

NORTHEASTERN JUNIOR
COLLEGE ANNUAL CAMPUS
SECURITY REPORT
AND FIRE SAFETY REPORT
2024

Main Campus Sterling, Colorado
&
Yuma Campus
Yuma, Colorado

Prepared by Campus Safety
Includes Policy Statements for the 2023 Calendar Year and
Crime Statistics for Calendar Years 2021, 2022, and 2023

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CAMPUS SECURITY AND SAFETY

The report was prepared by Northeastern Junior College (NJC) in order to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). This report covers the calendar years 2021, 2022, and 2023. The report describes safety and security policies and procedures at Northeastern Junior College and contains crime statistics for the most recent calendar year and the two preceding calendar years. The College's Clery Compliance Officer works with housing, facilities, executive leadership, and CARE team. Campus Safety Authorities and local law enforcement agencies to collect crime statistics from the prior calendar year for inclusion in this report.

Current Northeastern Junior College employees and students are notified of the availability of this report annually. A copy of the report is available on the Northeastern Junior College website at: njc.edu. Additionally, a copy of this report may be requested from Campus Safety at 970-521-6683.

This publication is intended to provide a general description of campus safety and security policies and procedures. Policies and procedures are subject to change following publication of this report and the campus community will be made aware of updates as required.

CLERY GEOGRAPHY DEFINITIONS

The following definitions are used to describe campus and other property that is covered by this report in accordance with the Clery Act:

On-Campus Property

The term "On-Campus Property" means: (1) Any building or property on the core/main campus; and (2) any building or property on the core/main campus that is owned by Northeastern Junior College but controlled by another person, is frequently used by students, and supports campus purposes (such as a food or retail vendor). On-campus Property includes, for example, College buildings; residence halls; College owned land/real property; College streets, sidewalks, and parking lots; property leased by the College that is part of the core/main campus; and property owned by the College but controlled by a third party.

Northeastern Junior College's Main Campus is defined as those properties, streets, retail operations and facilities owned by the State of Colorado and used by students, staff, faculty, and visitors which are bounded by:

- Main Campus: Charmony neighborhood (Northernmost border), Broadway Plaza (Southernmost border), Highway 138 (Easternmost border), and Sidney Avenue (Westernmost border)
- Applied Technology Campus: Pioneer Road (Northernmost border), Hagan Street & Charmony Neighborhood (Southernmost border), Highway 138 & Charmony neighborhood (Easternmost border), and Plainview Avenue & Verde Avenue (Westernmost border)
- Yuma Campus: West 9th Avenue (Northernmost border), West 10th Avenue (Southernmost border), South Main Street (Easternmost border), and South Ash Street (Westernmost border).

Non-Campus Property

The term "Non-Campus Property" means: (1) Any building or property owned or controlled by a student

organization that is officially recognized by the College; or (2) any building or property owned or controlled by the College that is used in direct support of, or in relation to, the College's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the main campus.

- Mason Field; 808 Elm Street, Sterling, CO
- Riverview Golf Course

Public Property

The term "Public Property" means: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the reasonably contiguous geographic area of the core/main campus. Public Property includes, for example, city streets and sidewalks that are within the core/main campus or immediately adjacent to and accessible from the core/main campus.

REPORTING CRIMES AND EMERGENCIES

Crime reports or emergency reports can be made at any time. Colorado Revised Statute, 18-8-115, "Duty to Report a Crime," requires all persons who believe a crime has been committed to promptly report the suspected crime to law enforcement authorities. This includes when a suspected crime has occurred, and the victim elects not to or is unable to report. Northeastern Junior College does not have a campus police department. The College's campus safety department is available 5 days a week from the hours of 8 am to 5 pm and will be the primary safety response department on campus during those hours. The coordinator of campus safety is also available on call outside regular operating hours.

When on campus, crimes should be reported to the local police department, and to Northeastern Junior College Campus Safety when safe to do so. To report a crime, call the Sterling Regional Dispatch non-emergency number at (970) 522-3512 or in-person at 421 North 4th Street, Sterling, CO 80751. Further, parties may 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 (970-521-6657), the Vice President of Student Services (970-521-6657) or Campus Safety (970-521-6683). 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

The College works closely with the local police departments who will respond to all calls when Northeastern Junior College campus safety is not on campus. Priority is given to reports of incidents that threaten the life or safety of people, the security of property and the peace of the community. Upon receiving information concerning an incident, a campus safety personnel will investigate the incident, document the information, and take appropriate action. This action may involve working with local police or sheriff's departments, the district attorney, and other state or federal agencies such as the FBI or the Drug Enforcement Administration. Cases are adjudicated through either the city or county and/or through the College's disciplinary system.

The College provides a confidential online reporting system. 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) Anyone is able to anonymously enter a report

into this system as well. Pursuant to Clery Act standards, anonymous reports can be made for inclusion into the annual disclosure of crime statistics. The local police department provides an anonymous reporting option for victims of crimes who do not wish to be identified. Additionally, a reporting form is available to any campus official who is designated as a Campus Safety Authority to complete as they become aware of a crime and the victim wishes to remain anonymous.

The College employs or contracts with one or more licensed, professional counselors to serve students on campus. While professional counselors are functioning within the scope of their responsibilities to provide mental health counseling to students, they may not be required to report certain crimes of which they become aware (and therefore such crimes will not be included in the crime statistics included in this report). This exemption has limitations, and professional counselors are under a legal obligation to report some crimes discovered during the counselor-client relationship. When a professional counselor is not legally required to report a crime, they are expected to inform and/or encourage clients regarding where they may make crime reports to the College on a voluntary, confidential basis. The College does not employ any pastoral counselors.

Crime reports involving employees will be referred to Human Resources for review under applicable employee conduct and discipline policies. Crime reports involving students will be referred to Student Human Resources for review under the applicable student code of behavioral expectations and responsibilities (conduct and discipline) policies and procedures. Upon written request, the College will disclose to the alleged victim of a crime of violence or non-forcible sex offense the results of any disciplinary proceeding against a student who is an alleged perpetrator. If the alleged victim is deceased, disclosure will be made to the next of kin upon written request.

All personally identifiable information of the person reporting a crime will be kept confidential by law enforcement to the extent permitted by law. However, even if crime reports are made confidentially, the statistical information regarding the type of incident and its general location are published in the Annual Security Report consistent with Clery Act requirements.

Daily Crime Log

Campus Safety Department prepares a log of reported crimes by date that details the date, time, location and disposition of reported incidents. The daily crime log for the last 60 days is open to public inspection or upon immediate request from Campus Safety or Vice President of Student Services from 8 am to 5 pm Monday through Friday in Hays Student Center, except on holidays. The daily crime log for entries older than 60 days will be made available within two business days of a request for public inspection.

Campus Security Authorities

In addition to the departments listed above, crime reports may also be made to the following College personnel who are designated as Campus Security Authorities (CSAs). For Clery Act crime reporting and timely warning purposes, CSAs include campus police or safety department personnel; College employees with security-related responsibilities; individuals or organizations identified in College security policies as those to which students and employees should report criminal offenses; and College employees who have significant responsibility for student and campus activities, including, but not limited to, student housing, student activities, student athletics, and student discipline. 7

TIMELY WARNINGS AND EMERGENCY NOTIFICATIONS

The College issues announcements (“Timely Warnings”) to inform the campus community of crimes occurring on Clery Geography that are reported to Campus Safety Authorities or local law enforcement when the reported crime may pose a serious or continuing threat to students and employees. The College also issues announcements (“Emergency Notifications”) to inform the campus community of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees on the campus. The College’s procedures for issuing Timely Warnings and Emergency Notifications are as follows.

The Coordinator of Campus Safety, or designee, upon receipt of information that presents a real and continuing threat to the campus community will issue a timely warning to the campus via email to all students, staff, and adjunct staff. In rare circumstances, timely warnings may be issued using the AppArmor mass notification software.

A critical component of any emergency management plan is the dissemination of information to the community. The timely distribution of accurate information about crimes or emergencies serves multiple purposes, including helping citizens protect themselves from hazards, keeping people away from emergency scenes, and controlling rumors. Northeastern Junior College will issue a timely warning for all crimes that occur on campus, on non-campus property or on adjacent public property if they are reported to Campus Safety Authorities or local law enforcement and present a serious or continuing threat to the campus community.

