



**2021 Annual Security Report
and
Annual Fire Safety Report**
Yuma Campus
Sterling, Colorado

*For the Calendar Year
January-December 2020*

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Section 1: Introduction to the Annual Security Report

Introduction

Thank you for taking time to read this document, the combined **Annual Security Report (ASR)**. This document is reviewed and updated annually per the requirements of the federal law known as the Clery Act, and in keeping with the requirements of the Colorado State Board of Education, and the Colorado Community College System.

Northeastern Junior College (College or Northeastern) values the safety and security of our campus community, including all students, faculty, staff and visitors. Therefore, this document details the policies and procedures that Northeastern uses to deter and respond to crimes on campus. In it, you will find listings of the measures the College has taken to help maintain personal safety. Suggestions on how to 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, are also included.

This report explains policies, programs and systems that are in place, and statistics for crime incidents which happen on or within the campus “Clery Geography.” These statistics are collected from our own records, which include any reports made to us from any source, as well as what is reported to us from our Campus Security Authorities (CSA’s). Northeastern also sends out formal requests for crime statistics to all law enforcement agencies which have jurisdiction over our “Clery Geography.” While these requests for statistics are made, these agencies are not required to provide their statistics, and so not all statistics may be shared, and some data provided may not be in a manner that provides adequate information for statistical determination. The records which include crime reports, incident reports entered into our online reporting system, referrals for disciplinary action, as well as copies of timely warnings, etc., are maintained by the Student Services and Campus Safety & Security Offices.

The Northeastern Junior College Yuma Campus (Yuma Campus) is a satellite campus located in Yuma, Colorado. Yuma Campus was opened in 2019 when Northeastern made a commitment to provide post-secondary educational opportunities to the residents of Yuma and the surrounding county. Northeastern proudly partners with its community partners in Yuma and leases office space at the Yuma Campus to community members to include: The Colorado State

Patrol Yuma Troop Office, SARA House, Yuma Library, Yuma County Economic Development, Department of Motor Vehicles, Yuma County Clerk, Northeastern Colorado Association of Local Governments (NECALG) Agency on Aging, Yuma County Human Services, and the Yuma County Division of Fire Prevention & Control.

Unlike the Northeastern's main campus, Yuma Campus does not offer on-site residential housing. As such, the Clery Act does not require the Annual Fire Safety Report portion, because there is no residential housing at the location.

Like other small, rural community colleges, Northeastern 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 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 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 where personal security is taken 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.

The ASR is completed and posted by October 1 of each year. (The 2020 ASR was set back to the end of December by the U.S. Department of Education because of the SARS-CoV-2, COVID-19 Pandemic). Each ASR contains the applicable statistical data for the previous three calendar years.

Note: On October 9, 2020 the U.S. Dept. of Education rescinded and archived the "Handbook for Campus Safety and Security Reporting" (2016 Edition), but it was not eliminated. At the same time, the provided "Clery – related" Appendix to the Federal Student Aid Handbook "does not have the force and effect of law" behind it. The National Association of Clery Compliance Officers and Professionals, as well as the Colorado Community College System have advised the continued use of the "Handbook."

The content that follows in this section (1), is meant to give you the background, and a thorough understanding of what Annual Security Report and the Annual Fire Safety Report are all about, through an understanding of the Jeanne Clery story, and the resulting Clery Act, the VAWA Act, and other related laws. More details and specific Policies and Procedures will follow throughout the remaining sections.

Please feel free to call the Coordinator of Campus Safety (970-521-6683), the Vice President of Student Services (970-521-6657), or the Director of Resident Life (970-521-6655) for more information.

The Clery Act

Jeanne Ann Clery



The Clery Act was named after Jeanne Ann Clery, a 19-year-old Lehigh University student who was raped and murdered in her campus residence hall room on April 5, 1986, the spring of her freshman year. This crime was committed by another student who entered her unlocked room, after entering her dormitory through a propped open exterior door. This attack on Jeanne Clery was one of 38 violent crimes recorded at the university in a three-year timespan.

As Jeanne's parents, Connie and Howard Clery, learned more about their daughter's death, they grew convinced that she had died because of "slipshod" security on campus. At the time, Lehigh University's vice president, John Smeaton, said that security measures were "more than adequate, reasonable and appropriate for our setting and our situation. You can't prevent everything from happening." Nonetheless, the Clery family believed that campus crime statistics had been significantly underreported, and they argued that, had the university's crime record been known, Jeanne would not have attended school there. Her murder triggered a backlash against unreported crimes on campuses across the country.

Jeanne's parents believed the University had failed to share this vital information with its students, and campaigned for legislative reform for several years following their daughter's death, and their efforts resulted in the passage of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

The **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**, (originally the Crime Awareness and Campus Security Act, or in short, the Clery Act), was enacted by the 101st United States Congress and signed into law in 1990 by President George W. Bush. These are part of several amendments over the years to the original Higher Education

Act of 1965, which was written to expand the federal government's role in higher education policy. This federal [statute](#) is codified in [20 U.S.C. § 1092\(f\)](#), with implementing regulations in the [U.S. Code of Federal Regulations, 34 CFR 668.46](#).

This landmark federal law requires all colleges and universities that participate in federal financial aid programs (Title IV funding) to keep and disclose information about certain crime(s) on and near their respective campuses. The Act delineates these specific "Clery" crimes, which, if they are known or reported to occur on or near campus, are required to be recorded and addressed. It also requires that institutions provide educational programs and campaigns promoting awareness of dating violence, domestic violence, sexual assault and stalking, and supply victims of these crimes with information, in printed form, explaining their rights and options, and the procedures that they should follow, and that the institution will follow. (See more in Clery Act Requirements section).

The ***Campus Sexual Assault Victims' Bill of Rights*** This law was signed into law by President George W. Bush in July of 1992 and exists as a part of the campus security reporting requirements under the Clery Act, as a result of the 1992 amendments to the Higher Education Act of 1965. (Public Law: 102-325, section 486). This law affords sexual assault victims certain basic rights.

In cases of sexual assault on campus, survivors shall have:

1. The right to have any and all sexual assaults against them treated with seriousness; the right, as victims, to be treated with dignity; and the right for campus organizations which assist such victims to be accorded recognition.
2. The right to have sexual assaults committed against them investigated and adjudicated by the duly constituted criminal and civil authorities of the governmental entity in which the crimes occurred; and the right to the full and prompt cooperation and assistance of campus personnel in notifying the proper authorities. The foregoing shall be in addition to any campus disciplinary proceedings.
3. The right to be free from any kind of pressure from campus personnel that victims –
 - A. Not report crimes committed against them to civil and criminal authorities or to campus law enforcement and disciplinary officials; or
 - B. Report crimes as lesser offenses than the victims perceive them to be.
4. The right to be free from any kind of suggestion that campus sexual assault victims not report, or under-report, crimes because –
 - A. Victims are somehow responsible for the commission of crimes against them
 - B. Victims were contributorily negligent or assumed the risk of being assaulted; or
 - C. By reporting crimes they would incur unwanted personal publicity.
5. The same right to legal assistance, or ability to have others present, in any campus disciplinary proceeding that the institution permits to the accused; and the right to be notified of the outcome of such proceeding.

6. The right to full and prompt cooperation from campus personnel in obtaining, securing, and maintaining evidence (including a medical examination) as may be necessary to the proof of criminal sexual assault in subsequent legal proceedings.
7. The right to be made aware of, and assisted in exercising any options, as provided by the State and Federal laws or regulations, with regard to testing of sexual assault suspects for communicable diseases and with regard to notification to the victims of the results of such testing.
8. The right to counseling from any mental health services previously established by the institution, or by other victim-service entities, or by victims themselves.
9. After campus sexual assaults have been reported, the victims of such crimes shall have the right to require that campus personnel take necessary steps or actions reasonably feasible to prevent any unnecessary or unwanted contact or proximity with alleged assailants, including immediate relocation of the victim to safe and secure alternative housing, and transfer of classes if requested by the victims.
10. In addition to the above rights, sexual assault victims have a right to be free from sexual or physical intimidation in campus housing and in campus accommodations for which the college receives any compensation, direct or indirect.

<https://www.congress.gov/bill/102nd-congress/senate-bill/1289/text>

<https://www.govinfo.gov/content/pkg/STATUTE-106/pdf/STATUTE-106-Pg448.pdf>

Final Version

<https://www.federalregister.gov/documents/1994/04/29/94-10207/student-assistancegeneral-provisions-campus-safety>

These clarifications were added with the 2013 *Violence Against Women Reauthorization Act*.

- ✓ When survivors are notified of their right to notify law enforcement, it should be clear that they may opt to decline to notify authorities as well.
- ✓ Both parties shall be notified simultaneously of the outcome of any disciplinary hearing, of procedures to appeal, of any change of results prior to final results, and the final results.
- ✓ Written notification must be given to victims or survivors about their rights, options, and assistance the school is required to provide, including the institution's obligation to arrange appropriate accommodations for academic, counseling, health services, legal advocacy and assistance, filing criminal reports, housing and transportation, financial aid assistance, immigration and visa assistance, help with employment concerns, and various other on-campus and off-campus needs.
- ✓ Information regarding how the institution will protect the confidentiality of victims or survivors, including how publicly available record keeping will be accomplished without the inclusion of identifying information about the victim or survivor, to the extent permitted by law.

- ✓ Written notification to students and employees about existing resources and services on campus and with the local community, including counseling, medical and mental health services, immigration and visa assistance, and legal services.

See the following link regarding changes made at the U.S. DOE regarding the use of The Handbook for Campus Safety and Security Reporting.

<https://fsapartners.ed.gov/knowledge-center/library/electronic-announcements/2020-1009/rescission-and-replacement-2016-handbook-campus-safety-and-security-reportingupdated-jan-19-2021>

Through guidance from the Colorado Community College System office, Northeastern will continue to refer to the handbook for guidance. The policies and procedures that Northeastern Junior College follow are guided by the standards set forth by the State Board for Community Colleges and Occupational Education. See the following links:

<https://www.cccs.edu/about-cccs/state-board/> <https://www.cccs.edu/policies-and-procedures/board-policies/bp-19-20-jeanne-clerydisclosure-of-campus-security-policy-and-campus-crime-statistics-act/> <https://www.cccs.edu/policies-and-procedures/system-presidents-procedures/sp-19-20jeanne-clery-disclosure-of-campus-security-policy-and-campus-crime-statistics-act/>

Other Related Laws (and understanding how they work together)

The **Campus Sexual Violence Act, or the Campus “SaVE Act,”** is a series of VAWA (**Violence Against Women Act**) amendments to the Clery Act (Section 304 of the **Violence Against Women Reauthorization Act**). This provision, as an amendment update to the Clery Act, was a part of The Violence Against Women Reauthorization Act, and was signed into law by President Obama on March 7, 2013. It essentially integrates VAWA into the Clery Act, though the VAWA provisions also interconnect with Title IX. See “Understanding How Clery and Title IX Interconnect” on page 12.

Violence Against Women Act (VAWA): The (original) Violence Against Women Act was a landmark federal law originally enacted in 1994, which provided comprehensive provisions to improve the criminal justice response to violence against women, specifically related to sexual and domestic violence. In 2013, President Obama signed the **Violence Against Women Reauthorization Act**, which among other provisions, amended the Clery Act (the Campus SaVE Act updates) to require institutions to compile statistics for incidents of **Dating Violence, Domestic Violence, Sexual Assault, and Stalking**, and require institutions to include certain

policies, procedures, and programs pertaining to these incidents in the ASR, and in their practices.

The **Sexual Assault crimes** of rape, fondling, incest and statutory rape are covered in the reporting of “Criminal Offenses,” the first of the four categories of crimes and offenses that are required to be reported under the Clery Act (**Criminal Offenses, Hate Crimes, VAWA Offenses and Arrests and Referrals for Disciplinary Action**). These Sexual Assault crimes fall under “Criminal Offenses category based on the FBI’s UCR (Uniform Crime Reporting program). The **VAWA** Offenses category then gives special attention to Dating Violence, Domestic Violence and Stalking, thereby incorporating VAWA into the Clery Act structure.

See the following links for a full explanation of the Federal Code:

<https://www.federalregister.gov/documents/2014/10/20/2014-24284/violence-againstwomen-act>

<https://ecfr.federalregister.gov/current/title-34/subtitle-B/chapter-VI/part-668/subpartD/section-668.46>

This is a summary of the Major Provisions of This Regulatory Action as shown in the federal register. They -

- Require institutions to maintain statistics about the number of incidents of dating violence, domestic violence, sexual assault, and stalking that meet the definitions of those terms;
- Clarify the very limited circumstances in which an institution may remove reports of crimes that have been “unfounded” and require institutions to report to the Department and disclose in the annual security report the number of “unfounded” crime reports;
- Revise the definition of “rape” to reflect the Federal Bureau of Investigation's (FBI) updated definition in the UCR Summary Reporting System, which encompasses the categories of rape, sodomy, and sexual assault with an object that are used in the UCR National Incident-Based Reporting System;
- Revise the categories of bias for the purposes of Clery Act hate crime reporting to add gender identity and to separate ethnicity and national origin into separate categories;
- Require institutions to provide to incoming students and new employees and describe in their annual security reports primary prevention and awareness programs. These programs must include: a statement that the institution prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as those terms are defined in these final regulations; the definitions of these terms in the applicable jurisdiction; the definition of “consent,” in reference to sexual activity, in the applicable jurisdiction; a

description of safe and positive options for bystander intervention; information on risk reduction; and information on the institution's policies and procedures after a sex offense occurs;

- Require institutions to provide, and describe in their annual security reports, ongoing prevention and awareness campaigns for students and employees. These campaigns must include the same information as the institution's primary prevention and awareness program;
- Define the terms “awareness programs,” “bystander intervention,” “ongoing prevention and awareness campaigns,” “primary prevention programs,” and “risk reduction;”
- Require institutions to describe each type of disciplinary proceeding used by the institution; the steps, anticipated timelines, and decision-making process for each type of disciplinary proceeding; how to file a disciplinary complaint; and how the institution determines which type of proceeding to use based on the circumstances of an allegation of dating violence, domestic violence, sexual assault, or stalking;
- Require institutions to list all of the possible sanctions that the institution may impose following the results of any institutional disciplinary proceedings for an allegation of dating violence, domestic violence, sexual assault, or stalking;
- Require institutions to describe the range of protective measures that the institution may offer following an allegation of dating violence, domestic violence, sexual assault, or stalking;
- Require institutions to provide for a prompt, fair, and impartial disciplinary proceeding in which: (1) Officials are appropriately trained and do not have a conflict of interest or bias for or against the accuser or the accused; (2) the accuser and the accused have equal opportunities to have others present, including an advisor of their choice; (3) the accuser and the accused receive simultaneous notification, in writing, of the result of the proceeding and any available appeal procedures; (4) the proceeding is completed in a reasonably prompt timeframe; (5) the accuser and accused are given timely notice of meetings at which one or the other or both may be present; and (6) the accuser, the accused, and appropriate officials are given timely and equal access to information that will be used during informal and formal disciplinary meetings and hearings;
- Define the terms “proceeding” and “result”; and
- Specify that compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act ([20 U.S.C. 1232g](#)), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

VAWA crimes, and the related Criminal Offense Sexual Assault crimes of Rape, Fondling, Incest and Statutory Rape interconnect the Clery Act with Title IX as you will see shortly.

