor house identifiable information regarding victims in the Daily Crime Log (housed in the Vice President of Student Services Office) or online. Victims may request that directory information on file be removed from public sources by request to the NJC Registrar (in the Records Office, Hays 116).

## Resources for victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking

### On-Campus

Department	Location	Phone
Human Resources or VPSS	Sterling Campus	970-521-6730 or 970-521-6657

### Community Resources

Agency	Address	Phone
Yuma Police	320 South Main Street	970-848-3878
Yuma District Hospital	1000 W 8th Avenue	970-848-5405
Rape Crisis Center (SARA)	418 Ensign Street Ft. Morgan	970-867-2121 or 855-440-SARA (toll free)
Victim's Advocate	310 Ash Street Suite G	970-332-4805
Yuma County Courthouse	310 Ash Street	970-332-4118

### Online State and National Resources:

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

<http://www.ccasa.org/> - Colorado Coalition Against Sexual Assault

<http://ccadv.org/> - Colorado Coalition Against Domestic Violence

<http://coavp.org/> - Colorado Anti-Violence Program, Building Safety and Justice for LGBTQ Communities

<https://www.colorado.gov/c-seap> - Colorado State Employee Assistance Program

<http://www.rainn.org> - Rape, Abuse and Incest National Network

<http://www.nsvrc.org> - National Sexual Violence Resource Center

<http://www.nrcdv.org/> - National Resource Center on Domestic Violence

<http://www.thehotline.org/> - National Domestic Violence Hotline

<http://www.survivorproject.org/> - Survivor Project (a resource for Intersex and Trans people)

<http://www.mencanstoprape.org/> - Men Can Stop Rape

<http://www.victimsofcrime.org/our-programs/stalking-resource-center/stalking-information/> - Stalking Resource Center

<http://maketheconnection.net/conditions/military-sexual-trauma> - Make the Connection (Support for Veterans)

<http://www.whitehouse.gov/1is2many-1> is 2 Many (Focus on teens and young women ages 16-24)

<https://www.notalone.gov/> - Not Alone Together Against Sexual Assault

<http://www.ovw.usdoj.gov/sexassault.htm> - Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

## E. Adjudication of Violations

Whether or not criminal charges are filed, the College or a person may file a complaint under the Civil Rights Grievance and Investigation Process. If the respondent to a complaint is a CCCS employee, authorized volunteer(s), guest(s), or visitor(s), SP 3-50b will apply. If the respondent is a student, SP 4-31a applies. The procedures can be located at <https://www.cccs.edu/about-cccs/state-board/policies-procedures/>. Reports of all domestic violence, dating violence, sexual assault and stalking made to any campus authority will automatically be referred to the Title IX Coordinator for investigation regardless if the complainant chooses to pursue criminal charges.

The College's civil rights grievance and investigation process, as well as the discipline process, will provide prompt, fair, and impartial investigation and resolution that is:

- Completed within reasonably prompt timeframes which, pursuant to our procedure, is sixty (60) days. If the college finds it necessary to extend this timeline, they may do so for good cause. The college will provide written notice to the accuser and the accused of the delay and the reason for the delay;
- The processes shall be conducted in a manner that is transparent to the accuser and accused;
- The processes allow for timely notice of meetings at which the accuser or accused, or both, may be present;
- Provides timely access to the accuser, the accused, and appropriate officials to any information that will be used after the fact-finding investigation but during the disciplinary meetings and hearings; and
- Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

All college officials involved with the investigation and discipline process are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking. These employees are taught how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability.

After the civil rights grievance and investigation process is concluded, the findings are shared with the disciplinary authority to begin the college's discipline process.

If the accused is an employee, sanction decisions are outlined in:

- For faculty, disciplinary action will be in compliance with BP 3-20:
- <https://www.cccs.edu/policies-and-procedures/board-policies/bp-3-20-due-process-for-faculty/>
- For classified employees, disciplinary action will be taken pursuant to the State Personnel Rules and Regulations: <https://www.colorado.gov/spb/rules-0>
- For administrative and professional/technical employees, there is no specific procedure outlined on discipline; therefore, the appointing authority will conduct a discipline process as outlined above.
- For authorized volunteers, guests and visitors, there is no specific applicable procedure; therefore, the appointing authority will conduct a discipline process as outlined above.

If the accused is a student, SP 4-30, Student Disciplinary Procedure, applies. The procedure can be located at <https://www.cccs.edu/about-cccs/state-board/policies-procedures/>.