The campus safety office is responsible for assessing the location of the emergency or criminal conduct and the likely affected members of the campus community. Based on that analysis, it will determine whether the entire campus community will be notified/warned, or if the communication will be targeted to a specific segment of the campus community. This analysis will be ongoing as the matter develops and additional segments of the campus community may be notified/warned when they are likely to become affected by the emergency or crime. Follow up communications will be disseminated regarding the incident as circumstances change or the threat subsides.

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 in the ASR. This includes at least one annual test of this system.

The College will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of the first responders, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. The content of the notification will include sufficient facts and details, such as relevant locations, descriptions of the emergency or suspect, and type of danger, in order to allow the campus community to take appropriate precautions to protect themselves.

The College utilizes a multi-tiered approach to reach the largest possible audience in the shortest period of time. The following are the methods currently in place at College for issuing timely warnings and emergency notifications. The appropriate method is determined The Coordinator of Campus Safety or designee for each particular situation.

Phone/Text alert system: The Alert System operated by campus safety utilizes phone, email, and text messaging to enhance safety and communication. The system has the capacity to contact all students and employees within minutes in the case of a campus emergency, school closure, or when there is a need to communicate other important messages. Students, faculty and staff are responsible for keeping their contact information updated in the system. All students and employees are automatically opted in to receive these text messages and may opt-out via the student portal.

E-mail system: In addition to the above, the Vice President of Student Services sends campus-wide e-mails to provide information to all students, faculty, and staff through their official College e-mail accounts. Students and employees do not have to opt in to receive these messages.

NJC Social Media Accounts: In the event of an emergency, a message can be posted onto the College's home web page by the College's Marketing Department. This method is utilized when it is necessary to disseminate information to the larger community.

News media: The news media are used to push out information via radio and television. The College's Marketing Director will be the only official source of information from the College to the news media. This method is utilized when it is necessary to disseminate information to the larger community.

It is important to understand that no single system can reach the entire College or the neighboring community. Each of the above have individual limitations. This is why it is critical that as many systems be used at one time as possible, and that all messages contain instructions that recipients pass along the message to those they come into contact with. The methods of communication will be determined on a case-by-case basis.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

The College has developed an emergency operations plan (EOP) that provides a comprehensive set of guidelines for directing resources before, during and after campus emergencies and disasters. The College trains its employees for emergency preparedness, response and recovery. The plan includes a set of guidelines for emergency procedures which are posted with evacuation diagrams in all the campus buildings.

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.

Members of the campus community are encouraged to report all information related to emergencies to the Campus Safety Department, who will take the lead on confirming the report. The Campus Safety Department may inspect/observe the area subject to the report and/or contact other appropriate individuals on and off campus to investigate the report and confirm the existence of the reported emergency. The nature of the report, including the type and location of the emergency, will dictate which internal and external resources will be contacted to determine if an emergency exists.

In case of a confirmed active, major campus emergency that involves an immediate threat to the health or safety of students or employees, an emergency alert system may be activated. For further information on methods of notification see the section on “Timely Warnings and Emergency Notifications.”

In the case of an active harmer situation, College staff will activate an alert via the LifeSpot Technologies app (LifeSpot). LifeSpot will simultaneously notify all law enforcement, fire/EMS, incident commanders, NJC staff and faculty, and designated staff responders.

When a building fire alarm sounds, or when directed by a College official to evacuate, all occupants will leave the buildings through the nearest safe exit. Designated personnel may remain behind for the purpose of assisting other occupants or emergency responders. The public address system may be used to provide instructions for evacuation to avoid contact with any potential threats or if usual evacuation routes are blocked.

Describe testing procedures, including frequency of testing, whether tests are announced or unannounced, and how tests are documented (including description, date/time, and announced/unannounced). Also describe how emergency response/evacuation procedures are communicated to the campus community in conjunction with at least one test per calendar year.

The College tests the emergency response and evacuation procedures on at least an annual basis during drills and other exercises. These tests are initiated by the Campus Safety Office and are normally announced and publicized in advance of the drill or exercise. In conjunction with testing, the College publicizes the emergency response and evacuation procedures to the campus community by making it available on the College website and emailing employees and students. The College’s Campus Safety Office maintains records of all tests, drills, and exercises, including a description of the exercise, the date, time, and whether it was announced or unannounced.

CAMPUS SECURITY DEPARTMENT JURISDICTION

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 10 duties of this position are to develop and enhance the safety and security programs 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, manage compliance with CCCS SP 19-40b, amongst other duties and responsibilities.

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.

Campus Safety's Relationship with Outside Public Safety Agencies

Northeastern Campus Safety and other College representatives work closely with outside public safety agencies to ensure the safety of all people and property whose safety is entrusted to the college.

Northeastern currently maintains partner relationships with the Sterling Police Department, Sterling Fire Department, Yuma Police Department, Logan County Sheriff's Office, Logan County Office of Emergency Management, Colorado State Patrol, Colorado Office of Emergency Management, Banner Health (local hospital provider), Federal Bureau of Investigation, Northeast Colorado Health Department, and Centennial Area Health Education Center.

Although Northeastern does not currently have any memorandums of understanding with any outside agency or organization, Northeastern's Campus Safety and Security Committee meets regularly and invites representatives from all aforementioned agencies and organizations to attend. Further, Northeastern conducts one emergency exercise per semester; these exercises are pursuant to the types of emergency exercises recommended and outlined by FEMA (seminar, tabletop exercise, functional drill, or full-scale exercise). The College's outside public safety agencies and organizations regularly participate in Northeastern's emergency exercises

SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS

College provides the following services and programs to improve safety on campus and to make the community aware of campus crime and efforts to reduce criminal activity, as well as to minimize their chances of becoming a victim. In as much, multiple offices across the campus including the Residence Life Office, Student Success Office, and Campus Safety Office engage regularly in educating the campus community about how to best ensure their safety. These educational programs include

- Alcohol Wise and Consent and Respect: mandatory for all first-year students
- Various situational awareness campaigns: offered to the entire campus community regularly
- Safety talks at regular residence life meetings: offered to all residential students at regular residence life meetings.
- Ongoing overdose prevention and awareness: Posters and digital information available throughout the year and Naloxone available for free to any person while supplies last.

ACCESS TO CAMPUS FACILITIES

The Northeastern Junior College Physical Plant Department has the primary responsibility for monitoring access to College facilities and coordinating the locking and unlocking of most campus buildings. Established facility hours are coordinated and maintained by the applicable

college department (i.e., Liberal Arts Department Chair is responsible for E.S. French). Unless otherwise noted, campus facilities are generally open to employees and students during normal posted operating hours and locked at all other times. When locked, access must be requested from the Physical Plant Department or other appropriate entity. Some facilities are also accessible to the public during operating hours, such as the Monahan Learning Center, Pete's Retreat, and most common areas of academic buildings. Residence halls are locked and inaccessible except by cardholders at all times. All residential students, residence life staff, and select College staff have badge access to the residence halls.

The Physical Plant Department in concert with the Campus Safety Office is responsible for facilities maintenance, monitoring facilities for safety hazards (such as lack of lighting), and addressing safety hazards on campus. Describe any other safety considerations/measures used in the maintenance of campus facilities.

ALCOHOL AND DRUG POLICIES

In compliance with applicable federal and state laws, the illegal possession, use or sale of alcohol (including underage drinking) or illegal drugs when on campus is prohibited. The College applies and enforces the following Colorado Community College System Board Policies and System Procedures related to alcohol and drugs:

- BP 3-24 Drug-Free Workplace (<https://www.cccs.edu/policies-and-procedures/board-policies/bp-3-24-drug-free-workplace/>)
- SP 3-24 Drug-Free Workplace (<https://www.cccs.edu/policies-and-procedures/system-presidents-procedures/sp-3-24-drug-free-workplace/>)
- BP 19-30 Drug Free Schools (<https://www.cccs.edu/policies-and-procedures/board-policies/bp-19-30-drug-free-schools/>)
- SP 19-30a Drug Free Schools (<https://ccc.edu/about/governance/policies-procedures/sp-19-30a-drug-free-schools/>)

College alcohol and drug policies apply to the College campus and institution-sponsored activities. Administrators, alumni, faculty, guests, staff and students must adhere to all applicable state and local laws and regulations related to the sale and use of alcoholic beverages and drugs. The most common laws related to alcohol use and sales are as follows:

- The sale of alcoholic beverages is prohibited except in areas, at times, and on dates licensed by the Colorado State Department of Revenue.
- Persons under 21 years of age cannot legally possess or consume alcoholic beverages of any kind. The furnishing of alcoholic beverages to under-aged persons is prohibited.
- Alcohol cannot be consumed or carried in open containers on any street, sidewalk, alley, automobile, or public area (except as noted herein).