Though the Violence Against Women Reauthorization Act expired in 2019, it is expected to be reauthorized. Because it was incorporated into the Clery Act, its tenants continue to be adhered to.

Title IX: Title IX is a federal, civil rights law that prohibits gender discrimination in education programs and activities. Title IX ensures that universities and colleges are proactive in handling complaints and have established policies and procedures for addressing discrimination, harassment and violence, and that they provide support for survivors.

The policies and procedures that Northeastern Junior College follow are guided by the standards set forth by the State Board for Community Colleges and Occupational Education. See the following links:

<https://www.njc.edu/safety-and-security/title-ix> <https://www.cccs.edu/about-cccs/state-board/>
<https://www.cccs.edu/policies-and-procedures/s-p-19-60-civil-rights-and-sexual-misconductresolution-process-definitions>

See the following information from the Federal Register:

<https://www.federalregister.gov/documents/2020/05/19/2020-10512/nondiscrimination-on-the-basis-of-sex-in-education-programs-or-activities-receiving-federal>

See “**Understanding How Clery and Title IX Interconnect**” on page 15.

The FERPA Exception: FERPA, the **Federal Education Rights and Privacy Act**, protects the privacy of a students’ educational records. Any disclosures in regard to the Clery Act, would only be in context to the following exception as it applies in the case of a Health or Safety Emergency.

Health or Safety Emergency

“In some situations, a school official may determine that it is necessary to disclose personally identifiable information from a student’s education records to appropriate parties in order to address a health or safety emergency. FERPA’s health or safety emergency provision permits such disclosures, without the consent of the parent or eligible student, if necessary, to protect the health or safety of the student or other individuals. See 34 CFR §§ 99.31(a)(10) and 99.36. This exception to FERPA’s general consent requirement is limited to the period of the emergency and generally does not allow for a blanket release of personally identifiable information from a student’s educational records. Typically, law enforcement officials, public health officials, trained medical personnel, and parents (including parents of an eligible student) are the types of appropriate parties to whom information may be disclosed under this FERPA exception. Disclosures for health or safety emergency reasons do not include disclosures to address emergencies for which the likelihood of occurrence is unknown, such as would be

the case in emergency preparedness activities. Rather, disclosures made under the health or safety emergency provision must be “in connection with an emergency,” which means it must be related to an actual, impending, or imminent emergency, such as a natural disaster, a terrorist attack, a campus shooting, or the outbreak of an epidemic disease.

Under this health or safety emergency provision, an educational agency or institution must determine whether to disclose personally identifiable information from educational records on a case-by-case basis, taking into account the totality of the circumstances pertaining to a threat to the health or safety of the students or others. If the school, school district, or postsecondary institution determines that there is an articulable and significant threat to the health or safety of the student or other individuals, it may disclose that information to appropriate parties without consent. 34 CFR §§ 99.36. The phrase “articulable and significant threat” means that if a school official can explain why, based on all the information then available, the official reasonably believes, for instance, that a student poses a significant threat, such as a threat of substantial bodily harm to any person, including the student, the school official may disclose personally identifiable information from educational records without consent to any person whose knowledge of the information will assist in protecting a person from threat. This is a flexible standard under which the Department defers to school administrators so that they may bring appropriate resources to bear on the situation, provided that there is a rational basis for the educational agency’s or institutions decisions about the nature of the emergency and the appropriate parties to whom the information should be disclosed. We note also that, within a reasonable period of time after the disclosure is made under this exception, an educational agency or institution must record in the student’s educational records the articulable and significant threat that formed the basis for the disclosure, and the parties to whom the information was disclosed. 34 CFR § 99.32(a)(5).”

<https://studentprivacy.ed.gov/resources/addressing-emergencies-campus>

https://studentprivacy.ed.gov/sites/default/files/resource_document/file/emergencyguidance.pdf

<https://studentprivacy.ed.gov/resources/school-resource-officers-school-law-enforcementunits-and-ferpa>

Drug-Free Schools and Campuses Regulations: The original Drug-Free Schools and Communities Act, or DFSCA, required all educational institutions, including colleges and universities which utilize Title IV student aid funding “or any other form of financial assistance under any federal program,” to “certify that it has adopted and implemented a program ‘to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees,’ otherwise referred to as “DRUG AND ALCOHOL ABUSE PREVENTION” regulations and programs. The DFSCA was amended in 1989, and differentiates the K-12 requirements from the newer Higher Education regulations “as articulated in the *Education Department General*

Administrative Regulations (EDGAR) Part 86, (known as) The Drug-Free Schools And Campuses Regulations.” A reduction in the use of alcohol and other drugs on campuses clearly impacts the over-all Safety and Security of campus life, and these regulations are meant to assist in preventing the illegal use of alcohol and other drugs (AOD) on campus. The most recent revisions by the Trump Administration directly ties this requirement, as a part of the Clery Act, to Federal Student Aid. See the links below.

<https://www.govinfo.gov/content/pkg/FR-1996-12-17/pdf/96-31874.pdf>
<https://www.ecfr.gov/cgi-bin/textidx?SID=393301a7cdcca1ea71f18aae51824e7&node=34:1.1.1.1.30&rgn=div5#se34.1.86.13> https://fsapartners.ed.gov/knowledge-center/fsa-handbook/2020-2021/vol2/ch6-consumerinformation-and-school-reporting#pid_1065012

Understanding How Clery and Title IX Interconnect

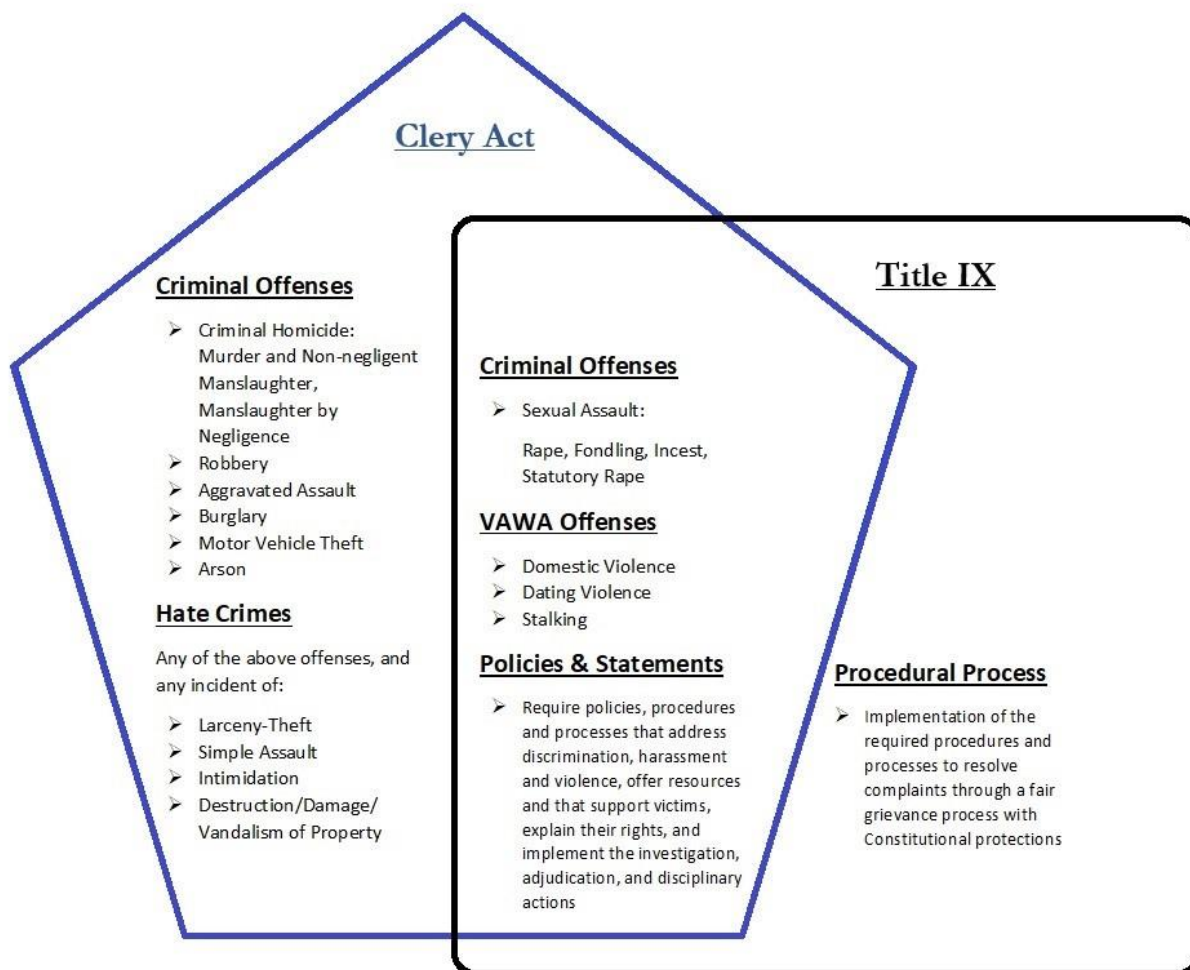
Both the Clery Act and Title IX apply to institutions that receive Federal financial student aid assistance under Title IV funding. Through the enactment of the “Campus SaVE Act,” by the reauthorization of the VAWA Act, VAWA was expanded and incorporated into Clery. Though the Clery Act and Title IX are separate laws, they interconnect and work together in the realm of the Sexual Assault crimes of Rape, Fondling, Incest and Statutory Rape, and the added VAWA crimes of Dating Violence, Domestic Violence, and Stalking, to supply a comprehensive structure for addressing the Safety and Security of students, faculty and staff.

The Clery Act is the federal law establishing requirements for institutions of Higher Education regarding crime awareness and protections (including the Violence Against Women Act, which was incorporated into the Clery Act in 2014), and establishes requirements for the dissemination of Timely Warnings and Emergency Notifications for cases of serious crimes and life safety emergencies on or near campus, as well as recording and publishing statistics for “Clery” crimes. The Clery Act also requires that “residential” campuses, record and publish fire safety information and statistics.

Title IX is the Federal civil rights law of 1972, which was a follow-up to the Civil Rights Act of 1964. The Civil Rights Act of 1964, and its parallel counterpart, Title VI, were passed to end discriminations based on race, color, religion, sex and national origin, however, they did not prohibit sex discrimination against persons in educational institutions. In general, now, Title IX lays out Civil Rights protections regarding various discriminations, sexual harassment and assaults. It also establishes the requirements for policies, procedures and processes for addressing these issues, the investigation, adjudication, and discipline that may result, and requires that institutions provide certain supportive measures for survivors.

See **Reportable Crimes and definitions under the Clery Act** further below for detailed explanations of Clery Act Crimes, including the Sexual Assault Criminal Offenses and the VAWA Offenses, as well as Hate Crimes and Arrests and Referrals for Disciplinary Action.

The following graphic shows how Clery and Title IX interconnect, and work together.



The Campus SaVE Act amendments to the Clery Act, as a provision of the Violence Against Women Reauthorization Act (VAWA), included Domestic Violence, Dating Violence and Stalking. These Offenses, along with the Criminal Sexual Assault Offenses, are included under the jurisdiction of both the Clery Act and the Title IX Act.

Both – the Clery and Title IX Acts require:

- That institutions of higher education provide victims of sexual violence with information, in writing, about options for and available assistance with how to request changes to

academic, living, transportation, and working accommodations, as well as other supportive and protective measures.

- Both Acts supply guidance for disciplinary procedures for sexual violence incidents.
- Both Acts require institutions to explain the types of proceedings, steps involved, and timelines for such proceedings within their policies.
- Both Acts require training for individuals involved in the disciplinary proceedings.
- And, both Acts state that certain individuals have reporting responsibilities when they become aware that sexual violence has occurred. Under the Clery Act, these individuals are designated “Campus Security Authorities,” or “CSA’s,” and under Title IX, they are referred to as “Responsible Employees” or “Responsible Reporters.”

Victims of sexual violence are encouraged to report these crimes to local Law Enforcement, and institutions are required to advise victims of that right, either on their own or with the assistance of the institution, but it is understood that this is often a difficult step to take. The Title IX process allows a victim to address the crime within the structure of the institution, therefore reducing their exposure to the criminal justice system. If a victim chooses to address it internally, the institution may notify law enforcement of the event, but not disclose the personal details.

Clery Act Policy and Procedures

Clery Policy Statement

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

Northeastern Junior College does not discriminate on the basis of sex in its educational programs; sexual harassment and sexual violence are considered types of sex discrimination. Other acts may also be defined as 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 that addresses 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, Northeastern Junior College prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment to emphasize 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). Vie all SBCCOE Board Policies (BP) governing sexual misconduct. BP 3-120, Affirmative

Action/Anti-Discrimination, prohibits employee sexual misconduct and BP 4-120, Prohibition of Discrimination or Harassment, prohibits student sexual misconduct.

Additionally, the Board has delegated procedural authority to the Colorado Community College System Chancellor. As a result, view the pertinent CCCS System President's Procedures (SP) on Sexual Misconduct. SP 3-120a applies to CCCS employees, authorized volunteers, guests and visitors. SP 4-120a applies to students.

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.

APPLICATION

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

BASIS

Pursuant to the Board Policy (BP) 19-20, Colleges shall establish a Clery Committee to meet at least annually to review the College's Clery Act compliance efforts. The College President shall designate a Clery Compliance Officer. The Clery Compliance Officer shall work with the Clery Committee to develop and implement policies and procedures regarding the College's Clery Act obligations.

PROCEDURE

College Responsibilities:

1. All faculty, staff and students must promptly and accurately report all suspected Clery Act Crimes and significant emergencies or dangerous situations occurring on "On Campus property," "Non-Campus Property," and "Public Property" to campus safety/security. Additionally, all employees and students should and are encouraged to report these crimes to the Sterling Police Department, or the proper law enforcement agency with jurisdiction. This is especially important when the victim of a crime elects to, or is for reason of incapacitation, unable to make such a report.

See Section 3: Reporting Emergencies, Criminal Offenses, and Other Concerns

"Northeastern Junior College has implemented the following procedure for collecting, storing and managing incident reports from CSA's.

All reports are to be submitted through the Maxient Reporting System. Reports shall be routed to the Vice President of Student Services, who may assign them to others for investigation depending on the category of the incident. Offenses reported in the

residence halls shall be primarily investigated by the Director of Residence Life. Alcohol and Drug Violations shall be investigated by either the Director of Residence Life or the Vice President of Student Services. Additional Support shall be provided by the Student Guidance Coordinator. Weapons offenses, hate crimes, and other serious offenses shall be assigned to the Vice President of Student Services. Sexual offenses and harassment shall be assigned to the Director of Human Resources, who also serves as our Title IX Coordinator. In addition to being entered in the Maxient Reporting System, offenses that are criminal in nature shall be added to the daily crime log by the Vice President of Student Services. Once incidents have been investigated and a finding has been determined, the assigned investigator shall close the case in Maxient. Sanction letters shall be generated in Maxient and sent to the relevant party or parties in the incident. All reported incidents remain filed/stored in the Maxient Reporting System, even after they are cleared, so they can easily be referenced at a later date. Only Maxient users with level 4 or level 5 status can access closed reports in Maxient.”