The discipline process, in all cases, provides that:

1. The accuser and the accused each have the opportunity to meet with the CSSO, for students, or the Appointing Authority/Disciplinary Authority, for CCCS employees, authorized volunteers, guests and visitors;
2. Attend a hearing before a properly trained hearing panel or person;
3. The accuser and the accused each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or hearing; however, the complainant(s) or respondent(s) cannot be represented by an attorney or law student (legal

counsel) unless civil or criminal actions concerning the particular incident in question are pending. Under those limited exceptions, the legal counsel's role shall be advisory only. The party represented by legal counsel must notify the investigator(s) forty-eight (48) hours in advance of any scheduled meeting so that the investigator(s) can notify the other party.

An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing. These procedures are entirely administrative in nature and are not considered legal proceedings.

4. An employee and student conduct decision is based on the preponderance of evidence standard, i.e. "more likely than not to have occurred" standard. In other words, the conduct process asks: "is it more likely than not that the accused violated SBCCOE Policy or CCCS or College Procedure?";
5. The accuser and the accused will be notified simultaneously in writing of the outcome of any disciplinary proceeding, as well as any changes to those result or disciplinary actions prior to the time that such results become final and shall be given the rationale for the discipline decision.

When a complainant does not consent to the disclosure of his or her name or other identifiable information to the alleged perpetrator, the College's ability to respond to the complaint may be limited.

#### Confidentiality

The College will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law. The accommodations and the protective measures provided to victim shall also remain confidential.

#### Sanctions and Protective Measures

In all cases, investigations that result in a finding of more likely than not that a violation(s) has occurred may lead to the initiation of disciplinary procedures against the accused individual. Possible college sanctions are as follows:

- For students-warning, probation, fines, restitution, denial of privileges, assignment to perform services for the benefit of the college or community, re-assignment to another class section including on-line, eviction from residence halls, suspension, expulsion, a "Cease Communications" directive, or a "No trespass" directive.
- For CCCS employees- warning, written warning, corrective actions, probation, restitution, denial of privileges, suspension, demotion, termination of employment, a "Cease Communications" directive, or a "No trespass" directive.
- For authorized volunteers, guest(s), or visitors-warning, writing warning, denial of privileges, dismissal from college, a "Cease Communications" directive, or a "No trespass" directive.

Additionally, the College may implement protective measures following the report of domestic violence, dating violence, sexual assault and/or stalking which may include some or all of the following actions: eviction from residence halls, suspension or expulsion from classes, reassignment of classes, ban from certain locations on campus, required sessions with Ombudsman, Counselor or LEARN Coordinator. For students, sexual assault, domestic violence, dating violence, and stalking are violations of the Student Conduct Code. Employees who violate this policy will be subject to discipline, up to and including termination of employment. Sexual assault, domestic violence, dating violence, and stalking are criminal acts that also may subject the perpetrator to criminal and civil penalties under federal and state law.

The Title IX Coordinator will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective

measures include, but are not limited to: an order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Northeastern Junior College.

#### Sex Offender Registration

In accordance to the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the College is providing a link to the Colorado State Sex Offender Registry. All sex offenders are required to register in the state of Colorado and to provide notice of each institution of higher education in Colorado at which the person is employed, carries a vocation or is a student.

In Colorado, convicted sex offenders must register with the Colorado Bureau of Investigation (CBI). The Colorado sex offender website is <https://www.colorado.gov/apps/cdps/sor/>.

#### Prohibition on Retaliation

An institution, or an officer, employee, or agent of an institution, may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision in this policy.

#### Specific VAWA Procedures:

• Incident Being Reported:	• Procedure Institution Will Follow:	• Evidentiary Standard
Sexual Assault	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs. delayed report), institution will provide complainant with access to medical care</li> <li>2. Institution will assess immediate safety needs of complainant</li> <li>3. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will provide complainant with referrals to on and off campus mental health providers</li> </ol>	Sexual assault cases are referred to the Title IX Coordinator and are adjudicated by the institution's Sexual Misconduct and Civil Rights Grievance and Investigation Procedures using the <i>preponderance of the evidence</i> standard.

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|--|---|--|
|  | <ol style="list-style-type: none"><li>6. Institution will assess need to implement interim or long-term protective measures, such as housing changes, change in class schedule, “No Contact” directive between both parties</li><li>7. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</li><li>8. Institution will provide written instructions on how to apply for Protective Order</li><li>9. Institution will provide a copy of the Sexual Misconduct and Civil Rights Grievance and Investigation Procedures to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution</li><li>10. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is</li><li>11. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</li></ol> |  |
|--|---|--|