In addition, persons residing in campus residence halls (including those who are 21 years or older) are not permitted to have alcohol in their room or on campus.

NOTE: Although possession and use of marijuana 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 College owned or College controlled property, and/or any function authorized or supervised by the College and/or in state owned or leased vehicles.

Students in violation of these laws, policies or procedures are subject to referral for discipline which may include warning, probation, suspension, expulsion or any other disciplinary outcome in the College's disciplinary procedures. Disciplinary sanctions for employees who violate the foregoing standards of conduct shall be subject to disciplinary sanctions which may include, without limitation, completion of an appropriate rehabilitation program, reprimand, probation, corrective action, demotion, reassignment with or without salary adjustment, suspension with or without pay, and termination. Disciplinary sanctions shall be consistent with local, state and federal law and shall be administered in accordance with state personnel system rules, procedures and policies or State Board or College policies and procedures.

In addition to the foregoing disciplinary sanctions, violations may be reported to law enforcement authorities for criminal prosecution. Students, employees and other visitors in violation of these laws, policies or procedures are also subject to referral for criminal prosecution. The College cooperates with local, state and federal authorities in the detection and investigation of alcohol and drug offenses.

ALCOHOL AND DRUG ABUSE EDUCATION PROGRAMS AND RESOURCES

In accordance with the policies described above, education, training, and treatment programs are available through a request to the Vice President of Student Services. *List or cross-reference the materials where the College describes any drug or alcohol abuse education programs. This may be in the College's biennial review document required under BP/SP 19-30. Also, list any resources available to students (internal or external).*

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 1st summer months before they arrive for New Student Orientation. In 2022-2023, the programs had a

completion of 89.72%.

- 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.

SEXUAL MISCONDUCT PREVENTION AND AWARENESS PROGRAMS

The College is committed to the prevention of sexual misconduct, which includes dating violence, domestic violence, sexual assault and stalking. In support of this commitment, the College offers various prevention and education programs that may fit into one or more of the following categories:

- **Awareness programs:** Community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.
- **Bystander intervention:** Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.
- **Ongoing prevention and awareness campaigns:** Programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution.
- **Primary prevention programs:** Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe

bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

- **Risk reduction:** Options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

The College offers programs to all incoming students and new employees covering, at minimum, the following information.

- The College's prohibition on crimes of dating violence, domestic violations, sexual assault, and stalking as those terms are defined in the Definitions for Crime Reporting section of this Annual Security Report.
- The following state law definitions applicable to those terms and consent:
 - **Dating violence:** There is no Colorado state law defining dating violence, so the definition used in the Violence Against Women Reauthorization Act of 2013 (VAWA) is used by the College.
 - **Domestic violence:** Any act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. Domestic Violence also includes any other crime against a person or property, including an animal or any municipal ordinance violation against a person, or against property, including an animal, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship. Intimate relationship means a relationship between spouses, former spouses, past or present unmarried couples, or persons who are both the parents of the same child regardless of whether the persons have been married or have lived together at any time. C.R.S. 18-6-800.3.
 - **Sexual assault:**
 - "Sexual assault": Any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if: (a) The actor causes submission of the victim by means of sufficient consequence reasonably calculated to cause submission against the victim's will; or (b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or (c) The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or (d) 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 (e) 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 (f) 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 (g) 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 (h) The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented. C.R.S. 18-3-402. *Note that subparagraphs (d) and (e) above define the offense in Colorado related to the Clery Act crime of Statutory Rape.
 - "Unlawful sexual contact": Any actor who knowingly subjects a victim to any sexual contact commits unlawful sexual contact if: (a) The actor knows that the victim does not consent; or (b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or (c) The victim is physically helpless and the actor

knows that the victim is physically helpless and the victim has not consented; or (d) The actor has substantially impaired the victim's power to appraise or control the victim's conduct by employing, without the victim's consent, any drug, intoxicant, or other means for the purpose of causing submission; or (e) Repealed; or (f) 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, unless incident to a lawful search, to coerce the victim to submit; or (g) The actor engages in treatment or examination of a victim for other than bona fide medical purposes or in a manner substantially inconsistent with reasonable medical practices. Any person who knowingly, with or without sexual contact, induces or coerces a child by any of the means set forth in section 18-3-402 to expose intimate parts or to engage in any sexual contact, intrusion, or penetration with another person, for the purpose of the actor's own sexual gratification, commits unlawful sexual contact. C.R.S. 18-3-404.

- **Stalking:** A person commits stalking if directly, or indirectly through another person, the person knowingly: (a) 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 (b) 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 (c) 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. For the purposes of this definition: (a) 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. (b) "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. (c) "Immediate family" includes the person's spouse and the person's parent, grandparent, sibling, or child. (d) "Repeated" or "repeatedly" means on more than one occasion.
- **Consent:** 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. C.R.S. 18-3-401(1.5)
- **Bystander intervention:** A large part of preventing sexual misconduct and other inappropriate behavior (such as bullying) involves recognition of warning signs and early intervention efforts. "Bystander intervention" as that term is defined above, can include options such as:
 - Interrupt the behavior
 - Publicly support the victim
 - Show disapproval through comments, facial expressions or body language
 - Use humor to diffuse the situation

- Encourage communication and open dialogue
- Gather a group of people as back-up
- Offer to leave the situation with the victim
- Invite yourself to tag along to avoid isolation of the victim with the perpetrator
- Ask questions or make suggestions on appropriate behaviors to the perpetrator as a friend
- Use the situation as an educational opportunity
- Call someone for help
- **Risk reduction:** Options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. “Risk reduction” as that term is defined above can include strategies such as:
 - Trust your gut
 - Have a code word
 - Lie or make an excuse to create an exit
 - Plan an escape route in advance
 - Become familiar with safe places
 - Create a support network
 - Change your routine to avoid someone
 - Make an escape to-go bag and plan a route/destination
 - Know what you’re drinking and don’t leave a drink unattended
 - Be aware of sudden changes in the way your body feels
 - Share your travel plans and routes with people (e.g., share your location on your phone with a trusted person to make sure you get home safe)
- Programming also covers the information included in the sections of this report on Sexual Misconduct Response and Reporting Procedures and Sexual Misconduct Resolution Procedures.

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

- Alcohol-Wise contains a “Consent and Respect” training module. Each new student is required to complete the training during the summer months before they arrive for New Student Orientation. The Residence Life program promotes a resident assistant program preventing sexual assault. These include inviting 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 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 who 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 supports 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 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.

SEXUAL MISCONDUCT RESPONSE AND REPORTING PROCEDURES

The College prohibits sexual misconduct which includes dating violence, domestic violence, sexual assault, and stalking in its programs and activities in accordance with the following Board Policy and System Procedure.

- BP 19-60 Prohibition of Discrimination, Harassment or Retaliation (<https://www.cccs.edu/policies-and-procedures/bp-19-60-prohibition-of-discrimination-harassment-or-retaliation/>)
- SP 19-60a Civil Rights and Sexual Misconduct Resolution Process (<https://cccs.edu/about/governance/policies-procedures/sp-19-60a-civil-rights-and-sexual-misconduct-resolution-process/>)

Specifically, sexual misconduct may be against the law and violates College policy and the Student Code of Behavioral Expectations and Responsibilities. The College prohibits sexual misconduct on property owned or controlled by the College, at institutionally-sponsored or supervised activities, or at functions of recognized student organizations. Sanctions for policy violations by College employees or students are determined by applicable internal policies and procedures. Students may be sanctioned up to and including expulsion. Employees may be sanctioned up to and including termination.

The College is committed to responding appropriately to all reports of sexual misconduct and to working collaboratively with other law enforcement, government and community agencies. This policy provides general guidelines for responding to individuals who are victims of sexual misconduct (also referred to herein as “complainants”) on the College’s campus or during other institutionally-sponsored activities. For specific procedures and resources, contact the following representative(s):

Steve Smith, Title IX Coordinator
Steven.smith@njc.edu / (970) 521-6657 /
Hays Student Center, Room 113

Samantha Roberts, Deputy Title IX Coordinator
Samantha.roberts@njc.edu / (970) 521-
6663 / Walker Hall, room 100

What to do if Sexual Misconduct Has Occurred

Individuals who believe they have been the victim of sexual misconduct should first ensure that they¹⁸ are in a place that is safe and that they are receiving any necessary medical treatment. It is important

to preserve evidence, so victims should not shower, bathe, eat, drink, brush their teeth, change clothes or disturb the scene of the incident. This evidence can be important to prove that a criminal offense has occurred and may be helpful in obtaining a protection order.