- It is important to note that the crimes documented in this report are solely based on the fact that the crime was reported. Just because a crime was reported does not always necessarily mean a crime occurred. Pursuant to Clery Act requirements, higher education institutions *must* list all crimes, as they are reported. Only *sworn law enforcement* (police, sheriff’s deputies, federal investigators, etc.) can determine a report of a crime to be unfounded. Regardless of the College’s findings regarding an alleged crime, the crime *must* be listed on both the daily crime log and the Annual Safety Report unless and until the crime is ruled unfounded by a *sworn law enforcement* official.
2. All campus departments must provide a contact name to campus safety/security to serve as a “Clery Liaison.” The Clery Liaison shall be responsible for the following:
 - Identifying and registering Campus Security Authorities (CSAs) within the unit/division;
 - Registering all Non-Campus Property used by the unit/division;
 - Registering locations where students go on College-sponsored travel, provided that (a) the duration of travel lasts more than one night in a row; or (b) there is repeated use on an annual or more frequent basis of a specific location used for accommodation (e.g., hotel, inn, hostel).
 3. All campus departments must maintain for seven (7) years all Clery Act-related documentation in accordance with Federal law.

Campus Security Authority (CSA) Responsibilities:

1. CSAs must complete annual training
2. CSAs must report suspected Clery Act Crimes that are brought to their attention or that they personally witness, regardless whether the victim or alleged suspect are associated with the campus.
3. CSAs must complete and submit a CSA Crime Report Form.

Office of Student Life (OSL) Responsibilities:

1. OSL must promptly report any Clery Act Crimes to the campus safety/security.
2. OSL must submit any liquor, drug or weapon violations resulting in discipline to campus safety/security for inclusion in the Annual Security Report.
3. OSL shall coordinate with campus safety/security to issue Missing Student Notification within 24 hours.

College Housing Responsibilities:

1. College Housing must notify all College Housing residents that the resident may enter a Missing Student Notification contact form, or into the Banner database.

Facilities Department Responsibilities:

1. By January of every year, the Facilities Department must provide the Clery Compliance Coordinator a list of all buildings or property owned or controlled by the College, including specific address information and a notation of those properties that fall within the Core Campus.
2. The Facilities Department must annually review the Clery Geography Map and building list and update as appropriate with the representatives of campus safety/security.
3. The Facilities Department must provide an electronic version and printed versions of the Clery Geography Map to the Clery Compliance Coordinator. This permits this information to be shared with local law enforcement authorities.
4. The Facilities Department must notify the Clery Compliance Coordinator when buildings or property owned or controlled by the College are bought, sold, or the use of such property changes, to allow updates to the Clery Geography Map and building list.

Human Resources Responsibilities:

1. Human Resources must include language in all job postings regarding how to access the Colleges Annual Security Report.
2. Human Resources shall annually provide the Clery Compliance Officer any liquor, drug, or weapon violations resulting in discipline for an employee.

Office of Admissions Responsibilities:

1. The Office of Admissions must include language in materials to prospective students on how to access the College's annual security reports.

Campus Safety Responsibilities:

1. Must compile and disclose statistics of reports on the type of Clery Act Crimes that occurred on On-Campus Property, Non-Campus Property, and Public Property. (*See How the Annual Security Report and Crime Statistics are Prepared*).
2. Must collect reports of Clery Act Crimes made to campus safety/security, local law enforcement, and CSAs.
3. Must complete the Department of Education's annual Campus Safety and Security Survey. Colleges must submit statistics for the three previous calendar years.
4. Must, by October 1st of each year, disclose to the campus community and the public, an Annual Security Report, including:
 - Clery Act Crimes data by type;
 - College policies and procedures in place to protect the community; and • Information on the handling of threats, emergencies and dangerous situations.
 - Policy statement as required by VAWA.
5. The Clery Compliance Officer must notify, via email, all currently enrolled students and employees of the availability of the Annual Security Report, providing: (i) a statement of the reports availability; (ii) a list and brief description of the information contained in the report; (iii) the exact URL (a direct link) for the website at which the report is available; and (iv) a statement that a paper copy of the Annual Security Report is available without fee upon request, written or otherwise.
6. Ensure that annual training is provided for all CSAs.
7. Determine, on a case-by-case basis, whether and when to issue Timely Warning alerts ("Crime Alerts") to inform the campus community and surrounding communities about Clery Act Crimes, depending on when and where the incident occurred, when it was reported, and the amount of information known by the campus safety/security. Campus safety/security will issue a Crime Alert whenever a serious crime or series of crimes on Campus Property and in College-owned or controlled properties poses a continuing risk to students and employees. Campus safety/security may issue Crime Alerts for crime classifications such as: murder, manslaughter, sex offenses, robbery, aggravated assault, burglary, and arson.
8. Campus safety determines, on a case-by-case basis, whether and when to issue Emergency Notifications to the campus community and surrounding community. Campus safety may issue a text alert if a situation poses a verified, imminent, or ongoing potential threat to the safety, security, or health of students or employees, and to expedite emergency response and/or evacuation procedures.

9. Campus safety shall coordinate with Office of Student Life to issue a Missing Student Notification within 24 hours.
10. Campus safety must maintain a Daily Crime Log and make the Daily Crime Log available for public review.
11. Campus safety shall work with the campus departments to establish Clery Act related educational programs and promotion of safety awareness programs.

Specifically, Campus Safety shall work with the campus departments to establish primary prevention and awareness programs for incoming students and employees and ongoing prevention and awareness campaigns for students and employees for VAWA that must cover domestic violence, dating violence, sexual assault, and stalking. All educational programs for VAWA must:

- Identify domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- Define what behavior constitutes domestic violence, dating violence, sexual assault, and stalking pursuant to Colorado law; (SP 19-60)
- Define what behavior and actions constitute consent to sexual activity in the State of Colorado;
- Provide safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander;
- Provide information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks; and
- Provide information on the procedures that the College will adhere to after a sex offense occurs.

End Policy Statement

Department of Education Clery Act Requirements and Compliance

The following further explains the elements that are required by the Clery Act.

Annual Security Report

By October 1 of each year, institutions of Higher Education that receive Federal funding must publish and distribute their Annual Security Report (ASR) to current and prospective students and employees. If the institution is a residential campus, they must also publish their Annual Fire Safety Report. These can be individual or combined documents. This can be made available as a digital document via email, or they may also provide notice of the report and where to find it on their website by providing the URL, and finally how to obtain a paper copy if desired. This report is required to provide crime statistics for the prior three years, policy statements

regarding various safety and security measures, campus crime prevention program descriptions, and procedures to be followed in the investigation and prosecution of alleged sex offenses.

Collect, publish and disclose Crime Statistics

Each institution must (1) collect, classify and count crime reports and crime statistics of “Clery Crimes” which occurred on their “Clery Geography” that are reported to them, publish them in the ASR, and (2) submit them to the U.S. Department of Education through their Web-based data collection portal. See Reportable Crimes below.

Maintain a Crime Log

If an institution has a police department, or a Campus Safety Department, are also required to maintain a crime log of all crimes (not just Clery Crimes) that are reported to them, or of which they are made aware, documenting the nature, date, time, and general location of each crime and its disposition, if known. These incidents must be entered into the Crime Log within two business days of being made aware of the crime. This log must be accessible to the public during normal business hours and remain open and available for sixty (60) days. These statistics must then be made available within two business days upon request after the sixty days.

Alert the Campus with Timely Warnings or Emergency Notifications

Institutions are required to notify the campus community about certain Clery Crimes and other Life Safety Emergencies that represent a serious or “ongoing threat” with a **Timely Warning**, or an **Emergency Notification** alert upon “confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety” of the campus community. In conjunction with this, campuses must have emergency notification, response and evacuation procedures and policies in place and published them in the ASR. This includes at least one annual test of this system.

Provide educational programs and campaigns

Institutions are required to provide primary (to all incoming students and new employees) and ongoing – prevention and awareness programs and campaigns, to promote awareness of dating violence, domestic violence, sexual assault and stalking.

Have procedures for institutional disciplinary action

Institutions are required to have procedures in place for disciplinary action in cases of dating violence, domestic violence, sexual assault and stalking, and to disclose their policies and procedures in the ASR.

Missing Student Notification Procedure

Institutions with on-campus student housing facilities are required to disclose missing student notification procedures for students who reside in those facilities. See Appendix B.

Clery Compliance

Compliance is monitored by the U.S. Department of Education, which can impose fines, up to \$59,017.00 per violation, against institutions for each infraction and can suspend institutions from participating in the federal financial aid programs.

Reportable Crimes and definitions under the Clery Act

The Clery Act requires that that institutions report criminal statistics that fall into the following **four general categories**: Criminal Offenses, Hate Crimes, VAWA Offenses and Arrests and Referrals for Disciplinary Action.

Category 1 Criminal Offenses

1. Criminal Homicide offenses are separated into the following two categories:

a. Murder and Non-Negligent Manslaughter

The willful (non-negligent) killing of one human being by another. This includes any death caused by injuries received in a fight, argument, quarrel, assault or the commission of a crime.

b. Manslaughter by Negligence

The killing of another person through gross negligence. This includes any death caused by the gross negligence of another.

2. 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. This includes attempted sexual assault.

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. This includes both female or male victims. Include the crime as Rape, regardless of the age of the victim, if the victim did not consent or if the victim was incapable of giving consent.

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.

Reminder: Though these Sexual Assault Offenses are a distinct subset of the category 1 Criminal Offenses, they are also part of the category 3 VAWA Offenses.

3. 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. Essential elements include the crime being committed in the presence of a victim, being directly confronted by the offender, the victim being threatened with force or being put in fear that force will be used, involving a Theft or Larceny.

4. Aggravated Assault

An aggravated assault is 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. Included are assaults or attempts to kill or Murder, Poisoning (including the use of date rape drugs), Assault with a dangerous or deadly weapon, Maiming, Mayhem, Assault with explosives, and Assault with disease (where the offender is aware that he or she is infected with a deadly disease and deliberately attempts to inflict the disease by biting, spitting, etc.).

5. Burglary

The unlawful entry into a structure with the intent to commit a felony or a theft. Included are any degree of Burglary by law enforcement, breaking and entering with the intent to commit a larceny or felony, etc., including Forcible Entry, Unlawful Entry (No Force, the element of trespass), and Attempted Forcible Entry. Burglary must have three elements:

- a. Evidence of unlawful entry
- b. Within a structure defined as having four walls, a roof and a door
- c. With the intent to commit a felony or a theft

6. Motor Vehicle Theft

The theft or attempted theft of a motor vehicle. This includes all incidents where a motor vehicle is taken by persons not having lawful access, even though it is later abandoned, including joyriding.

7. Arson

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft or personal property of another, etc. Classify as Arson only fires determined to have been willfully or maliciously set; Attempts to burn; Any fire that investigation determines to meet the UCR definition of Arson regardless of the value of any property damage; Incidents where an individual willfully or maliciously burns his or her own property.

Category 2 Hate Crimes

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's **bias** against the victim. Although there are many possible categories of bias, under the Clery Act, only the following eight categories are reported.

1. **Race.** A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.
2. **Religion.** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.
3. **Sexual Orientation.** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation.
4. **Gender.** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
5. **Gender Identity.** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.
6. **Ethnicity.** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.

7. **National Origin.** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.
8. **Disability.** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Note: For Clery Act purposes, **Hate Crimes** include any of the following criminal offenses that are motivated by bias. Murder and Non-negligent Manslaughter, Sexual Assault, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson. **Additionally**, Larceny-Theft, Simple Assault, Intimidation and Destruction/Damage/Vandalism of Property are included only when Hate bias is a motivating factor. The following definitions apply to these added crimes:

1. **Larceny-Theft** is the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.
2. **Simple Assault** is an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possibly internal injury, severe laceration, or loss of consciousness.
3. **Intimidation** is to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
4. **Destruction/Damage/Vandalism of Property** is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Category 3 VAWA Offenses

The third category of crime statistics that must be disclosed under the Clery Act are those added to the Clery Act by the Violence Against Women Act, Dating Violence, Domestic Violence and Stalking. *Sexual Assault, though a VAWA crime, is designated by the FBI as a Criminal Offense, therefore it is placed in Category 1 Criminal Offenses.*

1. **Dating Violence** is defined as 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 the relationship, and the frequency of interaction between the persons involved in the relationship.

For the 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.

2. Domestic Violence is defined as a felony or misdemeanor crime 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 the jurisdiction in which the crime of violence occurred.
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction, in which the crime of violence occurred.

To be categorized as an incident of Domestic Violence, the relationship between the perpetrator and the victim must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

3. Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to –

- ✓ Fear for the person's safety or the safety of others; or ✓ Suffer substantial emotional distress.

For the purposes of this definition –

- (A) course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

Category 4 Arrests and Disciplinary Referrals for Violation of Weapons, Drug Abuse and Liquor Laws

The fourth category of crime statistics that must be disclosed is the **number of arrests** and the **number of persons referred for disciplinary action**. This is not to include violations of “policy” only, which did not have an associated violation of law. The following law violations, which occur on our Clery Geography resulting in arrest or referral for disciplinary action are:

1. Weapons: Carrying, Possessing, Etc.; 2. Drug Abuse Violations; and 3. Liquor Law Violations

Disclosure Procedure for Disciplinary Proceeding for any Violent Crime or non-forcible sex offense (Incest or Statutory Rape)

Upon written request, Northeastern Junior College will disclose to the alleged victim of a crime of violence (U.S. Code, Title 18, PART 1, CHAPTER 1, Section 16 – “Crime of violence” means –

- (a) an offense that has an element the use, attempted use, or threatened use of physical force against the person or property of another, or
- (b) any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.)

or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by Northeastern, against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Daily Crime Log

The Vice President for Student Services maintains the Daily Crime Log at that office (Room 120) in the Hays Student Center. This log provides information regarding any crime that was reported to the Vice President for Student Services, the Coordinator of Campus Safety & Security or other Campus Safety Authorities and recorded through the on-line reporting process (See the *Reporting* section) and which occurred within the campus Clery Geography. This log includes the nature, date and time (for both when the incident occurred and when it was reported), the general location of the incident, and the disposition of the complaint if known. The log does not include individual names or specific locations. These incidents must be entered into the Crime Log within two business days of being made aware of the crime. This log

must be accessible to the public during normal business hours and remain open and available for sixty (60) days.

Unfounded Crimes

Crime reports which have been “unfounded,” and subsequently withheld from the crime statistics in the ASR and the DOE Web-based Survey, must still be included as “unfounded.” A crime is considered unfounded *only* if a sworn or commissioned law enforcement officer makes a formal determination that the report is false or baseless, after a complete and thorough investigation is conducted and concluded. “Nor can a crime report be designated unfounded merely because the investigation failed to prove that the crime occurred; this would be an inconclusive or unsubstantiated investigation.”