<ul style="list-style-type: none"> <li>Incident Being Reported:</li> </ul>	<ul style="list-style-type: none"> <li>Procedure Institution Will Follow:</li> </ul>	<ul style="list-style-type: none"> <li>Evidentiary Standard</li> </ul>
<ul style="list-style-type: none"> <li>Stalking</li> </ul>	<ul style="list-style-type: none"> <li>Institution will assess immediate safety needs of complainant</li> <li>Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>Institution will provide written instructions on how to apply for Protective Order</li> <li>Institution will provide written information to complainant on how to preserve evidence</li> <li>Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</li> </ul>	<ul style="list-style-type: none"> <li>Stalking cases are referred to the Chief Conduct Officer and adjudicated using the <i>preponderance of the evidence</i> standard. If the stalking is sexually based, it may fall under the institution’s Sexual Misconduct Procedure and if so, would be referred to the Title IX Coordinator and adjudicated under the institution’s Sexual Misconduct and Civil Rights Grievance and Investigation Procedures using the <i>preponderance of the evidence</i> standard.</li> </ul>

Dating Violence	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> </ol>	<p>Dating Violence cases are referred to the Chief Conduct Officer and adjudicated using the <i>preponderance of the evidence</i> standard. If the dating violence incident is sexually based, it may fall under the institution's Sexual Misconduct Procedure and if so, would be referred to the Title IX Coordinator and adjudicated under the institution's Sexual Misconduct and Civil Rights Grievance and Investigation Procedures using the <i>preponderance of the evidence</i> standard.</p>
Domestic Violence	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> </ol>	<p>Domestic Violence Cases are referred to the Chief Conduct Officer and adjudicated using the <i>preponderance of the evidence</i> standard. If the act of domestic violence is sexually based, it may fall under the institution's Sexual Misconduct Procedure and if so, would be referred to the Title IX Coordinator and adjudicated under the institution's Sexual Misconduct and Civil Rights Grievance and Investigation Procedures using the <i>preponderance of the evidence</i> standard.</p>

## Main Campus Clery Geography and Non-Campus Clery Geography locations

In order to comply with the Federal Clery Act requirements, NJC is required to report all Clery Crimes that occur and are reported to us, within the Clery Geography of the campus properties. This means "on-campus" crimes that occur and are reported to us in or on any building or property that is owned or controlled by the institution, or is within the same reasonably contiguous geographic area, and is used by Northeastern in direct support of, or in a manner related to, the institutions educational purposes.

We also must report any crimes that may occur on or in any building or property that is within or reasonably contiguous to this said geography, that is owned by the institution but controlled by another person, and is frequently used by students, and supports our institutional purposes.

Finally, we also must request the assistance of Law Enforcement authorities in the reporting of Clery Crimes which may occur on or in non-campus buildings or properties, with which NJC has an agreement to use or control, even temporarily. For example, if a hotel is used once every year, or over the span of more than one night in a row by a traveling team or club.

The following maps and information detail the Clery Geography for the Northeastern Junior College Yuma Campus location.

### Northeastern Junior College, Yuma Campus, Main Campus Clery Geography

The Yuma Campus is a fully separate, independent campus of Northeastern Junior College, which is located at 910 South Main Street, Yuma, Colorado, 80759. This is a new satellite campus for Northeastern, as of 2019, which directly borders with the Yuma High School property. All public property that is immediately adjacent to or within the core campus is also included in the Clery Geography, therefore the Yuma High School (Public Property) automatically becomes a part of Northeastern Clery Geography. Yuma High School: Address, 1000 S Albany St, Yuma, CO 80759

Northeastern Junior College holds ESL, GED classes for the community and a concurrent enrollment computer class for Yuma High School. Additional classes such as welding are under planning.

The Public properties and roadway sections as outlined below and within the red outline of the map, including any sidewalks on the outside edge of the street to the red outline, are Northeastern Clery Geography.

- W 9<sup>th</sup> Avenue, from S Ash Street to S Main Street
- South Main Street, from the intersection of W and E 9<sup>th</sup> Avenue to the intersection of W and E 10<sup>th</sup> Avenue
- W 10<sup>th</sup> Avenue from Ash Street across to the intersection of E 10<sup>th</sup> Avenue and S Albany Street
- S Albany St, from E 10<sup>th</sup> Ave to County Rd. 37.5
- County Road 37.5, from S Albany St. back to S Ash Street
- S Ash Street, from County Road 37.5 to W 9<sup>th</sup> Avenue

Legend:

**Red** = Campus Clery Geography

**Orange**= Campus Proper (owned, or future MOU)

**Dark Green**= Public Roadways

**Yellow** = Property Structures (are private) not owned by the college.



## **The Northeastern Junior College Fire Safety**

Fire Safety is very important, anytime, anywhere. Standard Clery Fire Safety requirements are applicable to residential campuses, and require that fire systems, statistics and records be published in the ASR. As the Northeastern Junior College Yuma Campus is not residential, that information is not required. Northeastern takes Fire Safety as seriously as other Safety and Security issues, and wishes for everyone to be conscious of the relevant Fire Safety protocols and procedures. Always be aware of your surroundings, know your exit options and where fire alarm pull stations and fire extinguishers are located.