Reporting Sexual Misconduct

Individuals should report any incident of sexual misconduct immediately to the College's Title IX Coordinator listed in the section above. The Title IX Coordinators can assist the complainant with: getting help, explaining their rights as a student/employee, investigation processes, accessing resources, and protection options. Title IX Coordinators will provide complainants of sexual misconduct with a written explanation of their rights or options with respect to the complaint, regardless of whether the conduct occurred on or off campus. This written information may include a copy of System Procedure (SP) 19-60a and resources.

The complaint should describe the alleged incident, which may include when and where it occurred, the parties involved, and the desired remedy sought. Any supporting documentation and evidence may be referenced within the body of the complaint. Complaints may be submitted to reduce verbal complaints to writing or confirm the content of their complaint in writing before proceeding through the resolution process.

Individuals may decide to report the incident to the College Safety Department and/or other local law enforcement. Title IX Coordinators can assist with the reporting process. If an individual does not wish to pursue a formal criminal action through a police department, they can pursue institutional actions consistent with the System Procedure (SP) 19-60a. Alternatively, they can choose not to pursue any institutional action, but pursue criminal action or make a police report by contacting Campus Safety at 970-521-6683 or local law enforcement. Individuals also have the option of not notifying authorities of the incident.

Individuals may also report to a faculty member or an administrative official. In the interest of campus safety, the faculty or administrative official should immediately notify Campus Safety of the incident and will also be required to report the incident in accordance with the College's internal policies. Reports may be made anonymously. The identity of the individual involved in or reporting the incident is not essential for reporting.

Care should be taken to file a report as soon as possible after the incident and to preserve all physical evidence of the crime to aid in the police investigation or to assist in obtaining a protective order. These procedures are particularly important in the case where the assailant is unknown to the complainant and may be a threat to the campus community.

Other Options for Sexual Misconduct Complainants

Complainants of sexual misconduct may also pursue the below options individually or in combination with reporting options:

- To obtain crisis counseling by contacting SARA House, (970) 867-2121 (24/7 crisis line), www.sarahouseco.org.
- To file a civil lawsuit or restraining order request against the accused (also referred to herein as "respondent"). (In this case, the complainant may need a private attorney to assist with these options, and the complainant will likely be required to give testimony in court.)
- To seek a restraining order, protective order, no contact, or other similar order, and to have that order enforced by the College. A restraining order is an order from a court that requires one party to do, or refrain from doing, certain acts. For example, it can help protect someone from being physically abused, threatened, stalked, or harassed. The College can be

notified of such court orders by informing the Campus Security Department. The College can help to enforce the restraining or no-contact order on campus and at College events.

- For students, to request adjustments to their academic schedules after a reported sexual misconduct, if such changes are reasonably available, and for employees, to request adjustments to work schedules. Each such request will be handled on a case-by-case basis by the College. Even if there is no court order, the College may issue a no-contact order as part of its investigation and resolution procedures or take further protective action to minimize the interactions of the complainant and the respondent, such as rearranging College schedules or altering College employment arrangements.
- To have an advisor present when reporting or during any College proceedings to provide support, guidance or advice.

CONFIDENTIALITY

College employees, depending on their roles, have varying reporting responsibilities and may not be able to maintain confidentiality of information reported to them. Confidential employees are limited to those individuals whose communications are considered privileged and confidential under federal or state law and who are employed by the College in that capacity. Information regarding potential civil rights violations may only be considered confidential if it is reported to a College confidential employee who is functioning within the scope of that role. Any person who reports concerns of sexual misconduct should not assume that confidentiality or anonymity can be protected in connection with making a report.

At the College, the following confidential resources are available: Cindy Carey, CSWC, NJC Student Guidance Coordinator/Counselor, (970) 571-0131 (text or call 24/7), cindy.carey@njc.edu, available in office M-F 8-5 HSC 104C Student Success Center; Rochelle Lenox, LPC, Transition Specialist and Counselor, (970) 521-6727, Rochelle.lenox@njc.edu; office hours F 8-5 MLC. 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 Coordinator can assist in connecting an individual to these resources.

Any person who reports concerns of sexual misconduct should also be aware that the College 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. The College 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. The College will conduct publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the complainant in accordance with applicable laws.

Additionally, the College will maintain as confidential any accommodations or protective measures provided to the complainant, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the accommodations or protective measures.

SUPPORT AND RESOURCES FOR SEXUAL MISCONDUCT COMPLAINANTS

The College will provide written information to students and employees who report sexual misconduct about counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available at the College and in the community. Those resources include but are not limited to:

Confidential Resources:**Logan County Victim's Advocate**

(970) 522-2678 option #5

hzion@logancosheriff.com

NJC Guidance Coordinator

Cindy Carey

(970) 521-6676

NJC Hays Room 104

Cindy.carey@njc.edu

Colorado Crisis Center

1-844-493-8255

Text "TALK" to 38255

<https://coloradocrisiservices.org>

Centennial Mental Health Center

(970) 522-4392

211 W. Main Street Sterling, CO

<https://www.centennialmhc.org>

Reporting Options:**Vice President of Student Services**

Steve Smith

(970) 521-6657

NJC Hays Room 113

Steven.smith@njc.edu

Human Resources

Jeri Estrada

(970) 521-6730

NJC Walker Hall 102

Jeri.estrada@njc.edu

City of Sterling Police Department

(970) 522-3512

421 N. 4th Street

policemail@sterlingcolo.com

OPTIONS FOR PROTECTIVE MEASURES

The College will provide written notification to complainants of sexual misconduct about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. The College will make such accommodations or provide such protective measures if they are reasonably available, regardless of whether the complainant chooses to report the crime to Campus Safety or local law enforcement.

The Title IX Coordinator, in consultation with appropriate administrative personnel, may implement interim actions, including supportive measures, intended to protect the safety and security of the campus ²¹ community, address the effects of the reported behavior, and prevent further violations, while a complaint is

under review or investigation. These remedies may include, but are not limited to, placing an employee on administrative leave, interim actions outlined in the SP 4-30a Student Behavioral Expectations and Responsibilities Resolution Procedure, campus bans or emergency removals, referral to counseling and health services or to the Colorado State Employee Assistance Program (CSEAP), education to the community, altering housing situations, altering work arrangements, providing campus escorts, implementing contact limitations between the parties (e.g., no contact orders), offering adjustments to academic deadlines or course schedules, and/or suspending privileges such as attendance at College activities or participation in College-sponsored organizations. Any campus ban or emergency removal will be implemented only after a determination that the person poses an imminent and serious threat to the health or safety of another arising from the allegations of discrimination.

SEXUAL MISCONDUCT RESOLUTION PROCEDURE

Allegations of sexual misconduct will be reviewed in accordance with System Procedure (SP) 19-60a Civil Rights and Sexual Misconduct Resolution Process. The full procedure can be found at: <https://cccs.edu/about/governance/policies-procedures/sp-19-60a-civil-rights-and-sexual-misconduct-resolution-process/https://www.cccs.edu/policies-and-procedures/sp-19-60-civil-rights-and-sexual-misconduct-resolution-process/>. All applicable definitions can be found in Appendix A to SP 19-60a.

The resolution process, which encompasses all proceedings (i.e., activities related to non-criminal resolution of a College complaint, including but not limited to, fact-finding investigations, formal or informal meetings, and hearings, but not including meetings with complainants concerning accommodations or protective measures), will:

- Include a prompt, fair, and impartial process from the initial investigation to the final result;
- Be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;
- Provide the complainant and respondent with the same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice to provide the party with support, guidance or advice;
- Not limit the choice or presence of an advisor for either the complainant or the respondent in any meeting or institutional disciplinary proceeding; however, the College has established restrictions regarding the extent to which the advisor may participate in the proceedings, which apply equally to both parties;
- Provide simultaneous notification, in writing, to both the complainant and respondent of the result of any institutional disciplinary proceeding that arises from an allegation of sexual misconduct; the College's procedures for appealing the result of the institutional disciplinary proceeding; any change to the result; and when such results become final (Note: a result means any initial, interim and final decision by College officials, including sanctions, along with the rationale for the result.);
- Be completed within a reasonably prompt timeframe as outlined in the College's procedures which allow for extension of timeframes for good cause with written notice to the parties of the delay and reason for the delay;
- Be conducted in a manner that is consistent with the College's procedures and transparent to the complainant and respondent, provide timely notice of any meetings at which the parties may be present, and provide timely and equal access to information that will be used during the resolution procedures; and
- Be conducted by officials who do not have a conflict of interest or bias for or against the

complainant or respondent.