How the Annual Security Report and Crime Statistics Are Prepared

This ASR is reviewed and updated annually to comply with the requirements of the federal Clery Act Law and the US Department of Education, in collaboration with the Campus Safety Coordinator, the Vice President of Student Services, the Director of Resident Life. Statistics are collected from reported incidents as recorded in the Crime Log, and in the Maxient Reporting System, which are both overseen by the Vice President of Student Services. Students, employees, even the public, and especially victims and witnesses of crimes, are urged to report any crimes or other incidents to any Campus Security Authority, to the Coordinator of Campus Safety and Security, the Vice President of Student Services, or the Director of Resident Life. The campus community, as well as the public at large, are asked to enter reports via the “Report a concern” tab under “Tools,” at the bottom of the website home page, www.njc.edu, or go to [Safety and Security - Incident Report | Northeastern Junior College \(njc.edu\)](http://www.njc.edu/safety-security/incident-report)

Anyone is able to **anonymously** enter a report into this system as well. Also, the Coordinator of Campus Safety & Security reaches out to the relevant Law Enforcement agencies to request that Clery Crimes to which they have responded, on Clery Geography be reported to the Safety & Security office. This information is reviewed by the Vice President of Student Services and the Coordinator of Campus Safety & Security, and then entered into the record.

Availability of the Annual Security Report

A copy of the Annual Security Report (ASR), the Daily Crime Log and the Fire Log may be obtained, free of charge, or viewed at the Student Services Office or by contacting the Coordinator of Campus Safety. A digital copy of the ASR is sent to all students, faculty and staff via their school email. A digital copy, or information on how to obtain a copy, is provided to prospective students and employees.

Clery Geography: Northeastern Junior College Campuses and Other 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.



Section 2: Northeastern Campus Safety & Security

Overview of the Northeastern Campus Safety Department (Scope of Authority)

Northeastern Junior College presently employs one staff member as the Coordinator of Campus Safety. This position is an unsworn position, which means that this position has no arrest authority. The duties of this position are to develop and enhance the Safety & Security program and procedures for the campus, which include security, fire and life safety procedures and training programs, chairing the Safety & Security Committee, and the process of Clery Act compliance, amongst other duties and responsibilities.

The Coordinator of Campus Safety and the other Student Services/Resident Life Staff work closely with the Sterling Police Department and the Sterling Fire Department, as well as the Logan County Sheriff's Office, the Colorado State Patrol and the Logan County Office of Emergency Management to grow all aspects of Safety & Security on campus. Northeastern does not have any Memorandums of Understanding with any of these agencies, but appreciates the willingness of these agencies to assist in providing a safe and secure environment for our students, staff, stakeholders, and the public at large.

When a crime is committed, all criminal law enforcement responsibilities are provided by one of our partners mentioned above, primarily the Sterling Police Department, as the main campus falls within the city limits. The Equine program is largely held at the facilities that we utilize at the Logan County Fairgrounds, and the Applied Technology Campus borders Logan County and the City of Sterling line, so each of those agencies has participated in assisting us at one point or another with our law enforcement, Safety and Security needs.

Northeastern Campus Safety & Security Mission Statement

Our Mission is to create and maintain a safe and secure environment where teaching and campus life can thrive and succeed.

Crime Prevention and Awareness

Safety Tips

Campus Safety Begins with You

The College has made provisions to protect and preserve individuals and property by securing buildings, locked and supervised residence halls, supervised activities, continued monitoring of campus lighting, and staff on duty. 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. If a friend is not available, call the RA Walk-Back Program to arrange for an RA to walk you to your Residence Hall or car.

- 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 Vice President of Student Services or the Coordinator of Campus Safety & Security.
- Always lock your door when in your room or apartment. Don't leave the door to your room or doors to a building unlocked or propped open for friends to visit later. Make arrangements to meet them to let them into the building.
- Don't let strangers into the building or into your room.
- Do not put your address on your key holder.
- Keep emergency numbers in your cell phone.

Personal Property

- Keep your room locked at all times, 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 area 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

Bystander Intervention Being an effective bystander:

It is important to be aware of your surroundings, this is called Situational Awareness. When you become aware that someone may be in a tense situation, look around you and think about what is happening, who is around, are there any hazards? What options do you have? Having or developing the skills to assist in reducing harm to others, and to deal with concerning situations is a very important way to contribute to a positive culture on campus, and to the overall Safety and Security of the campus community. Helping others is an important foundation to being a citizen and neighbor, and most people are motivated to look out for each other. Trust your instincts, if something doesn't feel right, it probably isn't. If possible, ask others if they are getting the same feeling. If necessary, call for help.

Effective strategies for intervening and helping others.

- **Be Direct**
Some situations are straightforward, like when someone trips or simply needs help and can't help themselves. Being direct may be your best option.
- **Be Creative, Use a Distraction**
Sometimes being direct has the potential to backfire, especially if tempers flare or someone is under the influence of something, even if there is the possibility that you are reading the situation wrong. Creating a distraction to draw someone's attention away from the problem or to interrupt a tense situation can be effective.
- **Go Covert**
Again, being creative and flying under the radar, so to speak, can be a really useful strategy when you don't want to make the situation even more tense, or risk embarrassing them, or being too obvious about what you are trying to do.
- **Be Resourceful, Got Others to Help**

If possible, try to alert others of the situation, or even try to enlist their help prior to getting involved. This might look like getting someone who is better trained to help, or who has authority to address the situation. It also may simply mean getting someone who is with you, or someone else who is available to recognize the problem and to assist in the distraction.

- Right Now vs. Later on

If it's not an imminent emergency, especially if you are acquainted with the parties involved, you might have the option to talk to them at a later time, or to report it to someone who can step in to assist. This can give you time to gather your thoughts and think about what to say or figure out other options.



Section 3: Reporting Emergencies, Criminal Offenses, and Other Concerns

Reporting Emergencies: Always dial 911 in the event of an active emergency, crime, fire, life threatening or medical emergency situation.

Responsibilities and Rights in Reporting

Immediately contact any Campus Security Authority, such as an RA, Housing Director, the Student Services Office or Campus Safety at 970-521-6683, if the issue is of a serious nature, or if you have questions. Faculty and Staff should create an Incident Report following these same guidelines.

As stated in the Policy Statement Procedure in Section 1: All faculty, staff and students must promptly and accurately report all suspected Clery Act Crimes and significant emergencies or dangerous situations occurring on On-Campus property, Non-Campus Property and Public Property to campus safety/security. Additionally, all employees and students should and are encouraged to report these crimes to the Sterling Police Department, or the proper law enforcement agency with jurisdiction. This is especially important when the victim of a crime elects to, or is for reason of incapacitation, unable to make such a report.

Any Student may, and is encouraged - to create either a Complaint form or an Incident Report, depending on the severity of an issue. Victims and witnesses of crimes especially, are encourage to enter an Incident Report. Anyone is able to ***anonymously*** enter a report into this system as well. This will help us in not only assisting victims, but in properly recording and reporting.

Reporting a crime to Law Enforcement is not only a Clery Act/VAWA Victims Right, but it is also a right in the State of Colorado. The Victim Rights Act became state law in 1993. This applies to certain crimes, including sexual assault. "In the state of Colorado, you have a variety of reporting options. Colorado recognizes that sometimes you just need time to know what it is you want to do and to understand what is available to you." Visit [YOU have the RIGHTco.org](http://YOUhavetheRIGHTco.org) to learn more.

"If you choose to seek medical care and have evidence of the assault collected, there are three "reporting" options available to adults aged 18-69 years old, who are not deemed at risk by state law. In two of the options, you can seek medical care, have evidence collected, and not be asked to work with or even speak with the police.

The term "reporting" is used for these options, but only one of them means you would be "reporting" to the police.

If you experienced your sexual assault in an educational context (K-12 and college/university), you have additional rights. Visit the Legal Rights page for more information."

<https://youhavetherightco.org/services/colorado-reporting-options/>

<https://youhavetherightco.org/services/what-are-my-legal-rights/>

Confidentiality in Reporting: You may advise the Title IX Coordinator, the Vice President for Student Services, the Coordinator of Safety, or any CSA that you wish, for the information that you share to remain confidential and every effort will be made to follow through with that, but this cannot always be guaranteed. 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.

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.

Pastoral Counselors and Professional Mental Health Counselors

Northeastern does not employ or use professional or volunteer mental health or pastoral counselors on staff. The Student Services Department has a Student Guidance Coordinator, in the Student Success Center who students can meet with. They may then be referred to professional or pastoral resources within the community.

“Northeastern Junior College does not have a specific procedure or practice that encourages pastors or professional counselors to inform their college student or college employee clients of procedures to report crimes for inclusion in our crime statistics. If pastors or professional counselors choose to direct clients to our procedures, it is strictly based on their own discretion without any prompting from college officials.”

Student organizations with non-campus locations

Northeastern Junior College does not have any recognized student organizations with non-campus housing facilities or other non-campus locations. Subsequently, there is no need to arrange with local law-enforcement to monitor such for reporting of criminal activity.

Procedures for Reporting an Incident or a Crime which has occurred previously, or a Non-Emergency Situation, and writing an Incident Report

As always, please contact Campus Safety or any Campus Safety Authority (CSA) with any questions. When writing a report, be sure to include the following elements, When, Who, What, Where, How and Why. Write the narrative in step by step story form, from the beginning to the end, being sure to include these elements and as many relevant details as possible. Remember that writing a formal report means that it may become a legal document which can be used in court. Review your narrative for content, grammar and spelling, ask others that you trust for their input during this review, but also remember to keep to keep personal information confidential.

[Safety and Security - Incident Report | Northeastern Junior College \(njc.edu\)](#)

Reporting a Sexual Assault, Sexual Harassment and Misconduct, Domestic Violence, Dating Violence, or Stalking

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 attention, 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 Title IX Coordinator at 970-521-6730.

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at the Yuma District Hospital, located at 1000 W 8th Avenue, Yuma, Colorado 80759, or call 970-848-5405. If in the Sterling, Colorado area, go to the Sterling Regional Medical Center, located at 615 Fairhurst Street, Sterling, Colorado 80751, or call (970) 522-0122. 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, brush/sanitize his or her teeth/mouth, 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 possible pregnancy and/or concerns of 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 College will assist any victim with notifying local police if they so desire. Contact a Campus Security Authority (such as an RA or other Resident Life Staff, a Coach, or a Club Sponsor), to assist the victim in contacting (or contact directly) the Title IX Coordinator (970-521-6730), the Vice President of Student Services (970-521-6657) or Campus Safety-(970-521-6683). The Yuma Police Department may also be reached directly by calling 911, or the Non-emergency number at 970-848-5441, in person at 216 E 3rd Ave., Yuma, Colorado, 80759. If the survivor/complainant is in the Sterling area, the Sterling Police Department may be contacted directly by calling 911, calling the non-emergency number at 970-522-3512, or in person at 421 N 4th St, Sterling, CO

80751. Additional information about the Yuma Police Department and/or the Sterling Police Department may be found online at:

<https://cityofyuma.colorado.gov/departments/emergency-services/police-department>
https://www.sterlingcolo.com/departments/police_department/index.php

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, V.P. Steve Smith, located at the Hays Student Center, or by phone at 970-521-6657, or by email at steven.smith@njc.edu, or Campus Safety & Security, 970-521-6657 (if the victim so desires).

The Title IX Coordinator is ultimately responsible to assure (in all cases) that the behavior is brought to an end, the College acts to reasonably prevent its recurrence and the effects on the victim and the community are remedied. The Campus Safety Coordinator is also responsible to assure that training is conducted annually for all advocates, investigators, hearing officers, panelists and appeals officers that encompass a hearing process that protects the safety of victims and promotes accountability. Training will focus on sexual misconduct, domestic violence, dating violence, sexual assault, stalking, sexual harassment, retaliation and other behaviors that may be considered forms of sex or gender discrimination covered by Title IX and Clery Act. Training will help those decision-makers in the process to protect the safety of victims and to promote accountability for those who commit offenses.

The College will provide resources to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and

stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions against violators of this policy.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders that may be related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Campus Public Safety or other law enforcement, in order to preserve evidence in the event that the victim changes her/his mind at a later date.

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.

Assistance for Victims, Rights and 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, Northeastern 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 provide 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). Victims may request

that directory information on file be removed from public sources by request to the Northeastern Registrar (in the Records Office, Hays 116).

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.

Procedures for Disciplinary Action

The Chief Student Services Officer (CSSO) or designee shall receive all allegations of student misconduct, investigate the complaints, which includes meeting with the student to give him/her the opportunity to respond to the allegations of misconduct. If the allegations of misconduct are discrimination and/or harassment based on federal or state civil rights laws, the College will investigate those incidents through CCCS System Procedure SP 19-60, Civil Rights and Sexual Misconduct Resolution Process. For incidents occurring prior to August 12, 2020, please refer to CCCS SP 3-50b and SP 4-31a via the following link:

<https://www.cccs.edu/aboutcccs/state-board/policies-procedures/>

Once the investigation is complete, either through this process or the Civil Rights Grievance and Investigation Process, the CSSO or designee shall render a sanction decision. 1. The CSSO or designee may decide that the charges can be disposed of administratively by mutual consent of

the parties involved on a basis acceptable to Northeastern and in compliance with applicable law. If an administrative resolution is not achieved, the CSSO or designee shall issue a decision which determines whether the alleged conduct occurred; whether the conduct violated the Code of Conduct or College procedures; and impose a sanction(s) if appropriate. In cases of domestic violence, dating violence, sexual assault and stalking, the complainant and the respondent will be notified simultaneously in writing of the outcome of any disciplinary proceeding, as well as any changes to those results or disciplinary actions prior to the time that such results become final and shall be given the rationale for the discipline decision. The student shall receive written notice of the decision and be advised of her/his right to appeal the decision, subject to the grounds below, by filing a written appeal with the CSSO or designee within seven (7) days of service of the decision. Appeal: In the event of an appeal, the CSSO or designee shall give written notice to the other party (e.g., if the accused student appeals, the appeal is shared with the complainant who may also wish to file a response), and then the CSSO or designee will draft a response memorandum (also shared with all parties). All appeals and responses are then forwarded to the Appeals Officer or committee for initial review to determine if the appeal meets the limited grounds and is timely. The original finding(s) and sanction(s) will stand if the appeal is not timely or substantively eligible, and the decision is final. If the appeal has standing, the documentation is reviewed. Because the original finding(s) and sanction(s) are presumed to have been decided reasonably and appropriately, the party appealing the decision must specifically cite the error(s) in the original determination on which the appeal is based. The only grounds for appeal are as follows:

1. A material procedural or substantive error occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures); which must be explained in the written appeal; or
2. To consider new evidence, unavailable during the investigation or hearing that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included in the written appeal, as well as the reasons the new evidence was not available during the original proceeding. Failure to participate in the initial process does not constitute as new information for the appeal process. If the Appeals Officer or committee determines that a material procedural or substantive error occurred, it may return the complaint to the CSSO or designee with instructions to reconvene, in order to cure the error. In rare cases of bias, where the procedural or substantive error cannot be cured by the CSSO or designee, the Appeals Officer or committee may order that a new hearing be held by a different individual acting in the place of the designated CSSO or designee. The results of a reconvened hearing cannot be appealed. The results of a new hearing can be appealed once on (either or both of) the two applicable grounds for appeals. If the Appeals Officer or committee determines that new evidence should be considered, it will return the complaint to the CSSO or designee to reconsider in light of the new evidence, only. If the subject matter pertains to civil rights violations pursuant to SP 19-60 (or prior to August 12, 2020, pursuant to SP

4-31a), the Appeals Officer or committee will return the complaint to the Title IX/EO Coordinator to reconsider in light of the new evidence, only. The reconsideration of the CSSO, designee, or Title IX/EO Coordinator is not appealable. The procedures governing the hearing of appeals include the following:

- All parties should be timely informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision.
- If the Appeals Officer or committee determines there is new evidence or error in the original proceeding, every opportunity to return the appeal to the CSSO or designee for reconsideration (remand) should be pursued.
- Appeals are not intended to be a full rehearing of the complaint (de novo). In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal.
- An appeal is not an opportunity for an Appeals Officer or committee to substitute their judgment for that of the CSSO or designee, merely because they disagree with her/his finding and/or sanctions.
- Appeals decisions are to be deferential to the original decision, making changes to the findings only where there is clear error and a compelling justification to do so.
- Sanctions imposed are implemented immediately, unless the CSSO or designee stays their implementation in extraordinary circumstances, pending the outcome of the appeal.
- The Appeals Officer or committee will render a written decision on the appeal to all parties within seven (7) days of receiving the appeal request. The committee's decision to deny appeal requests is final. Additional Process Provisions
- The student may 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. An advisor may only consult and advise her/his 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. The CSSO may remove or dismiss an advisor who becomes disruptive or who does not abide by the restrictions on their participation.
- The student is responsible for presenting her/his own case and, therefore, advisors are not permitted to speak or to participate directly in any hearing, except when the student is under the age of eighteen (18) or incapacitated.
- Student shall have the right to identify documents, witnesses and other material he/she would like the CSSO or designee to review before making a final decision.
- Any hearing held shall be conducted in private unless all parties agree otherwise.
- A record of the hearing should be maintained by the CSSO or designee.

- Audio and/or Video Recording – the College, at its discretion, may audio or video record any meeting throughout the process. Should a recording exist, the student may request a copy at the end of the process. No other audio or video recording will be allowed.
- If student has a disability and would like to request an accommodation to assist her/him through the discipline process, he/she may do so by informing the CSSO or designee. The CSSO or designee will then work with disability support services to accommodate the request. Proceedings under this procedure may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus.
- Standard of proof – the College will use the preponderance of evidence standard in the disciplinary proceedings, meaning, the College will determine whether it is more likely than not that a conduct code was violated.
- All sanctions imposed by the original decision maker will be in effect during the appeal. A request may be made to the CSSO or designee for special consideration in exigent circumstances, but the presumptive stance of the College is that the sanctions will stand. Graduation, study abroad, internships/externships, clinical placements, extra-curricular activities, etc. do not (in and of themselves) constitute exigent circumstances, and students may not be able to participate in those activities during their appeal. In cases where the appeal results in reinstatement to the College or of privileges, all reasonable attempts will be made to restore the student to their prior status, recognizing that some opportunities lost may be irretrievable in the short term.
- The procedural rights afforded to students above may be waived by the student.
- All timelines may be extended as agreed upon by both 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](#).
- For students, disciplinary action will be taken pursuant to BP and SP 4-30, Student Discipline: <https://www.ccs.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: [Policies and Procedures 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.

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.

Counseling Center—Students Counseling Services for Employees

Consent 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 create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity. Also, in order to give effective consent, one must be of legal age. Further, consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity. Previous relationships or prior consent cannot imply consent to future sexual acts.



Section 4: Access, Maintenance, and Physical Security of Campus Facilities

The College wishes to provide a safe and secure environment for its students, employees and visitors. The NJC campus and facilities are private property and 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. There are well-defined rules and procedures for use and access to all campus 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 at Hays Student Center 113 during the regular workdays and hours.

Visitors must have a resident accompany them while in the building. All residence halls are locked twenty-four hours a day and access is granted only to residents, staff and accompanied visitors. Residents are urged not to compromise this critical security procedure and not allow anyone to enter a residence hall without properly checking in. Residents are accountable for their guests, their conduct and the use and access to their contracted room. Non-residents will not be allowed into the Residence halls after 11 p.m. unless prior arrangements have been made with the respective Residence Hall Director. Residents are responsible for the security of their own room and possessions and are urged to lock room doors at all times. Unknown and unaccompanied people in a residence hall should be reported immediately to hall staff, Campus Safety, or the city police.

All non-residential buildings, classroom buildings, administration, student center and events center have posted and normal working hours. Anyone violating those hours is subject to trespass. Community events with a facility reservation are approved for access only to those buildings/rooms reserved. All non-college events on campus are urged to have at least one NJC staff person present with knowledge of phones, emergency material and equipment for the facility reserved.



Section 5: Emergency Response, Evacuation and Emergency Notification and Timely Warning Procedures

Policy Statement:

To ensure that all members of the campus community are aware of any issues or hazards that may pose a risk to their safety and security, Northeastern Junior College will notify the campus communities through the use of various means, but primarily through the use of the **Emergency Notification System (ENS)**. Such messaging will generally fall under the category of one of these two Clery definitions, an “**Emergency Notification**” or a “**Timely Warning**.” When transmitted via the *Emergency Notification System*, these messages will be sent in the form of an alert phone call, text messages and/or email, and therefore broadcast to the entire campus communities of both the main Sterling Campus and the satellite Yuma campus. As such, a message may be relevant to both locations, or state that the information is specific to one of the locations. Timely Warning messaging may also be segmented to specific locations, depending on the nature of the incident and the required audience, such as all students vs. residential students, etc.

An **Emergency Notification** will be sent immediately, in the event of and on confirmation of a significant emergency or dangerous situation occurring on the campus involving an immediate threat to the health or safety of students or employees, such as an Active Threat, a Hazardous Materials Incident, or hazardous weather events such as a Severe Thunderstorm Warning or a Tornado Warning. Other messages such as closings for severe weather will also be sent via the *Emergency Notification System*. 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. These messages may be from a preformed template, or manually entered with specific details, and will be sent to the entire campus community.

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 law enforcement agency, to be a Clery Act crime that has already occurred within the parameters of what is defined as the Clery Act Geography of Northeastern Junior College, but continues to represent the possibility of a serious or continuing risk or threat of danger to the students and employees (i.e. a rash of a specific type of crime, or an unidentified assailant). Such a warning will be issued on a case by case basis, and as soon as the pertinent information is available. Once the proper information is received and a threat is determined, the Timely Warning message is created. It will include information on the incident that triggered the warning, and methods to help prevent similar

crimes in the future, however it will not include details such as specific victim's names or locations such as room numbers. It may likely include information such as a suspect description, such as clothing, gender, race, height, body type and build, hair color, if there is facial hair, tattoos, etc., but only as sufficient information is available. A Timely Warning may be transmitted to the whole campus, or segmented to a specific audience, depending on the nature of the incident. The intent of a Timely Warning is not only to warn of possible threats, but to help aid in the prevention of future crimes.

PROCEDURE

College Responsibilities:

When notified of an incident that is deemed to have occurred on campus Clery Geography, or on public properties that are contiguous to the campus, or in the nearby community, which may pose a serious and/or ongoing threat the health, safety and security of the campus, the administration will, without delay, and considering the safety of the community:

1. Evaluate the available information from all available resources (visually confirmed, or notified by emergency services, etc.) in order to confirm the type of emergency, whether it is (a) a significant emergency or dangerous situation occurring on the campus involving an immediate threat to the health or safety of students or employees, or (b) a Clery Act crime that has already occurred within the parameters of what is defined as the Clery Act Geography of Northeastern Junior College, but continues to represent the possibility of a serious or continuing risk or threat of danger to the students and employees (i.e. a rash of a specific type of crime, or an unidentified assailant).
2. and determine how and who (all of campus, or a segment of campus, depending on the information received, and based on the Clery Act protocols) to notify, in order to decide how to address the issue.
3. Determine whether to utilize a preformed template, or to manually create specific messaging, depending on the available information, and considering the type of incident.
4. Initiate the notification, either a mass notification via the Emergency Notification System, or to segment the notification via direct email, or posting at specific locations, *unless* issuing a notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.
5. Any one of the following individuals, primarily the Vice President for Student Services, the Coordinator of Campus Safety, and the Director of Resident Life, may individually or in concert, decide if and how it may be necessary to notify the campus. Other members of the administration, such as the president, or even some members of the Campus Safety and Security Committee, may also be involved, or initiate such notifications.
6. Dissemination of such emergency information to the public and the larger community will be attained via the following means: (a) public access to the Emergency Notification

App (NJC Alert, publicly available in the Apple App Store, or the Android Google Play Store), and (b) the Communications Liaison Officer will utilize Social Media and communicate with the media.

7. The college tests the emergency response and evacuation procedures in the following ways. At least once a year during the summer months a test of the Emergency Notification System is run and documented. There are also scheduled and announced fire evacuation drills once each semester for all residence halls where the fire department is notified and when possible assist. The emergency evacuation procedures are also posted at each hall and each room receives information on emergency events and procedures. Other table top drills and training sessions are held for key players and/or the campus community join and to learn from.

Campus Community Responsibilities:

1. ***Always call 911 to report any serious emergencies or crimes which are ongoing and which may pose an immediate threat to life and safety.***
2. Students, employees and visitors should immediately report information regarding emergencies or crimes committed on campus, or at official college events which occur off campus, to a Campus Security Authority, such as an Athletic Coach, to Resident Life staff, to a faculty or staff club sponsor, or directly contact the Coordinator of Campus Safety, or the Vice President of Student Services. Reporting these incidents through these channels are also important in order to accurately record and report statistics, so after an incident has been reported, please take the time to enter a written report of the incident through the on-line report system, which is at the bottom of the main page of the website, under "Tools," and choose "Report a Concern." Remember to enter the specific elements of "who, what, when, where, how and why" into your narrative.
3. Your registered primary contact phone number will receive messaging that is deemed necessary to transmit to the whole campus community. Please be sure to check that information through your "Access" portal to make sure that your information is correct.
4. We also highly suggest that you download the "**NJC Alert**" app, which you may find in either the Google Play Store or the App Store. The Alert app is used to send updates in the form of "Push Notifications," which will advise or update you with important information during and after an incident. There are also a number of safety and security resources available in the app, such as weather updates, and other emergency information, so please utilize this resource.



Section 6: Policy Statements, Procedures and Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault, and Stalking

Policy Statements

<https://www.cccs.edu/policies-and-procedures/board-policies/bp-19-20-jeanne-clerydisclosure-of-campus-security-policy-and-campus-crime-statistics-act/>

<https://www.cccs.edu/policies-and-procedures/system-presidents-procedures/sp-19-20jeanne-clery-disclosure-of-campus-security-policy-and-campus-crime-statistics-act/>

Education and Prevention Programs

Prevention programs:

- The NJC Alcohol and Drug Policy is discussed during small group orientation sessions at the beginning of the fall and spring semesters, and in freshman seminar classes.
- The Student handbook, including the drug and alcohol policies and procedures, are posted in the D2L student shell.
- Post-card sized documents with the alcohol and drug policy are distributed across campus (education buildings, residence halls, library, Student Center).
- The Alcohol-Wise and Marijuana-Wise online programs are 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. In 2018-19, these programs had an 84% completion rate. In 2019-2020, they had a 94% completion rate
- During mandatory floor meetings, the RA's and the Hall Directors explain the NJC Alcohol and Drug policy to residents.
- When students are referred for alcohol and/or drug violations, part of the sanction is a mandatory meeting with the NJC 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 Guidance Coordinator. If it is determined that additional counseling may be required, the student is referred to outside drug counseling service providers.
- NJC Student Success Center staff make presentations in residence halls throughout the year. Impaired driving and Alcohol Poisoning are topics that are regularly covered and discussed with NJC residents.
- 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 our program, a recommendation is made to contact 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.

- In 2018-19 the online sex assault prevention program "Haven," developed by "Ever-Fi" was required of each new student. Haven is a brief sexual assault prevention program. Students are to complete it during the summer months before they arrive for New Student Orientation. In 2019-2020, we used the Consent and Respect program for the same purpose. It had a 94% completion rate in 2019-2020.
- 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, 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 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. They also have many web-based resources available to students.
- Individual personal adjustment assistance and support is available by request or by referral in the Student Success Center, Hays Student Center 132.
- 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.
- Title IX emails are sent to all students and employees every fall semester. All students receive this information again in the spring semester.
- Employees complete a web-based Sexual Assault Prevention program called Workplace Answers, in 2018-19. The platform was changed to Canopy in 2019-2020.
- All athletes are specifically taught Sexual Assault Prevention and Title IX protocols by our Title IX Coordinator or designee.

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

Twice each year, presentations on Situational Awareness training involves handouts, and a PowerPoint presentation with video which explain what to look for and the state of mind involved in everyday activities.

Student organizations with non-campus locations

Northeastern Junior College does not have any recognized student organizations with non-campus housing facilities or other non-campus locations. Subsequently, there is no need to arrange with local law-enforcement to monitor such for reporting of criminal activity.

Student Disciplinary Procedures

Decision

The Vice President of Student Services or designee shall receive all allegations of student misconduct, investigate the complaints, which includes meeting with the student to give him/her the opportunity to respond to the allegations of misconduct. If the allegations of misconduct are discrimination and/or harassment based on federal or state civil rights laws, the college will investigate those incidents through the Civil Rights Grievance and Investigation Process (3.18)

Once the investigation is complete, either through this process or the Civil Rights Grievance and Investigation process, the CSSO or designee shall render a sanction decision.

The CSSO or designee may decide that the charges can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to them. If an administrative resolution is not achieved, the CSSO or designee shall issue a decision which determines whether the alleged conduct occurred; whether the conduct violated the Code of Conduct or College procedures; and impose a sanction(s) if appropriate.

In cases of domestic violence, dating violence, sexual assault and stalking, the complainant and the respondent will be notified simultaneously in writing of the outcome of any disciplinary proceeding, as well as any changes to those results or disciplinary actions prior to the time that such results become final and shall be given the rationale for the discipline decision. The student shall receive written notice of the decision and be advised of his or her right to appeal the Decision, subject to the grounds below, by filing a written appeal with the CSSO or designee within seven (7) days of service of the Decision.

Appeal

In the event of an appeal, the CSSO or designee shall give written notice to the other party (e.g., if the accused student appeals, the appeal is shared with the complainant who may also wish to file a response), and then the CSSO or designee will draft a response memorandum (also shared with all parties). All appeals and responses are then forwarded to an appeals officer appointed by the College President, or an appeals committee (see below) for initial review to determine if the appeal meets the limited grounds and is timely. The original finding and sanction will stand if the appeal is not timely or substantively eligible, and the decision is final.