### **DEFINITIONS** (as defined by the Act)

**Fires:** any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

**Fire Safety Systems:** any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. Examples include sprinkler systems, fire detection devices, stand-alone smoke alarms, and fire doors and walls.

### **Fire Safety protocols and procedures**

#### **Fire Protocols**

At the main campus in Sterling, each fall, the Student Housing staff is given fire training, in which College Fire Safety topics are covered, provided by the Coordinator of Campus Safety & Security. Fire drills are conducted in all residential facilities at least once a year, preferably twice, once during each of the fall and spring semesters. Fire safety rules and procedures are provided to students in the Student Handbook. Any resident who purposely and maliciously attempts to set fire to, or burn, or causes to be burned or procures the burning of any building in the Student Housing Program, or any of the furnishings or equipment in, attached to, or around such buildings will be subject to prosecution and penalty under the laws of the State of Colorado. Violation of this policy will result in removal from the Student Housing Program and termination of the Housing Contract. Individuals intentionally causing false fire alarms are in violation of state laws and will be removed from the Student Housing Program. In addition, residents tampering with any fire-fighting equipment (i.e., extinguishers, hoses, alarms, exit signs, smoke detectors, etc.) will be removed from the Student Housing Program and may be subject to further disciplinary action by College officials, and/or the criminal justice system. Fire extinguishers and suppression systems are regularly tested. Fire evacuation drills are performed each semester in the residence halls, and residence hall staff receives annual fire safety training. Fire safety education and training programs include evacuation drills conducted at College buildings annually and include identifying the location of safety devices (Fire alarm pull stations, AEDs, alternate exits and areas of refuge). Fire extinguisher training is available, upon request, to Housing staff (RA, HDs, AHDs), Faculty and Staff.

Please feel free to contact Campus Safety & Security for more information regarding fire safety, education or training, please contact Trenton Schwarzer, the Coordinator of Campus Safety & Security, at 970-521-6683. Report any incidents or concerns to him as well.

#### **Handbook Policies**

The following items are published and can be referenced in the Student Handbook. Fireworks, firecrackers, open flames (candles or oil lamps), explosive materials of any kind, and the burning of incense are prohibited at all times in the Northeastern Junior College residence halls. Smoking is not permitted in any campus housing facility or anywhere on campus. Appliances with open coils such as toaster ovens, hot plates, and toasters are prohibited in the residence hall facilities. Only one microwave and one small refrigerator are permitted in each residence hall room.

### **To Report a Fire**

In order to report smoke or an active fire call 911. If you smell smoke, immediately contact campus authorities to investigate further, even if you do not see fire. If a minor fire appears controllable, immediately contact a campus authority and call 9-1-1 and use the fire extinguisher by directing the charge towards the base of the flame. If it is an uncontrollable fire, immediately contact the Sterling Fire Department and 9-1-1. If you find evidence that a fire occurred and has been extinguished, and you are not sure College has already responded, notify the Department to investigate and document the incident.

### **Evacuation Procedures**

Do not panic; stay as calm as possible. You will need to think clearly to make the right decisions.

Take your keys and student ID with you. Take small personal items (your backpack, briefcase, purse, etc.), if you have time.

Feel the door knob with the back of your hand or palm to test for heat. If the door is cool, brace yourself against it, and open it slowly to check for flames and/or smoke. If there is smoke in the air, stay low and move quickly in a crouched position or crawl to the nearest exit. The most breathable air is always near the floor.

If one exit is blocked, try the next nearest exit.

Leave room door closed. Alert others by shouting or knocking on doors as you make your way to the stairs. Always escape via stairs – never use the elevators

Stay together at a safe distance (300 to 500 feet, upwind) from the building until Campus Safety advises you can return to the building.

Failure to evacuate a building is taken very seriously by the College Housing and could result in disciplinary action.

### **If You Are Trapped Or Unable To Exit:**

Stay calm and take steps to protect yourself.

Close the room door(s).

Put cloth at the bottom of the door(s).

Call 911 (9-911 from a campus phone) and stay on the line and state your location.

If possible, move to a room with an outside window.

Stay where rescuers can see you through the window and wave a light-colored item to attract their attention.

If possible open the window at the top and bottom. Be ready to shut the window quickly if smoke rushes in.

Be patient. The rescue of occupants of large structures could take time.

There are fire extinguishers located on every floor as well as in the main office of each residence hall. Please take time to familiarize yourself with the locations of fire exits, fire extinguishers, and pull-alarm stations in your residence hall.

Tampering with fire extinguishers can leave you and others unprotected in case of a fire. Please remember, false alarms could reduce the response of residents when a fire occurs. If hall residents cannot trust the legitimacy of the fire alarm, they may find themselves trapped by fire in a real emergency. Abuse of fire equipment, false alarms, and arson are serious crimes. Violators are subject to fines, College disciplinary procedures, and criminal prosecution.