Preliminary Steps and Timeline

Upon receipt of a complaint, the Title IX/EO Coordinator will review the complaint to determine:

- Whether the Complainant is participating or attempting to participate in a College program or activity;
- Whether there is an identifiable Respondent;
- Whether the Respondent is participating in College educational programs or activities, or is employed by the College;
- Whether there is jurisdiction over the alleged conduct; and
- Whether the complaint alleges sufficient information, if proven, to support that a civil rights violation has occurred (reasonable cause).

If the Title IX/EO Coordinator is unable to evaluate these factors in reviewing the complaint alone, the Coordinator may, at their discretion, reach out to the Complainant or others, as relevant, for clarification and/or additional information.

This preliminary review process will typically be completed within 7-14 days of receiving the information necessary to evaluate the complaint.

If, after reviewing the above factors, the Title IX/EO Coordinator determines not to proceed with the complaint, the Title IX/EO Coordinator will dismiss the complaint and inform the Complainant of this decision and discuss other options for addressing the reported concerns. Additionally, the Title IX/EO Coordinator may dismiss the formal complaint if the Complainant requests such dismissal in writing, or if one or more of the above factors is not met at any time before a final determination. If the Respondent has been notified of the complaint, the Title IX/EO Coordinator will also inform them of the dismissal. Dismissal of a complaint is subject to the appeal procedures outlined herein.

If, after reviewing the above factors, the Title IX/EO Coordinator determines to proceed with the complaint and the Complainant wishes to proceed, the Title IX/EO Coordinator will initiate an informal resolution or a formal investigation.

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

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

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

- Complainant's request not to proceed;
- Complainant's reasonable safety concerns;
- Seriousness of the alleged conduct;
- Risk that the Respondent will similarly harm others;
- Age and relationship of the parties, including whether the Respondent is an employee;

- Previous complaints or allegations involving similar conduct (pattern of behavior);
- Whether multiple Complainants were involved;
- Availability of evidence;
- Whether the conduct was facilitated by incapacitation;
- Whether a weapon or violence was used;
- Whether the Complainant is a minor and/or at-risk;
- Whether the conduct was predatory in nature;
- Whether conduct can be addressed without a formal investigation; and/or
- Any other information deemed relevant by the Title IX/EO Coordinator.

If, after considering these factors, the Coordinator initiates a complaint, the Coordinator will notify the Complainant in advance and appropriately address reasonable concerns about safety, including offering supportive measures.

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

The College shall make every effort to complete the resolution process within approximately 90 days from the date the complaint is filed. If the College cannot resolve the complaint within this timeline, the Title IX/EO Coordinator may extend the timeline, for good cause, to properly resolve the complaint. Written notice will be provided to the parties regarding the extension and the reason for delay.

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 equitably and with respect by College employees.
- To take advantage of supportive measures and other resources, such as counseling, psychological services, and health services.
- To experience a safe educational, living, and work environment.
- To have an advisor of their choice present at any meeting.
- To have access to the Title IX/EO Coordinator, investigator(s), decision-maker(s) for Title IX matters, and/or other individuals assisting with the resolution process who do not have a conflict of interest or bias for or against any 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.
- A presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility has been made at the conclusion of the resolution process.

Informal Resolution

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

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

Notice of the allegations and specific informal resolution process will be provided to all parties.

At any time during the informal resolution process, the Title IX/EO Coordinator may elect to initiate a formal investigation as deemed appropriate to resolve the matter. The parties can elect to cease the informal resolution process at any time before it concludes and proceed with a formal investigation.

Formal Investigation

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

Throughout the investigation, all questions will go through the assigned investigator(s), including questions about credibility of parties and witnesses. The Complainant and Respondent may offer any documentation, witnesses, or other materials in support of their position as it relates to the complaint. There will be a presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility has been made at the conclusion of the resolution process. Any credibility determinations made by investigators will not be based upon a person's status as a Complainant, Respondent, or witness. If a party or witness does not respond to questions related to their credibility, the investigator may choose to place less or no weight on their statements.

The Complainant and the Respondent have the opportunity to be advised and accompanied by an advisor of their choice, at their expense, at any stage of the process. An advisor may consult and advise their advisee but may not speak on behalf of their advisee. These procedures are entirely administrative in nature and are not considered legal proceedings. The investigator may end a meeting or remove or dismiss an advisor who becomes disruptive or who does not abide by the restrictions on their participation as explained above.

No unauthorized recording will be allowed, and all parties must request permission to record in advance. The College, at its discretion, may grant authorization for recording of an interview, and in that case, the

College will also record to ensure there is an accurate record.

Throughout the formal investigation process, the Complainant and Respondent will receive regular written updates on the status of the investigation.

The formal investigation process typically takes 30-60 days.

Preliminary Investigation Report

Following the fact gathering stage of the formal investigation, the investigator(s) shall issue a Preliminary Investigation Report to the Complainant and Respondent (and their advisors, if applicable) for review. The Preliminary Investigation Report will include access to all relevant and not otherwise impermissible evidence as gathered by the investigators. The Complainant and the Respondent will have five (5) calendar days to review and respond to the Preliminary Investigation Report with any changes, clarifications, or questions.

If a matter involves sex-based harassment with a student as a party, special procedures shall apply. For all other civil rights cases, the investigator shall review the investigation file and make a determination as to whether or not, based on a preponderance of the evidence, the alleged behavior took place and whether that behavior constitutes a civil rights violation. In reaching this determination, the investigator must consider all relevant evidence, except for any privileged information (unless waived) or treatment records (unless specific, written consent is obtained). Evidence of the Complainant's prior sexual predisposition or behavior is not relevant, except to prove that someone other than the Respondent committed the alleged conduct or to prove consent concerning prior specific acts between the parties. The investigator shall issue a Final Investigation Report.

Special Procedures for Sex-Based Harassment Involving a Student Party

Upon issuance of the preliminary investigation report, the parties will be given an opportunity to submit questions to the investigator to be asked to the parties and witnesses. The investigator will determine whether proposed questions are relevant and not otherwise impermissible. The investigator must explain any decision to exclude a question and provide the party with an opportunity to clarify or revise a question that is initially deemed impermissible because it is unclear or harassing.

Questions deemed relevant and not otherwise impermissible by the investigator must be asked during follow up meetings, along with any additional questions from the investigator. The follow up meetings will be recorded or transcribed, and the recording or transcription will be provided to the parties. The parties will have five (5) calendar days to review and submit additional follow up questions to the investigator. If additional relevant and not otherwise impermissible questions are submitted, the investigator will conduct additional follow up meetings to ask the questions, and record or transcribe the meetings and make them available to the parties. The investigator has the discretion to conduct additional meetings, as necessary, or proceed to the determination process.

The follow up questioning stage of the process is usually completed within 20-30 days.

The Title IX/EO Coordinator will assemble a panel, including the investigator, to review the investigation file and make a determination as to whether or not, based on a preponderance of the evidence, the alleged behavior took place and whether that behavior constitutes sex-based harassment. In reaching this determination, the panel must consider all relevant evidence, except for any privileged information (unless waived) or treatment records (unless specific, written consent is obtained). Evidence of the Complainant's prior sexual predisposition or behavior is not relevant, except to prove that someone other than the²⁶ Respondent committed the alleged conduct or to prove consent concerning prior specific acts between the

parties. The panel has the discretion to ask any additional questions of parties and witnesses, including questions regarding credibility. The panel shall issue a Final Investigation Report, typically within 14 days of the determination.

Final Investigation Report

The Final Investigation Report in all civil rights cases shall include a description of the allegations, information about the policies and procedures used to evaluate the allegations, evaluation of the relevant and permissible evidence, findings of fact supporting the determination, conclusions regarding violation of applicable policies with supporting rationale, any disciplinary steps or remedial measures imposed, and the parties' appeal rights.

Notice of Findings

Once a Final Investigation Report is received, the Title IX/EO Coordinator shall provide written notice (Notice of Findings) simultaneously to the Complainant and Respondent (and their advisors, if applicable) notifying them of the findings. A copy of the Final Investigation Report shall be attached to the Notice of Findings. The Complainant and Respondent shall be advised of their right to appeal, subject to the grounds below, by filing a written appeal with the Title IX/EO Coordinator within five (5) calendar days of service of the decision.