If the appeal has standing, the documentation is forwarded for consideration. Because the original finding and sanction are presumed to have been decided reasonably and appropriately, the party appealing the decision must specifically cite the error(s) in the original determination on which the appeal is based. The ONLY grounds for appeal are as follows:

1. A material procedural or substantive error occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures); which must be explained in the written appeal; or
2. To consider new evidence, unavailable during the investigation or hearing that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included in the written appeal, as well as the reasons the new evidence was not available during the original proceeding.

The appeals committee shall be appointed by the NJC President and shall consist of one (1) administrator, three (3) faculty members (none of whom shall be a current or past instructor or advisor of the student filing the appeal), and one (1) student representative (an officer from the Associated Student Government). If the appeals officer or committee determines that a material procedural or substantive error occurred, it may return the complaint to the CSSO or designee with instructions to reconvene to cure the error. In rare cases, where the procedural or substantive error cannot be cured by the CSSO or designee in cases of bias, the appeals officer or committee may order a new hearing be held by a different individual acting in the place of the designated CSSO or designee. The results of a reconvened hearing cannot be appealed. The results of a new hearing can be appealed, once, on the two applicable grounds for appeals.

If the appeals officer or committee determines that new evidence should be considered, it will return the complaint to the CSSO or designee to reconsider in light of the new evidence, only. If the subject matter pertains to discrimination and/or harassment pursuant to 3.18 of the NJC Student Handbook, the appeals officer or committee will return the complaint to the Title IX Coordinator to reconsider in light of the new evidence, only. The reconsideration of the CSSO, designee, or Title IX Coordinator is not appealable.

The procedures governing the hearing of appeals include the following:

1. All parties should be timely informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision;
2. If the appeals officer or committee determines there is new evidence or error in the original proceeding, every opportunity to return the appeal to the CSSO or designee for reconsideration (remand) should be pursued;
3. Appeals are not intended to be a full rehearing of the complaint. In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal;
4. An appeal is not an opportunity for an appeals officer or committee to substitute their judgment for that of the CSSO or designee merely because they disagree with its finding and/or sanctions.

5. Appeals decisions are to be deferential to the original decision, making changes to the findings only where there is clear error and a compelling justification to do so.
6. Sanctions imposed are implemented immediately unless the CSSO or designee stays their implementation in extraordinary circumstances, pending the outcome of the appeal.
7. The appeals officer or committee will render a written decision on the appeal to all parties within four (4) days from receiving the appeal request. The committee's decision to deny appeal requests is final.

Additional Discipline Process Provisions

The student may 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. 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. The CSSO may remove or dismiss an advisor who becomes disruptive or who does not abide by the restrictions on their participation.

1. The student must notify the CSSO of the identity of the advisor at least two (2) days before the date of any scheduled meeting. If meetings are scheduled with less than two (2) days' notice, the student is expected to notify the CSSO as soon as possible.
2. The student is responsible for presenting his or her own case and, therefore, advisors are not permitted to speak or to participate directly in any hearing except when the student is under the age of eighteen (18) or incapacitated.
3. Student shall have the right to identify documents, witnesses and other material she or he would like the CSSO or designee to review before making a final decision.
4. Any hearing held shall be conducted in private unless all parties agree otherwise.
5. A record of the hearing should be maintained by the CSSO or designee.
6. Audio and/or Video Recording- the college, at its discretion, may audio or video record any meeting throughout the process. Should a recording exist, the student may request a copy at the end of the process. No other audio or video recording will be allowed.
7. If student has a disability and would like to request an accommodation to assist him/her through the discipline process they may do so by informing the CSSO or designee. The CSSO or designee will then work with disability support services to accommodate the request.
8. Proceedings under this procedure may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.
9. Standard of proof - the College will use the preponderance of evidence standard in the disciplinary proceedings, meaning, the College will determine whether it is more likely than not a conduct code was violated.

10. All sanctions imposed by the original decision maker will be in effect during the appeal. A request may be made to the CSSO or designee for special consideration in exigent circumstances, but the presumptive stance of the college is that the sanctions will stand. Graduation, study abroad, internships/externships/clinical placements, extra-curricular activities, etc. do not in and of themselves constitute exigent circumstances, and students may not be able to participate in those activities during an appeal. In cases where the appeal results in reinstatement to the college or of privileges, all reasonable attempts will be made to restore the student to their prior status, recognizing that some opportunities lost may be irretrievable in the short term.
11. The procedural rights afforded to students above may be waived by the student.
12. All timelines may be extended as agreed upon by both parties.

Retaliatory Acts

It is a violation of this procedure to engage in retaliatory acts against any employee or student who reports an incident(s) of code of conduct violations or any employee or student who testifies, assists or participates in the discipline proceeding, investigation or hearing relating to such allegation(s) of code of conduct violations.

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.

Sanctions

1. Dismissal

Dismissal is the permanent separation of the student from the college. Notification will appear on the student's transcript. The student will be barred from the college premises. Dismissal from college requires a College Hearing Board review with an optional review by the President to alter, defer, or withhold dismissal.

2. Suspension

Suspension is separation of the student from the college for a specific period of time (no longer than two semesters). Permanent notification will appear on the student's transcript. The student may not participate in any college-sponsored activity and may be barred from college premises. The chief judicial officer enacts suspension and this action may be reviewed by an appeal to the College Hearing Board.

3. Interim Action

The chief judicial officer or a designee may suspend a student for an interim period pending judicial proceedings or medical evaluation. Interim action can be enacted any time without prior notice. Interim action can be enacted when there is reasonable evidence that the continued presence of the student on the college campus and

enrolled in college classes poses a substantial threat to themselves, other students, faculty, any college official, or the stability and continuance of normal college functions.

4. *Disciplinary Probation*

Disciplinary Probation restricts a student from representing the college in any extracurricular activity or run for/hold office in any student group or organization. Institutional scholarship support will be withheld as well as additional restrictions or conditions may be imposed. There are three levels of Disciplinary Probation with distinct sanction differences.

5. *Disciplinary Warning*

Disciplinary Warning communicates to the student that further misconduct will result in stricter judicial sanctions. A warning shall be used only once per term.

6. *Restitution*

The student is required to make payment to the college or other persons, groups, or organizations for damages incurred as a result of a violation of this code. Restitution is required for vandalism, theft, payment for repair, cleaning charge, services rendered, and loss and destruction of equipment. Fines for violations are considered restitution.

7. *Eviction*

A student residing in a residence hall may be evicted as a result of a specific violation of this code. Eviction requires immediate removal of all belongings and completion of checkout procedures with maintenance and housing.

Monetary penalties will be assessed to include and not limited to, breakage of contract fee, general hall or room damages, and room deposit. An evicted student may continue present enrollment in classes, but will be restricted from one or all residence halls and/or the college cafeteria. The chief judicial officer must give notice of eviction.

8. *Educational Sanctions*

Educational sanctions may be imposed by the Residence Hall Director, Director of Student Life, or Vice President of Student Services in addition to sanctions assigned by policy. The monitoring of the completion of educational sanctions will be centrally reported to the Vice President of Student Services office for follow up and reporting.



Section 7: Alcohol, Drug, and Substance Abuse Policies

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 assistance call (970) 521-6663.

IP 2.05 Drug-Free Workplace/Drug and Alcohol Abuse Prevention Program

Northeastern has a vital interest in maintaining a safe, healthful, and efficient working environment for its employees, students, and the public. Employees, and student workers, who are impaired by alcohol or other drugs during work hours may pose safety and health risks, not only to themselves, but also to others.

Therefore, to ensure a safe working environment, it is Northeastern’s intent that the use of alcohol, other drugs, or controlled substances that result in job impairment is prohibited. Likewise, it is the policy of the State of Colorado, CCCS, and Northeastern that illegal possession, manufacture, use, sale, or transfer of a controlled substance on state property or during work hours by its employees is prohibited. Violations of this procedure will be cause for administrative intervention that may result in referral to mandatory treatment and/or to corrective or disciplinary actions up to and including termination.

Reference: [BP 19-30 Compliance with Drug Free Schools Amendment](#); [BP 3-24 Drug-Free Workplace](#); [SP 3-24 Implementation of Drug-Free Workplace](#); State of Colorado Substance Abuse Policy

DRUG AND ALCOHOL ABUSE PREVENTION PROGRAM

Northeastern is a Community College governed by the State Board for Community Colleges and Occupational Education (Board). Board Policy 19-30, Drug Free Schools, requires the College to

comply with the Drug Free Schools and Communities Amendments of 1989 (PL 101-226 in federal law). The College has adopted the following Drug and Alcohol Abuse Prevention Program:

I. Standard of Conduct

In compliance with the federal Drug Free Schools and Communities Act, Northeastern prohibits the unlawful manufacture, dispensation, possession, use, or distribution of a controlled substance (illicit drugs and alcohol) of any kind and in any amount including marijuana. These prohibitions cover any individual's actions which are part of any College activities, including those occurring while on College property or in the conduct of College business away from the campus.

II. Legal Sanctions for Violation of the Standards of Conduct.

Any student or employee who is convicted of the unlawful manufacture, distribution, dispensation, possession, use/abuse of illicit drugs or alcohol is subject to criminal penalties under local, state and federal law. A single federal drug offense can carry a fine of up to \$4,000,000.00 and/or life in prison. At the state level, the most serious single drug offense carries a fine of up to \$1,000,000.00 and up to 32 years imprisonment and the least serious single drug offense carries a fine of up to \$5,000.00 and/or up to 18 months imprisonment.

State laws regulating the production, dispensation, possession, and use of alcohol are in Titles 12 and 18 of the Colorado Revised Statutes. A person **under the age of 21 who possesses or consumes alcohol may be subject to a fine of \$100.00 and/or mandated substance abuse education for a first time offense.** Provision of alcohol to any person under the age of 21, a visibly intoxicated person, or a known alcoholic may be punishable by a fine of up to \$1,000.00 and a one-year jail sentence. Contributing to the delinquency of a minor can result in a \$500,000.00 fine and an eight-year imprisonment.

Under Title 42 of the Colorado Revised Statutes, operation of a motor vehicle while under the influence of alcohol and/or drugs can be subject to a \$1,000.00 fine, up to one year in jail, license revocation, and community service for a first time offense.

Finally, depending on where the College is located, local ordinances may also impose a variety of offenses for drug and alcohol violations. More information can be found at: [Code of Ordinances by Town](#)

Overall, the exact penalty assessed depends upon the nature and severity of the individual offense, as well as prior convictions.

III. Penalties Which May Be Imposed by the College

Students and/or employees who violate the above standard of conduct will be subject to disciplinary action pursuant to the applicable employee and student disciplinary policies and procedures. The sanctions may include, but are not limited to, a requirement to complete an appropriate rehabilitation or re-entry program, discipline up to and including expulsion for students and termination for employees, and/or referral to authorities for prosecution.

IV. Health Risks Associated with Use of Illicit Drugs and Alcohol Abuse

Health risks associated with drug and alcohol abuse include, but are not limited to: malnutrition, brain damage, heart disease, and pancreatitis, cirrhosis of the liver, mental illness, death, low birth weight babies, and babies with drug addictions.

V. Available Counseling, Treatment, Rehabilitation or Re-entry Programs

Information on available counseling, treatment, rehabilitation or re-entry programs is available at Northeastern or the Colorado Department of Health.

Student Specific 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 small group orientation sessions at the beginning of the fall and spring semesters, and in freshman seminar classes.
- The Student handbook, including the drug and alcohol policies and procedures, are posted in the D2L student shell.

- Post-card sized documents with the alcohol and drug policy are distributed across campus (education buildings, residence halls, library, Student Center).
- The Alcohol-Wise and Marijuana-Wise on line programs are 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. In 2018-19, these programs had an 84% completion rate. In 2019-2020, they had a 94% completion rate
- During mandatory floor meetings, the RA's and the Hall Directors explain the NJC Alcohol and Drug policy to residents.
- When students are referred for alcohol and/or drug violations, part of the sanction is a mandatory meeting with the NJC 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 Guidance Coordinator. If it is determined that additional counseling may be required, the student is referred to outside drug counseling service providers.
- NJC Student Success Center staff make presentations in residence halls throughout the year. Impaired driving and Alcohol Poisoning are topics that are regularly covered and discussed with NJC residents.
- 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 our program, a recommendation is made to contact 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.



Section 8: Crime Statistics

Overview

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, 2019 and December 31, 2020, respectively for each year by the local police department and campus officials. Although the Clery Act requires the previous three years of crime statistics to be listed on the ASR, the Yuma Campus did not open until 2019. Accordingly, the College did not collect crime statistics prior to this date.

As stated earlier in this report, it is important to note that the crimes documented in this report are based on solely the fact that the crime was reported. Just because a crime was reported does not always necessarily mean a crime occurred. Pursuant to Clery Act requirements, higher education institutions must list all crimes, as they are reported. Only sworn law enforcement (police, sheriff's deputies, federal investigators, etc.) can determine a report of a crime to be unfounded. Regardless of the College's findings regarding an alleged crime, the crime must be listed on both the daily crime log and the Annual Safety Report unless and until the crime is ruled unfounded by a sworn law enforcement official.

Northeastern Campus Statistics

CATEGORY	VENUE	2018	2019	2020
Criminal Homicide <i>Murder/Non-Negligent</i> <i>Manslaughter</i>	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
<i>Manslaughter by Negligence</i>	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0

	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
Sex Assault/Sex Offenses				
<i>Rape</i>	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
<i>Fondling</i>	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
<i>Incest</i>	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
<i>Statutory Rape</i>	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
Robbery	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
Aggravated Assault	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
Burglary	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
Motor Vehicle Theft	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0

	On Public Property	N/A	0	0
Arson	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
Hate Crimes				
<i>Murder/Non-Negligent Manslaughter</i>				
	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
<i>Sexual Assault</i>				
	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
<i>Robbery</i>				
	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
<i>Aggravated Assault</i>				
	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
<i>Burglary</i>				
	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
<i>Motor Vehicle Theft</i>				
	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
<i>Arson</i>				
	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0

	On Public Property	N/A	0	0
<i>Larceny-Theft</i>	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
<i>Simple Assault</i>	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
<i>Intimidation</i>	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
<i>Destruction/Damage/ Vandalism of Property</i>	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
VAWA Offences				
<i>Domestic Violence</i>	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
<i>Dating Violence</i>	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
<i>Stalking</i>	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
Arrests - On Campus				
<i>Weapons Possession</i>	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0

	On Public Property	N/A	0	0
<i>Drug Abuse Violations</i>	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
<i>Liquor Law Violations</i>	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
Disciplinary Referrals				
<i>Weapons Possession</i>	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
<i>Drug Abuse Violations</i>	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
<i>Liquor Law Violations</i>	On Campus	N/A	0	0
	In Residence Halls or Other Residential Facilities	N/A	0	0
	In or on Non-Campus Building or Property	N/A	0	0
	On Public Property	N/A	0	0
Unfounded Crimes				
	There have been no unfounded crimes in any category for any of these years			











Section 9: Campus and Non-Campus Clery Geography

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 Main Campus locations and the Non-Campus Clery Geography associated with the Main Campus.