Appeals

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 five (5) 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 irregularity occurred that would change the outcome. The written appeal shall specify the procedural error and how it impacted the outcome of the decision.
2. The Title IX/EO Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against a party that would change the outcome. The written appeal shall specify the conflict or bias and how it impacted the outcome of the decision.
3. New evidence became available that would change the outcome and that was not reasonably available at the time the decision was made. 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 or there was a conflict of interest or bias that would change 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, conflict of interest, or bias.

If the appellate officer determines there is new evidence that substantially impacts the original findings, 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 and rationale shall be provided simultaneously to the parties.

The appeal process typically takes 14-21 days.

DISCIPLINARY ACTION FOR SEXUAL MISCONDUCT

A finding of sexual misconduct will be based upon a preponderance of the evidence standard – whether it is more likely than not that the respondent engaged in sexual misconduct. If a report of sexual misconduct is processed and the respondent is found in violation of the College’s sexual misconduct policies and procedures, the findings shall be provided to the College’s Disciplinary Authority to proceed in accordance with applicable policies:

- For faculty, disciplinary action will be in compliance with BP 3-20, Due Process for Faculty: <https://www.cccs.edu/policies-and-procedures/board-policies/bp-3-20-due-process-for-faculty/>. Under this policy, notice of disciplinary action may be given by the College president at any time and shall state the grounds and effective date.
- For classified employees, disciplinary action will be taken pursuant to the applicable State Personnel Rules and Regulations: <https://www.colorado.gov/spb>. As outlined in these rules, the College’s appointing authority is responsible for deciding whether to take disciplinary action. The appointing authority must meet with the classified employee before making a decision, and must give the classified employee at least seven days’ notice of the meeting. The employee also has at least seven days after the meeting to provide additional relevant information. Within five days of the effective date of the decision, the appointing authority will provide a written letter notifying the employee what discipline will be imposed, if any, including the factual basis and any appeal rights.
- For students, disciplinary action will be taken pursuant to BP 4-30 and SP 4-30a, Student Behavioral Expectations and Responsibilities Resolution Procedure: <https://cccs.edu/about/governance/policies-procedures/sp-4-30a-student-behavioral-expectations-and-responsibilities-resolution-procedure/https://www.cccs.edu/policies-and-procedures/system-presidents-procedures/sp-4-30-student-disciplinary-procedure/>. Under this process, the College will give the student notice that the matter has been referred for potential sanctioning and will issue a decision which shall address whether alleged conduct occurred; whether and how the conduct violated the code; and impose an outcome, if appropriate. Notification of the decision in writing will be provided to the respondent and any other involved parties, as appropriate, which includes a complainant in sexual misconduct cases. The decision will include information regarding the applicable appeals process. The decision is part of the student’s educational record.
- 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: www.cccs.edu/policies-and-procedures/board-policies/bp-3-10-administration-of-personnel/.

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

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

The following sanctions may be imposed:

- For students: warning, probation, fines, restitution, denial of privileges, assignment to perform services for the benefit of the College community, re-assignment to another class section (including the option for an on-line section), suspension, expulsion, a “Cease Communications” directive, a “No

Trespass” directive, or any other outcome stated in SP 4-30a.

- For College 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 College 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.

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. Such protective measures include but are not limited to: cease communications, no contact, and/or no trespass directive, also referred to as a persona non grata, campus bans/emergency removals, referral to counseling and health services or to the Colorado State Employee Assistance Program (CSEAP), education to the community, altering housing situations, altering work arrangements, providing campus escorts, offering adjustments to academic deadlines or course schedules, and/or suspending privileges such as attendance at College activities or participation in College-sponsored organizations.

PROHIBITION ON RETALIATION

Individuals shall not retaliate against any person who opposes sexual misconduct or participates in any sexual misconduct complaint or investigation process. Retaliation is any adverse employment or educational action taken against a person because of the person’s participation or perceived participation in a complaint or investigation of discrimination and/or harassment. Retaliation also includes any act to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege provided by applicable civil rights laws, policies, and procedures.

The College and its employees and agents shall not retaliate, intimidate, threaten, coerce or otherwise discriminate against any individual for exercising their rights or responsibilities under the Clery Act.

INFORMATION ON REGISTERED SEX OFFENDERS

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

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

Sex offender registry information is available at the refer to, [Registered Sex Offenders \(sterlingcolo.com\)](http://sterlingcolo.com), or through the Campus Safety Department during normal business hours. The individual making the request will be provided with the list of registered sex offenders.

Student Handbook 3.25 TRESPASSING ON COLLEGE PROPERTY

1. All students and guests may have access to all authorized buildings when those buildings are open for use and visitation. All campus buildings have closing hours and any unauthorized person may be asked to leave

- any building or a secure campus area to maintain security of those buildings and property.
2. Any person in a restricted area on campus (residence halls) without justifiable reason and is not in compliance with college policy will automatically be subject to trespass without warning. The college property is within the legal jurisdiction of the City of Sterling and subject to the enforcement of all local, state and federal laws.
 3. Any person found in an unauthorized area is subject to trespass without a verbal warning or without posting trespass signs. Persons who are not invited or unwanted in authorized areas of the college will be asked to leave and if such persons do not leave police will be called for charges of trespass.

Student Handbook 3.28 WATER FIGHTS, PAINTBALL, AND OTHER GAME GUNS

The act of purposeful throwing water, shooting water or causing water or similar liquids to be thrown or shot by any type of containers or guns is prohibited within any campus building. The information above also applies to paintball and pellet/air soft guns. The act of throwing or shooting water, paint or pellets in a building will be considered a wanton act of vandalism and those persons responsible for such acts will be charged restitution for clean-up, repair and replacement as determined by college staff. Water, paintball and pellet/air soft guns that are being used within a building or being used to shoot into a building will be considered a dangerous weapon due to the potential for injury and accidents. Guns used for this activity will be confiscated and disposed of whenever discovered and the individuals involved will be charged with dangerous acts and vandalism

Student Handbook 3.32 SUICIDE THREAT RESPONSE AND PREVENTION

A. Response to suicidal ideation or suicide attempt

Contact by Student

Student Guidance Coordinator will provide support as appropriate.

Student Guidance Coordinator will contact local mental health services, as appropriate.

Student Guidance Coordinator will complete a CARE Team report.

Student Guidance Coordinator will notify family member, as identified on Release of Information form (FERPA release), as appropriate.

Non-life threatening attempt/ideation

Immediate Referral to Student Guidance Coordinator and the CARE Team. Responder escorts student to Student Guidance Coordinator

Student Guidance Coordinator Commitment to Action

1. Contact local Mental Health Service Provider, as appropriate, for further instruction
2. Notify family member, as identified on Release of Information form
3. Student makes a commitment to follow-up with Student Guidance Coordinator

Life threatening attempt/serious ideation

Staff member receiving initial notification shall contact 9-1-1

Assessment by police or paramedic to determine whether or not to transport to Sterling Regional

MedCenterStaff member receiving initial notification shall contact Student Guidance Coordinator and/or Vice President of Student Services and complete a CARE Team referral.

Student Guidance Coordinator, police, or medical personnel shall contact local mental health service³⁶ provider. Student Guidance Coordinator will complete a BIT referral if not previously completed by other staff member.

Vice President of Student Services shall notify family member or other person, as identified on Informed Consent form. If consent form is not on file, parent or next closest relative shall be notified, as determined by Vice President of Student Services.

1. Upon receiving medical clearance, student shall follow-up with mental health service provider .
2. Student will follow-up with NJC Student Guidance Coordinator to include a minimum of four sessions.
3. Notice to instructors will only be given upon student consent and/or request.
4. Student may return to residence hall, upon clearance from mental health service provider.
5. Depending of the situation, the Vice President of Student Services may specify further conditions for continuing enrollment. The student will be expected to cooperate with college personnel in taking any necessary measures to reduce the likelihood that a suicide attempt will be made.

B. Response to a completed suicide

1. In the event of a suicide of a student, the staff person receiving initial notification shall notify police immediately.
2. Staff person receiving initial notification will notify the NJC Vice President of Student Services who assumes responsibility for contacting parents, and other emergency contacts.
3. The Vice President of Student Services, in consultation with college and system policy, Housing and Residence Life staff, and Student Guidance Coordinator shall assess impact populations (i.e. roommates, other residents, academic departments, teams, clubs or other groups of individuals who may be affected by the incident).
4. The Vice President of Student Services or designee shall coordinate the response efforts, as needed to work with affected populations.
5. The President or Vice President of Student Services or designee, upon receipt of notification, shall implement its “Death of Student” procedures, providing appropriate notice to administrative and academic offices and campus news outlets.

C. Prevention of suicide

The college offers numerous educational programs to students and staff as well as crisis management training of key personnel. The NJC Student Success and Student Life departments continue to promote suicide prevention across campus through programming, emails, poster campaigns, and other methods.

MISSING STUDENT NOTIFICATION

Missing students

If anyone has reason to believe that a College student is missing for 24 hours, that information must be reported to Campus Safety immediately at 970-521-6683 or to Sterling Police Department at 970-522-3512. Any College department or employee receiving a report regarding a missing student is required to refer the report immediately to Campus Safety or the Sterling Police Department.

Students who reside in College campus housing are advised that:

- Students will be given the option of identifying a contact person or persons whom the College shall notify within 24 hours of the determination by campus safety or local law enforcement that the student is missing. The student completes this action during the housing application. This information will be kept confidential by the College (accessible only by authorized College officials) and only disclosed to local law enforcement in furtherance of a missing person investigation.

- Upon receipt of a missing student report, Campus safety will work with local law enforcement, as appropriate, to investigate the matter and determine whether the student is actually missing and for how long. In the event a student is reported missing, every effort will be made to locate the person as soon as possible.
- If a student is determined to have been missing for at least 24 hours, the College will make the following notifications within 24 hours of the determination:
 - For any student, regardless of age, the student's designated contact person(s) for receiving missing student notice will be notified.
 - If a student is under 18 years of age and not emancipated, the College will also notify a custodial parent or guardian in addition to notifying the contact person(s) designated by the student.
 - The College will also notify local law enforcement unless that was the entity that made the determination that the student is missing.

PREPARING THE ANNUAL CRIME STATISTICS

Crime statistics are compiled and released annually by the College. The totals in the charts at the end of this report represent all Clery Act crimes reported to campus safety personnel and Campus Security Authorities for the three most recent calendar years that occurred on or within the College's Clery geography. Clery Act reporting does not require initiating an investigation or disclosing personally identifiable information about the victim as defined in the Violence Against Women Act. The statistics included in this report do not identify the victim or accused.

The College annually notifies all CSAs of their requirement to provide information to campus safety brought to their attention regarding any Clery Act reportable crimes. If the CSA receives crime information and there is no reason to believe the report was not made in good faith, the CSA is required to report that information for inclusion in this report.

The crime statistics in this report also include Clery Act reportable crime data received from other law enforcement agencies with jurisdiction in Non-Campus Property and Public Property as those terms are defined herein. To collect this information, the College includes any reportable crime reports that are proactively shared by local law enforcement throughout the year. Additionally, the College annually identifies such property and makes a good faith effort to request crime statistics in writing from applicable law enforcement agencies. The Coordinator of Campus Safety makes an annual request to all law enforcement agencies with jurisdiction over the appropriate campus property requesting all reports of crimes unless previously disclosed.

Unfounded Crimes: The College may withhold or subsequently remove a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore "unfounded." The recovery of stolen property, the low value of stolen property, the refusal of a victim to cooperate with the prosecution, and the failure to make an arrest do not "unfound" a crime report. The College may not withhold or remove a reported crime from its crime statistics based on a decision by a court, coroner, jury, prosecutor, or other similar non-campus official.

DEFINITIONS OF REPORTED CRIMES

The following definitions are crimes utilized for the purposes of collecting and reporting statistics in this

report and are in accordance with the applicable provisions of the FBI Uniform Crime Reporting program, the National Incident-Based Reporting System (NIBRS) User Manual, and the Violence Against Women Act, as required by the Clery Act.

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

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, personal property of another, etc.

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Criminal Homicide-Manslaughter by Negligence: The killing of another person through gross negligence.

Criminal Homicide-Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

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. For purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or threat of such abuse, and dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence: A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; a person similarly situated to a spouse of the victim under the domestic or family violence laws of Colorado; or 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.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned - including joyriding.)

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

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

Forcible Sex Offenses:

- A. *Rape*: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- B. *Fondling*: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Non-Forcible Sex Offenses:

- A. *Incest*: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- B. *Statutory Rape*: Sexual intercourse with a person who is under the statutory age of consent.

Stalking: 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: "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; and "substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

For the purposes of reporting arrests and referrals for Northeastern Junior College discipline, the following definitions apply:

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

Illegal Weapons Possession/Weapon Law Violations: 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.

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

DEFINITIONS FOR USE WHEN CLASSIFYING HATE CRIME REPORTS

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Hate Crimes: For the purposes of this report, hate crimes include any of the following offenses

if there is evidence that the victim was intentionally selected because of the perpetrator's bias against the victim in one of bias categories listed in this section: murder and non-negligent manslaughter, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, and arson, as those terms are defined above. In addition, hate crimes include the following offenses if there is evidence that the victim was intentionally selected because of the perpetrator's bias against the victim in one of bias categories listed in this section: larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property as defined below.

Larceny-Theft (Except Motor Vehicle Theft): The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

Simple Assault: 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, possible internal injury, severe laceration, or loss of consciousness.

Intimidation: 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.

Destruction/Damage/Vandalism of Property: 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.

Bias Categories:

Race. A preformed negative opinion or 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).

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. The term gender is used synonymously with sex to denote whether a newborn is male or female at birth.

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.

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).

Sexual orientation. A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived sexual orientation. Sexual orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.

Ethnicity. A preformed negative opinion or attitude toward a group of persons 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. The concept of ethnicity differs from the closely related term “race” in that “race” refers to grouping based mostly upon biological criteria, while “ethnicity” also encompasses additional cultural factors.

National Origin. A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.

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. Mental disability is any mental impairment or psychological disorder such as organic brain syndrome, emotional or mental illness, and specific learning disabilities. Physical disability is any physical impairment; any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine.

CAMPUS MAPS

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.

These properties include:

- Main Campus, 100 College Avenue, Sterling, Colorado
- Plainview Gold Inc., dba Riverview Golf Club, 13064 CR 370 Sterling, Colorado (non-campus)
- Rodeo and Equine Facilities, Logan County Fair Grounds 1120 Pawnee Avenue, Sterling, Colorado, and Ranch Horse Stalling Facility 14025 CR 39.5, Sterling, Colorado (both properties are adjacent to one another)
- Lebsack-Schmidt (Wind Technology), 318 Hagen Street Sterling, Colorado
- VoTech (Auto and Diesel Technologies), 302 Hagen Street Sterling, Colorado
- Welding Shop 1625 Verde Avenue, Sterling, Colorado
- Sterling Fire Department Training Center (Non-Campus) 103 Sugar Mill Road, Sterling, Colorado
- Pioneer Park Softball Field 17615 Colorado Hwy 14, Sterling, Colorado (non-campus)
- Phillips County Event Center (non-campus) 22505 US-385, Holyoke, Colorado
- Yuma Campus 910 South Main Street, Yuma, Colorado
- Yuma Campus County Fairgrounds 410 W Hoag Ave, Yuma, Colorado
 - Note this property is leased on a day-by-day contract and only included in our Clery geography when the lease is effective.
- Logan County Shooting Sports Complex, 12515 Highway 61, Sterling, Colorado (non-campus)

CRIME STATISTICS FOR 2021, 2022 AND 2023

MAIN CAMPUS

Note: In counting crimes when more than one offense was committed during a single incident, the College follows the hierarchy rule required by the FBI Uniform Crime Reporting program and Clery Act. The College always counts arson in the statistics regardless of whether or not it occurs in the same incident as another crime. If rape, fondling, incest, or statutory rape occurs in the same incident as murder, the College records both the sex offense and murder in the statistics.