Legend

	Campus Clery Geography
	Campus Proper
	Public Roadways
	Campus Roadways
	Mixed-Use Access
	Property Structures <i>(private/not owned by Northeastern)</i>
	Long-term Lease
	Not Applicable for This Section
	Verbal Agreement Use <i>(already part of Clery Geography)</i>
	Not Applicable for This Section

Yuma Campus Clery Geography

Yuma Campus ♦ 910 South Main Street, Yuma, CO 80759

The roadways marked in green are the roads used to travel to and from Yuma Campus. Northeastern currently stores some instructional equipment in the smaller building near the Yuma High School (YHS) outlined in orange. Although no written memorandum of

understanding currently exists, Northeastern may utilize the smaller YHS building outlined in orange in as an instructional building in the future.

YHS is outlined in yellow because it is separate from Northeastern. No college business is conducted within the premises of YHS on any recurring basis, but YHS buildings are still within the campus's Clery Geography due to the current storage of instructional equipment within one of the buildings.





Appendix A Definitions Related to Sexual Harassment, Sexual Misconduct, and Civil Rights

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, 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. 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. 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: 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 the college abides by the definition used in the Violence Against Women Reauthorization Act (VAWA) of 2013.*

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. 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.



Appendix B Missing Student Notification Policy and Procedures Statement

Pursuant to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 2008, the College has enacted the Missing Student Notification Policy and Notification Procedures Statement, which apply to Resident Students (students who reside in campus housing). If a member of the Northeastern Junior College community has reason to believe a resident student is missing, he or she must immediately notify the Coordinator of Campus Safety at 970-521-6683. If you are unable reach the Coordinator of Campus Safety, then the Vice President of Student Services or the Director of Residence Life must be notified at 970-521-6655. If you believe there is an immediate threat to someone's life, call 911. Sterling Police Department will be notified by the above-mentioned school authorities within 24 hours of determination that the student is missing, and should also be called if you are unable to contact them to report such an incident by calling 911 or 970-522-3512.

When a resident student is reported missing, the administration will initiate an investigation to determine the validity of the report and determine if and for how long the resident student has been missing. When it is determined that a resident student is missing, or has been missing for 24 hours, the administration will within 24 hours of notification of the report, contact the Sterling Police Department, and will notify the designated Confidential Contact or Emergency Contact.

Regardless of age, resident students may designate one or more Confidential Contact person(s) to be notified no later than 24 hours after notification that they are missing. This contact may be different from the Emergency Contact person(s) listed in their files. If no Confidential Contact is registered, the resident student's designated Emergency Contact person(s) will be contacted.

Please contact Student Services to fill out a Missing Student Notification card if you wish to choose someone as a Confidential Contact who differs from the Emergency Contact that you have designated.

The Confidential Contact information provided by the student will be accessible only to authorized campus personnel, and may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.



If an in-emancipated student under 18 years of age is determined missing, the student's custodial parent or guardian must also be notified within 24 hours, in addition to the designated Confidential Contact.



Appendix C Possession of Firearms/Weapons on Campus

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.

Policy Statement Regarding Firearms on Campus

Pursuant to the Colorado Community College System Procedure SP 19-10 – Bullying/Violence/Firearms on Campus:

“Possession of a weapon is strictly prohibited except where authorized by law. Possession of a weapon is defined in Colorado Revised Statutes (C.R.S., Title 18, Article 12). The only CCCS employees that are authorized to carry firearms are:

- Persons conducting and participating in an approved program of instruction in College curriculum which requires access to such equipment as an integral part of the instructional program;
- Certified Peace Officers;
- Persons granted permission at the discretion of the Chancellor or College President for specific purposes; and,
- Persons carrying a firearm as authorized by law.

Any concerns about possession of an unauthorized firearm should be reported immediately to College or System security/police, College designee, or local police.”

<https://www.cccs.edu/policies-and-procedures/system-presidents-procedures/sp-19-10-violence-firearms-on-campus/>

Statement Regarding Weapons on Yuma High School Campus

Pursuant to Colorado Revised Statutes 18-12-214[2], “A [concealed handgun] permit issued pursuant to this part 2 does not authorize a person to carry a concealed handgun onto the real property, or into any improvements erected thereon, of a public elementary, middle, junior high, or **high school** (emphasis added).” Therefore, even if a student, instructor, or other patron of Northeastern **lawfully** possesses a weapon on campus, he or she **will not** be permitted to carry a weapon on any grounds controlled by Yuma High School.



Appendix D Additional Resources

On-Campus

Department	Location	Phone
<i>Yuma Campus Coordinator</i>	<i>Yuma 100</i>	<i>970-526-5121</i>
<i>Human Resources</i>	<i>Walker Hall (South Side)</i>	<i>970-521-6730</i>
<i>Vice President of Student Services</i>	<i>Hays 113</i>	<i>970-521-6657</i>

Off-Campus

Agency	Address	Phone
<i>Yuma Police</i>	216 E 3 rd St., Yuma	970-848-5441
<i>Yuma District Hospital</i>	1000 W 8 th Ave, Yuma	970-848-5405
<i>Rape Crisis Center (SARA)</i>	418 Ensign Street, Fort Morgan	970-867-2121 855-440-SARA (7272); toll free
<i>Victim's Advocate</i>	Logan County Courthouse 110 N. Riverview Road	970-522-1572
<i>Yuma County Combined Courts</i>	310 Ash St. #L, Wray	970-592-6120

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:

Colorado Coalition Against Sexual Assault

<http://www.ccasa.org>

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

Colorado Anti-Violence Program, Building Safety and Justice for LGBTQ Communities

<http://coavp.org>

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

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

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

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

National Domestic Violence Hotline

<http://www.thehotline.org>

Survivor Project (*resource for inter-sex and transgender people*)

<http://www.survivorproject.org>

Men Can Stop Rape

<http://www.mencanstoprape.org>

Victims of Crime (*stalking resource center*)

<http://www.victimsofcrime.org/our-programs/stalking-resource-center/stalkinginformation>

Make the Connection (*support for U.S. military veterans*)

<http://maketheconnection.net/conditions/military-sexual-trauma>

1 is 2 Many (*focus on teens and young women 16-24*)

<http://www.whitehouse.gov/1is2many>

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

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

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



Appendix E Drug-Free Schools & Communities Act Biennial Review

Why NJC conducts a Biennial Review

This review allows NJC to stay in compliance with the Drug-Free Schools and Communities Act. The signed review is housed in the Office of the Vice President of Student Services in the Hays Student Center at Northeastern Junior College. The on-line version can be accessed at <http://www.njc.edu/Publications>

This is also where all of our campus documents and policies are located, including the NJC Student Handbook, which contains all of the rules, procedures, and sanctions for alcohol and drug offenses. The campus safety report and the crime statistics report can also be found at the NJC publications web link. This review covers the period from August 2018 through August 2020. The review panel is as follows:

Review Panel:

Cindy Carey, Guidance Coordinator
Jeri Estrada, Director of Human Resources
Marci Henry, Director of Athletics/Events Center
Kodi Johnson, Director of Student Success, Equity and Inclusion
Trenton Schwarzer, Coordinator of Campus Safety & Security
Steve Smith, Vice President of Student Services
Tim Stahley, Director of Residence Life & Student Activities

The panel collected the data and information in the review by year-round documentation of programs and reports, by information gathered for the Campus Safety Report, by Clery data, and by department records.

Conducted Compliance Checklist

1. Institution does maintain a description of the NJC alcohol and drug prevention program in the Student Services office.
2. The institution does provide annually to each employee and each full time student that is taking classes for academic credit written materials that meet the requirements for compliance. A copy of this document is on file and is updated every year. We include an insert in the first bill mailing.
3. The HR department distributes information and CCCS System drug and alcohol policies to all new employees. Updated information is regularly distributed to faculty and staff via email announcements, web postings, and in-service workshops.
4. The Vice President of Student Services has responsibility for conducting the biennial review of NJC's drug and alcohol prevention program to determine effectiveness, implement necessary changes and ensure that disciplinary sanctions are enforced. This is done, in part, through a

review of disciplinary records to assess effectiveness of disciplinary sanctions imposed on students.

5. The biennial review document is stored in the Vice President of Student Services office.

Conducted review of AOD program using the Supplemental Checklist

Statement of NJC's AOD Program goals and description how we achieve those goals:

The Alcohol and Other Drugs Education program at NJC provides multiple levels of influence for better decision making on the part of students and staff to keep healthy, safe and out of legal difficulty regarding alcohol/drug use. The Student Services units of Student Success and Student Life provide a variety of educational programs to the campus. The Student Services judicial area utilizes a system of educational sanctions regarding violations of the zero tolerance for alcohol use on the campus. The NJC Athletic program supports a drug-testing program with education and counseling. The administration has supportive relationships with local law enforcement to assist in managing on and off campus activities. Faculty and staff all play an ongoing support role in their leadership and interaction with students.

Goal:

Create a campus community that is conducive to academic and personal success by providing a comprehensive AOD prevention program consisting of the following program elements:

Description of AOD Program Elements (Areas of Environmental Interventions)

1. Alcohol Free Options

Our campus is alcohol free, largely because most students who attend and live in our residence halls are not 21 years old. The Student Activities and Residential Life areas of the campus create and promote alcohol free event and activities throughout the year. The 25+ clubs on campus promote student service learning and student leadership opportunities. We have a very active intramural program and Event Center with aerobic and fitness center facilities that are heavily used by students and employees. The Event Center offers extended hours and residence halls have student-gathering areas after hours. Athletic competitive events are attended by many students as well as theatrical and musical productions, and other campus activities.

2. Normative Environment

The college promotes a healthy, alcohol free image to new students with expectations set out as part of all orientation programs. The academic schedule offers core classes on Mondays through Fridays; very few on Saturdays.

All residence halls are substance free and enforce a zero tolerance for under-age drinking or marijuana use. The campus encourages high academic standards and faculty and staff engage in high levels of contact with students. There are programming efforts conducted throughout the year by RAs and the Peer Helper program that address education about misperceptions of drinking norms. The Peer Helper group serves as mentors to other students. Student leadership on

our campus promotes positive, healthy norms. Any student in a leadership role is required to adhere to a leadership code of conduct. Pro health messages are a part of ongoing programming by Student Life & Counseling. S.A.R.A. House (Sexual Assault Resource Advocates) also ties in alcohol and drug use to their sexual assault prevention programs. Regular messages regarding information about alcohol appear in the NJC Porcelain Press, a bi-weekly publication that is posted in all campus restrooms. An additional healthy lifestyles newsletter is posted in the restrooms, edited by our newly developed Health Committee.

3. Alcohol/Marijuana Availability

Alcohol and marijuana are banned on campus. Marijuana is legal for use in the State of Colorado for persons over the age of 21. However, because NJC is covered under federal law, alcohol and marijuana possession and use is banned on campus. The number and concentration of alcohol outlets near campus are limited. There are no marijuana dispensaries in Sterling or Logan County at this time. The number and concentration of alcohol outlets near campus are limited.

4. Alcohol/Marijuana Marketing and Promotion

Alcohol/marijuana advertising on campus is prohibited and non-existent. No advertising is allowed on campus bulletin boards. We currently do not limit or prohibit the sale of shot glasses and beer mugs in the NJC bookstore.

5. Policy Development and Enforcement

We believe the AOD prevention program in conjunction with consistent enforcement of AOD policies on campus have been very good. Local law enforcement departments are partners in enforcement of underage drinking violations on campus. This has resulted in very few second violations. The community police are vigilant about MIP and DUI enforcement. Periodic undercover operations are used at retail alcohol outlets. All first year residence hall and commuter students are required to participate in the on-line Alcohol-Wise alcohol awareness and prevention program prior to arriving to NJC in the fall. Alcohol-Wise addresses consequences of under-aged and abusive drinking in college. Students also are required to complete Marijuana-Wise.

The residence halls conduct orientation programs and also invite community and campus presenters into their hall for presentations/ educational programs. Sanctions for AOD violations may include completing various self-assessments that are used in a required session with the Guidance Coordinator. These assessments include Check-Up to Go, Alcohol Pop Quiz, and others.

The Athletic department holds athletes accountable to alcohol/drug free living. Random drug testing occurs with coaches providing the sanctions. There is a set policy that the Athletic department follows regarding AOD issues.

AOD Policy

The AOD appears on web site and in Student Handbook (3.24). This is widely distributed through orientation and mailings.

3.24 Substance Abuse Involving Alcohol and/or Marijuana

Statement of Compliance

Northeastern Junior College recognizes the social and personal consequences of drinking alcohol and the pressure to drink as part of the college rite of passage as a young adult. We also recognize the college's responsibility to enforce the state law, which limits legal consumption of alcohol to persons over 21 years of age, and the Drug and Alcohol-Free Campus Federal Law, which restricts any alcohol or drugs on campus or associated with a college activity. As a local, state and federally funded college we must abide by all legal regulations and then realistically deal with the student behaviors related to alcohol use/abuse.

Note 1: The College may notify parents/guardians when their son/daughter violates the substance abuse policy after the first violation. This notification is allowed to all parents/guardians of students under the age of 21 years. The college reserves the right to withhold notification on the first violation but will notify parents for any violation after level one.

Note 2: Although possession and use of marijuana for certain medical conditions consistent with the requirements of the Colorado constitution is no longer a crime in the State of Colorado, the possession and use of marijuana remains illegal under federal law. Consistent with federal law, including the Controlled Substances Act and the Drug-Free Schools and Communities Act, the use and/or possession of marijuana continues to be prohibited while a student is on campus, including in campus housing.

Police. The College will notify police when students are in possession of alcohol, marijuana and/or other drugs in a residence hall room or any other location on campus. This procedure applies to all discipline levels including level one.

Philosophy of Enforcement

Northeastern Junior College will respond to all known incidents of alcohol possession on campus property or any college activity and any other violations of the Student Code of Conduct. Strictly punitive measures as required by law do not serve the needs of our students. Violations of the alcohol policy will be dealt with at the education and behavior change level first. The goal of the Alcohol/Drug Education Procedure is to inform, educate and seek behavior change. The college assumes each student is developmentally normal and will respond to reasonable educational sanctions regarding alcohol use. The four-level education/intervention strategy provides appropriate assistance from the experimental user through the difficult chemical dependent level of addiction. Northeastern Junior College will abide by all laws while providing alcohol/drug education and will enforce appropriate disciplinary consequences of all alcohol use.

Note 1: Situations where excessive quantities of alcohol/marijuana are found may result in the disciplinary level/sanction being enforced at a higher level. A resident hall student who is in possession of a large amount of marijuana may face eviction from the residence halls.

Note 2: A combination of alcohol, marijuana, and/or other drug offenses in a single incident will result in an increase in the sanction levels of any/all procedures.

Level One—Educational Sanctions

A student who has been reported for a first violation of the alcohol/marijuana policy will be required to complete the following educational sanctions (Note: Presence of paraphernalia or devices used to smoke marijuana is also considered a level one violation).