CRIMINAL OFFENSES	ON CAMPUS			ON CAMPUS RESIDENTIAL			PUBLIC PROPERTY			NON CAMPUS		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder & Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	1	1	1	1	1	1	0	0	0	0	0	0

Fondling	1	0	1	1	0	1	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	1	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	2	0	0	0	0	0	0	0	0	0	0
Arson	1	0	0	1	0	0	0	0	0	0	0	0
Domestic Violence	1	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
Unfounded Crimes	0	0	0	0	0	0	0	0	0	0	0	0

ARRESTS	ON CAMPUS			ON CAMPUS RESIDENTIAL			PUBLIC PROPERTY			NON CAMPUS		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Liquor Law Violations	25	30	4	2	30	4	0	0	0	0	0	0
Drug Law Violations	1	0	1	1	0	1	0	0	0	0	0	0
Weapon Law Violations	0	0	0	0	0	0	0	0	0	0	0	0

REFERRALS	ON CAMPUS			ON CAMPUS RESIDENTIAL			PUBLIC PROPERTY			NON CAMPUS		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Liquor Law Violations	0	0	7	0	0	7	0	0	0	0	0	0
Drug Law Violations	0	0	1	0	0	1	0	0	0	0	0	0
Weapon Law Violations	0	0	0	0	0	0	0	0	0	0	0	0

There were no hate crimes reported during the reporting period covered by this report on the Northeastern Main Campus.

CRIME STATISTICS FOR 2021, 2022 AND 2023

YUMA CAMPUS

Note: In counting crimes when more than one offense was committed during a single incident, the College follows the hierarchy rule required by the FBI Uniform Crime Reporting program and Clery Act. The College always counts arson in the statistics regardless of whether or not it occurs in the same incident as another crime. If rape, fondling, incest, or statutory rape occurs in the same incident as murder, the College records both the sex offense and murder in the statistics.

CRIMINAL OFFENSES	ON CAMPUS			ON CAMPUS RESIDENTIAL			PUBLIC PROPERTY			NON CAMPUS		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder & Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
Unfounded Crimes	0	0	0	0	0	0	0	0	0	0	0	0

ARRESTS	ON CAMPUS			ON CAMPUS RESIDENTIAL			PUBLIC PROPERTY			NON CAMPUS		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapon Law Violations	0	0	0	0	0	0	0	0	0	0	0	0

REFERRALS	ON CAMPUS			ON CAMPUS RESIDENTIAL			PUBLIC PROPERTY			NON CAMPUS		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapon Law Violations	0	0	0	0	0	0	0	0	0	0	0	0

There were no hate crimes reported during the reporting period covered by this report on the Northeastern Yuma Campus.

ANNUAL FIRE SAFETY REPORT FOR ON-CAMPUS HOUSING 2024

Northeastern Junior College (NJC) maintains one or more on campus student housing facilities. This fire safety report contains safety policies and procedures related to on campus student housing and fire statistics occurring in those facilities for the three most recent calendar years. Policies and procedures are subject to change following publication of this report and the campus community will be made aware of updates as required.

ON CAMPUS HOUSING FACILITIES

- Dowis Hall, 145 College Avenue, Sterling, CO 80751
- Herbie Hall, 147, College Avenue, Sterling, CO 80751
- Blue Spruce Hall, 143 College Avenue, Sterling, CO 80751
- Poole Hall, 629 Landrum Lane, Sterling, CO 80751
- WGRB, 619 Landrum Lane, Sterling, CO 80751

FIRE SAFETY SYSTEMS

The College utilizes various mechanisms and systems in campus housing designed to detect fires, warn of potential fires, and control fires. Below is a table of fire safety systems currently in place for each separate housing facility.

RESIDENCE HALL	DETECTION		WARNIN G	CONTR OL			PLANS
	SMOKE DETECTION	SMOKE DETECTION	FIRE WARNIN G HORN & STROBE	FIRE CONTROL: SPRINKLER SYSTEMS	FIRE CONTROL: SPRINKLER SYSTEMS	FIRE CONTROL: FIRE EXTING- GUISHERS	PLANS
	COMMON AREAS & HAL LS	RESIDENCE ROOMS	COMMO N AREAS &	COMMO N AREAS & HALLS	RESIDENCE ROOMS	COMMO N AREAS & HALLS	FIRE SAFETY POLICIES & PROCEDURES
	MONITORED 24/7		PULL STATIONS & MONITORE D 24/7	MONITORED 24/7	MONITORE D 24/7		STUDENT HANDBOOK & LITERATUR E
<i>Williams/GRB Hall 619 Landrum Ln</i>	Full	Stand Alone	Full	Full	Full	Full	X
<i>Poole Hall 629 Landrum Ln</i>	Full	Stand Alone	Full	Full	Full	Full	X
<i>Blue Spruce Hall 143 College Ave</i>	Full	Monitored	Full	Full	Full	Full	X
<i>Dowis Hall 145</i>	Full	Stand Alone	Full	Full	Full	Full	4 X

College Ave							
Herboldsheimer Hall 147 College Ave	Full	Stand Alone	Full	Full	Full	Full	X

FIRE DRILLS

The College conducts supervised practices of mandatory evacuation of a building for a fire (“fire drills”). These drills involve planning, supervision and evaluation. The number of fire drills held in the previous calendar year for each on campus housing facility is listed below. False alarms are not counted as fire drills.

Building	# of Fire drills in previous calendar year
Williams Hall	2
GRB Hall	2
Poole Hall	2
Blue Spruce Hall	2
Dowis Hall	2
Herboldsheimer Hall	2

BUILDING FIRE SAFETY POLICIES

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

EVACUATION PROCEDURES IN CASE OF FIRE

- Do not panic; stay as calm as possible. You will need to think clearly to make the right decisions.
- Take your keys and student ID with you. Take small personal items (your backpack, briefcase, purse, etc.), if you have time.
- Feel the door knob with the back of your hand or palm to test for heat. If the door is cool, brace yourself against it, and open it slowly to check for flames and/or smoke. If there is smoke in the air, stay low and move quickly in a crouched position or crawl to

the nearest exit. The most breathable air is always near the floor.

- If one exit is blocked, try the next nearest exit.
- Leave room door closed. Alert others by shouting or knocking on doors as you make your way to the stairs. Always escape via stairs – never use the elevators.
- Stay together at a safe distance (300 to 500 feet, upwind) from the building until Campus Safety advises you can return to the building.
- Failure to evacuate a building is taken very seriously by the College Housing and could result in disciplinary action.

If you are trapped and unable to exit

- Stay calm and take steps to protect yourself.
- Close the room door(s).
- Put cloth at the bottom of the door(s).
- Call 911 and stay on the line and state your location.
- If possible, move to a room with an outside window.
- Stay where rescuers can see you through the window and wave a light-colored item to attract their attention.
- If possible open the window at the top and bottom. Be ready to shut the window quickly if smoke rushes in.
- Be patient. The rescue of occupants of large structures could take time.

There are fire extinguishers located on every floor as well as in the main office of each residence hall. Please take time to familiarize yourself with the locations of fire exits, fire extinguishers, and pull-alarm stations in your residence hall. Tampering with fire extinguishers can leave you and others unprotected in case of a fire. Please remember false alarms could reduce the response of residents when a fire occurs. If hall residents cannot trust the legitimacy of the fire alarm, they may find themselves trapped by fire in a real emergency. Abuse of fire equipment, false alarms, and arson are serious crimes. Violators are subject to fines, College disciplinary procedures, and criminal prosecution.

- Andrew De Souza, Coordinator of Campus Safety
- Brant Davis, Residence Life Director
- Steve Smith, Vice President of Student Services
- Madi Solverud, Hall Director
- Houston Clevenger, Hall Director
- Tracey Knox, Physical Plant Director

FIRE SAFETY EDUCATION AND TRAINING

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

For more information regarding fire safety, education or training, please contact Andrew De Souza, the Coordinator of Campus Safety, at 970-521-6683.

FIRE SAFETY IMPROVEMENT PLANS

The College currently has no planned fire safety improvements at this time.

DEFINITIONS APPLICABLE TO FIRE STATISTICS

For the purposes of this fire safety statistics, the following definitions apply:

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

Cause of Fire: The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

Fire Related Injury: Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term “person” may include students, employees, visitors, firefighters, or any other individuals.

Fire Related Death: Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or dies within one year of injuries sustained as a result of the fire.

Value of Property Damage: Estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water and overhaul; however, it does not include indirect loss, such as business interruption.

COLLEGE HOUSING FIRE STATISTICS

(By building, for three most recent calendar years.)

Building	Year	# of Fires	Cause of Fire (each)	# of Fire Related Injuries (persons injured)	# of Fire Related Deaths	Value of Property Damage (caused by fire)
Dowis Hall	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Herbie Hall	2021	1	Arson	0	0	\$0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Blue	2021	0	0	0	0	0

Spruce Hall	2022	0	0	0	0	0
	2023	0	0	0	0	0
Poole Hall	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
WGRB	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0