1. Explanation of Procedure

A Residence Hall Director, Director of Residence Life, Student Guidance Coordinator, or Vice President of Student Services will review the procedure and will give the student the appropriate assessment to complete and turn in to the Student Success Center staff. The student will be required to schedule an appointment with the Student Guidance Coordinator within 30 days of the report of the offense. The student has five days to complete an appeal through appropriate due process if deemed necessary.

2. Assessment of Need/Educational Sanctions

The student will be required to participate in an appointment with the Student Guidance Coordinator to determine if counseling assistance is needed and to discuss the results of the assessment. If the student lives on campus, they are required to meet with a Residence Hall Director (or an Assistant Hall Director, Director of Residence Life, or the Vice President of Student Services) to be assigned appropriate Educational Sanctions. Completion of all sanctions is required before any future enrollment at the college. The Vice President of Student Services or the Director of Residential Life will monitor the completion of all educational sanctions.

3. Disciplinary Probation

A student who has been reported for a first violation of the alcohol/marijuana procedure will be placed on Disciplinary Probation for thirty (30) days, beginning at the time the offense is reported. Additional violations during the warning period will cause the probation to increase two levels.

Level Two—Alcohol/Drug Education Class

1. Assessment of Need

The student will be required to schedule an appointment with the NJC Student Guidance Coordinator. This needs to be scheduled within 30 days of the report of the offense. The student will be required to attend an Assessment appointment with NJC Student Success Services to determine if counseling assistance is needed and to complete an assessment. This assessment will take into consideration information regarding prior violation. Based on the assessment, the student may be required to complete additional counseling and assigned appropriate educational sanctions.

2. Alcohol/Drug Education Class

A student who has been reported for a second violation of the alcohol/drug procedure within four (4) enrolled semesters will be required to enroll in an Alcohol/Drug Education Class. This class addresses participant's knowledge, attitudes, and behaviors concerning alcohol and other drugs; encourages low risk decision making, positive life style changes and provides appropriate referral for those in need of further services. The student will be required to show proof of completion of this class prior to the next enrollment period. The student will pay the cost of the class.

3. Disciplinary Probation

A student who has been reported for a second violation of the alcohol/marijuana policy within four (4) enrolled semesters will be placed on Disciplinary Probation for sixty (60) days. Violations during the warning period will cause the probation to increase two levels.

Note: Disciplinary Probation may cause loss of NJC Scholarship support and/or loss of participation in any activity representing the college, for the duration of the probation status.

4. Parental Notification of Enrolled Students Under 21 Years of Age

The parents of a student, under 21 years of age that is reported for a Second Level Alcohol/Marijuana Violation may be notified within seven (7) days of the violation. This notification will include the report for the Level One or the first alcohol/marijuana violation. The parents of a student, under 21 years of age that is reported for a Third or Fourth Level Alcohol/Marijuana Violation may be notified within seven (7) days of the violation. This notification will include the report for all prior alcohol and drug violations.

Level Three—Professional Assessment and Alcohol/Drug Education Class

1. Chemical Assessment

A student who has been reported for a third alcohol/marijuana violation within four (4) enrolled semesters will be required to receive an individual alcohol/drug assessment by a certified chemical dependency counselor. The assessment may include a series of chemical dependency tests that would direct personal strategies to avoid chronic alcohol/drug use. The chemical dependency counselor could recommend continued treatment and personal/social changes that would become a requirement to continue as a student. Should the counselor deem an Alcohol/Drug Education class as appropriate, the student will assume costs of assessment and continued treatment.

2. Extended Disciplinary Probation

A student who has been reported for a third violation of the alcohol/marijuana procedure within four (4) enrolled semesters will be placed on Disciplinary Probation for ninety (90) days. Violations during the warning period will cause the probation to increase two levels, which would cause suspension. See Level Four.

Level Four—Chemical Dependency Treatment

1. Suspension for Further Assessment/Treatment Recommended

A student who has been reported for a fourth violation of the alcohol/marijuana procedure within four (4) enrolled semesters will be suspended from the report date until all required conditions are met for re-admittance. This suspension will be for the balance of the current enrolled semester and the following semester.

2. Treatment Certification

The chemically dependent student will be required to receive a professional chemical assessment, encouraged to pursue substance abuse counseling &/or treatment, and submit an appeal for re-admission to be reviewed by the Vice President of Student Services.

Northeastern Junior College will enforce the Alcohol and Drug Educational Sanctions for all enrolled students as written and we presume each student is developmentally normal and capable of responding to all reasonable sanctions. Northeastern Junior College is not a treatment facility for alcohol/drug abuse; we are an educational institution promoting responsible personal behaviors and understanding of alcohol/drug use through an effective and reasonable Alcohol/Drug Education Procedure.

3. 24(a) Substance Abuse Involving any Illegal/Controlled Substance

Northeastern Junior College strives to educate students as well as preserve a positive educational environment for all learners and active participants in the learning process. In order to provide a consistent and fair judicial process for all students, the following policy is based upon four main criteria: 1. Repeat violations by the student; 2. By type of controlled substance (i.e. cocaine, heroin, meth.); 3. The amount of controlled substance present; 4. The possible intent of the violator to use or distribute. Evidence of abuse of over the counter and prescription medications and herbal substances will be considered Substance Abuse violations and may result in eviction, suspension, or expulsion.

Controlled Substance/Other Drugs Violation: Judicial Levels

Level One—Private or Group Possession/Use

Level One is possession only with no intent to sell or distribute. With possession there may be other people present—either students or non-students. There may be intent to use the substance, or it may simply be in the presence of others. All persons present will be subject to the sanction. Amount and type of illegal substance in possession does not exceed a misdemeanor legal summons. An amount of controlled-illegal substance that is excessive beyond a misdemeanor level will cause Level Two or Level Three sanctions. Many substances are considered felony regardless of amount. In these instances, the sanctions will be those of Level Two or Level Three. Eviction may occur, as defined in Level Two. Sanctions for Level One

An illegal possession will result in a police call for summons – always. This will require educational sanctions to be assigned and referral to NJC Counseling Services for assessment of need. The student must schedule an appointment with the NJC Student Guidance Coordinator within 14 days of the report of the offense/ The student will also be referred to an off-campus chemical Student Guidance Coordinator for an assessment at their own expense. Disciplinary Probation is for sixty (60) days. A repeat offense involving substance abuse within a four (4) semester time frame will result in a Level Three College Sanction of interim action.

Level Two—Private Group Possession/Use

Level Two is the second offense of what is stated above, in Level One.

Sanctions for Level Two

An illegal possession/use of a controlled substance will result in a police call for a summons – always. The college judicial action is immediate eviction (within 2 to 24 hours) and complete restriction from any residence hall and cafeteria. Disciplinary Probation is assigned for one (1) semester or ninety (90) days. A repeat offense involving a violation of substance abuse within a four (4) semester time frame will result in a Level Three College Sanction of interim action.

Level Three—Possession with Intent to Sell or Distribute

Possession of an excessive amount is interpreted as intent to sell or distribute. There may have been observed behavior of selling, distributing of an illegal-controlled substance. This activity may be confined to one room or expanded to more than one area on campus. Amount and type of controlled substance exceeds the misdemeanor level.

Sanctions for Level Three

An illegal possession/use and distribution of a controlled substance will result in a police call for summons – always. The college judicial action is immediate eviction (within 2 hours) and an interim action from college, which may result in suspension following an investigation. As part of the interim action, complete removal from campus property will take place within two (2 hours) with police escort and total restriction from returning to campus until further notice.

Psychological Risks

Some of the leading psychological risks of alcohol/drug use are:

- Lateness to work or class
- Temper tantrums
- Attendance problems
- Domestic violence
- Inattentive-short attention
- False confidence
- Sluggish physically
- Safety hazard
- Criminal activity to support abuse
- Distortion of reality
- Hallucinations

- Memory blackouts
- Hyperactive to depression
- Addiction
- Medical Risks

Some of the leading medical risks are:

- Damage to lungs
- Addiction
- Damage to reproductive system
- Malnutrition
- Damage to immune system
- Brain seizure
- Permanent loss of brain function
- Overdose-death
- Serious kidney/liver damage

Drug/Alcohol Treatment

Northeastern Junior College encourages all students who have identified drug or alcohol problems to seek rehabilitation treatment before disciplinary sanctions have to be implemented as outlined in the student procedures. Most treatment programs which are supervised by professional doctors, psychologists are covered under most student health insurance programs. Student may receive oncampus assistance from the NJC Student Success Office, phone 521-6663.

Local Resources:

Northeastern Junior Student Success Center & Student Guidance Coordinator 970-521-6663

NJC has a professional Student Guidance Coordinator trained in drug/alcohol and behavior intervention. This center is a first step in determining the needed support and resources for an individual's problem with alcohol or drug education. Consultation and referrals to other agencies and treatment programs are made.

Centennial Mental Health

General treatment and alcohol/drug treatment programs.

211 West Main Street
Sterling, CO 80751
970-522-4392 (24 hours)

CMH provides comprehensive community based mental health services consisting of outpatient clinic, partial care, residential, inpatient, consultation and education. Centennial also provides crisis and emergency intervention services 24 hours a day, 7 days a week.

They also provide Level II and III Alcohol Education Therapy groups to DUI drivers and court referrals. Also provides volunteer outpatient services and referrals for persons seeking treatment for alcohol and drug related problems.

Alcoholic Anonymous Groups

1325 North 7th Street - 522-4538

AA and Al Anon meetings are held several times a week. These serve as support groups for people desiring to stop drinking as well as for family and friends.

State of Colorado Resources

A list of statewide drug and alcohol treatment resources is available upon request from the NJC Guidance Coordinator. This includes the Colorado Crisis Line (844) 493-TALK. Employees of the college also have Counseling Services available through C-SEAP. Information about C-SEAP can be *obtained in Walker Hall and the Human Resources Office.*

The college conducts biennial reviews to determine program effectiveness, to show if procedures implemented need changes and to ensure disciplinary sanctions are enforced fairly and consistently. AA and Al Anon meetings are held several times a week. These serve as support groups for people desiring to stop drinking as well as for family and friends.

Summary of NJC's AOD Program's Strengths and Weaknesses:

Strengths. The high level of involvement in student activities on an alcohol free campus. Enforcement of AOD policies as well as educational follow up efforts as part of the disciplinary process. Educational programs are delivered to the campus throughout the year. The NJC Athletic program supports the alcohol-free environment with enforcement of rules for athletes including random drug testing. We have a personal campus community where faculty and staff interact often with students. Second time disciplinary infractions are low. We offer many social events for residential and commuter students. These activities serve as a viable alternative to drinking events held elsewhere in the community.

In Fall 2018, NJC started the Health Committee specifically to address health issues relating to students. We have also completed the installation of outdoor security cameras all across campus, which serves as a deterrent to drug and alcohol illegal activity. Additionally, our campus lighting has been significantly improved in recent years. NJC has a strong and active Safety & Security Committee, chaired by our Coordinator of Campus Safety and Security. Several local law enforcement agencies have active representation on this committee.

Weaknesses. There continues to be alcohol purchases made for minors by others in the community; there is a need to continue to offer more alternative social events for students on campus. We have no formal campus security, and we need to enhance security efforts in parking areas to assist with prohibition of alcohol/drug use. Some alcohol consumption and driving occurs at parties off campus.

Recommendations for revising NJC's AOD Prevention program:

1. Northeastern Junior College continually assess the effectiveness of our hours of operation in the Student Center, Library, Event Center and Pete's Retreat for recreation of an after-hours gathering place on campus.

2. Our NJC Peer Educator program has transferred to our academic division (Spring 2019). It will soon provide peer led education to students regarding alcohol, drugs, and health safety. Most recently, they have focused their efforts on mental health, human trafficking, vaping and smoking.
3. Additional educational programming is always needed: pro-health messages/posters around campus; social media blitzes.
4. Continue to assess and enhance lighting, as deemed necessary.
5. NJC has begun tracking our student activities in the Fall 2019 semester. We originally used QR codes for tracking and feedback. Then we switched to Microsoft Forms. In the future we will use EAB Navigate.

Use of Alcoholic Beverages Policy and Programs

Drug Free and Alcohol-Free Campus

NJC abides by a “zero tolerance” policy for drugs and alcohol. The NJC policy for Drug Free and AlcoholFree 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 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 small group orientation sessions at the beginning of the fall and spring semesters, and in freshman seminar classes.
- The Student handbook, including the drug and alcohol policies and procedures, are posted in the D2L student shell.

- Post-card sized documents with the alcohol and drug policy are distributed across campus (education buildings, residence halls, library, Student Center).
- The Alcohol-Wise and Marijuana-Wise online programs are 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. In 2018-19, these programs had an 84% completion rate. In 2019-2020, they had a 94% completion rate
- During mandatory floor meetings, the RA's and the Hall Directors explain the NJC Alcohol and Drug policy to residents.
- When students are referred for alcohol and/or drug violations, part of the sanction is a mandatory meeting with the NJC 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 Guidance Coordinator. If it is determined that additional counseling may be required, the student is referred to outside drug counseling service providers.
- NJC Student Success Center staff make presentations in residence halls throughout the year. Impaired driving and Alcohol Poisoning are topics that are regularly covered and discussed with NJC residents.
- 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 our program, a recommendation is made to contact 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.

- In 2018-19 the online sex assault prevention program "Haven," developed by "Ever-Fi" was required of each new student. Haven is a brief sexual assault prevention program. Students are to complete it during the summer months before they arrive for New Student Orientation. In 2019-2020, we used the Consent and Respect program for the same purpose. It had a 94% completion rate in 2019-2020.

- 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 is available in residence halls and the student center and covers the topics of date 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 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. They also have many web-based resources available to students.
- Individual personal adjustment assistance and support is available by request or by referral in the Student Success Center, Hays Student Center 132.
- 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.
- Title IX emails are sent to all students and employees every fall semester. All students receive this information again in the spring semester.
- Employees complete a web-based Sexual Assault Prevention program called, “Workplace Answers” in 2018-19. The platform was changed to Canopy in 2019-2020.
- All athletes are specifically taught Sexual Assault Prevention and Title IX protocols by our Title IX Coordinator or designee.

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.

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 Coordinator 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 support 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	521-6663
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Sterling

S.A.R.A., Inc. (Ft. Morgan)	867-2121 or 855-440-SARA
S.A.R.A. now has offices in Yuma and Sterling	
N.E. Colorado Health Department	522-3741
Help for Abused Partners	522-2307
Centennial Mental Health	522-4392
Sterling Police Department	522-3512
Logan County Sheriff's Department	522-2578

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 Sterling Police Department and the Logan County Sheriff's Department to preserve and protect the citizens of Logan County and the students and staff of Northeastern Junior College.

On-Campus Violations

Nine (9) Alcohol Violations—August 2018 to August 2020

Four (4) Drug Violations—August 2018 to August 2020

The above violations are from the Annual Crime Log (2018, 2019, and 2020). The drug violations include Possession of Drug Paraphernalia, as well as both misdemeanor and felony drug offenses.

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