



Auraria Higher Education Center

**Annual Security Report
through 2018**

Prepared by the
Auraria Campus Police Department

Providing full police services to:



**METROPOLITAN
STATE UNIVERSITYSM
OF DENVER**



CAMPUS SECURITY AND SAFETY

This report was prepared by the Auraria Higher Education Center (AHEC) Police Department, with support from the AHEC Executive Office (for campus-wide policies) and Metropolitan State University of Denver (for institution-specific policies) in order to comply with the Clery Act (formerly known as the Federal Student Right-to-Know and Campus Security Act of 1990). The report describes security practices and procedures at the Auraria Higher Education Center and property controlled by Metropolitan State University of Denver and lists crime statistics for the most recent calendar year and the two preceding calendar years. The Auraria Higher Education Center serves three institutions: Community College of Denver, Metropolitan State University of Denver, and University of Colorado Denver. Since 1992, these institutions have been required to report each year on the status of campus security to all current students and employees. The report is shared with all prospective students and their family members via a link on the Admissions Viewbook. The ASR is shared with all prospective employees through a link on the Careers page of the MSU Denver website. Additionally, a copy of the ASR will be provided to any applicant for enrollment or employment on request.

This publication is intended to provide a general description of campus security arrangements, and not to serve as a contractual agreement between AHEC and the recipient. Security procedures are subject to change without notice.

DEFINITION OF CAMPUS

For the purpose of this Annual Security Report, the term "campus" means:

- a) Any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and
- b) Any building or property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor).

The Auraria Campus is defined as those properties, private streets, retail operations, and facilities owned by the State of Colorado and used by students, staff, faculty and visitors, which are roughly bounded by Auraria Parkway, Speer Boulevard, Colfax Avenue, and Fourth Street.

The MSU Denver South Campus is defined as properties and facilities owned by SB/Steelwave Triad, LLC and used by students staff, faculty, and visitors, which are roughly bounded by Greenwood Plaza Blvd in Greenwood Village, Colorado.

CND America Inc. does business as the Detroit Institute of Music Education (DIME) incorporated and registered in Delaware. Since fall 2016, DIME and MSU Denver have been engaged in an educational partnership that gives MSU students the opportunity to pursue a music education through DIME in Detroit. DIME is located at 1265 Griswold Street, occupying three of six floors in a building managed by Bedrock Real Estate Services. Students have access to a parking lot that is located approximately .2 miles away at 220 Bagley Street, and also bordered by Middle Street, Clifford Street, and Grand River Avenue.

In Fall 2017, DIME Denver moved from the Auraria Campus to a building located at 800 Kalamath Street. This facility houses DIME Denver only and is owned by NIMBL. This facility is bordered by Kalamath Street, West 8th Avenue, an alley, and a private residence that is separated from DIME Denver by a high fence.

Note: Metropolitan State University of Denver does not have any residential facilities.

DEFINITION OF NON-CAMPUS

The term "non-campus building or property" means:

- Any building or property owned or controlled by a student organization recognized by the institution; and
- Any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

Note: Metropolitan State University of Denver does not have any off-campus student organizations.

DEFINITION OF PUBLIC PROPERTY

The term "public property" means all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

STATUS OF CAMPUS SAFETY

Although located in an urban environment, the Auraria Campus has one of the lowest campus crime rates in the state. This is primarily due to the fact that it is a commuter campus and does not house student residence halls or apartments on campus premises. This report includes crime rates for the campus proper along with any building or property owned or controlled by an institution within the same contiguous geographic area of the institution. Crime statistics for non-campus property are requested by the Auraria Campus Police Department from the specific law enforcement agency that holds jurisdiction over the property.

For the MSU Denver South Campus:

Located south of the Denver Tech Center in Greenwood Village, the MSU Denver South Campus is located in a safe environment where very few crimes are reported to the security firm and police with jurisdiction. Like the Auraria campus, this is primarily due to the fact that it is a commuter campus and does not house student residence halls or apartments. Additionally, the classrooms are located in a building comprised of different businesses not affiliated with MSU Denver. This report includes crime rates for the MSU Denver South Campus property along with contiguous geographic area of the building where MSU Denver classes are located.

DIME Denver is the sole tenant in an office/classroom building located at 800 Kalamath Street in Denver. Law enforcement for the neighborhood is provided by District 1 of the Denver Police Department.

DIME Detroit is located in the 1st Precinct of the Detroit Police Department.

REPORTING CRIMES AND EMERGENCIES

Crime reports can be made at any time. Auraria Police Department services are available 24 hours a day, seven days a week to respond to the Auraria 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.

Colorado Revised Statutes, 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.

When on campus, these crimes must be reported to the Auraria Campus Police Department.

To report a crime, use one of the emergency telephones located in every classroom building for immediate, direct access; or call 911 from any campus phone for emergencies or call 303-556-5000 for other police assistance. Cell phones and off-campus calls dial 303-556-5000. Messages can also be sent via the Text-a-Tip line at 720-593-TIPS (8477).

Call the Auraria Campus Police Department if you are on the Auraria Campus and:

- You see someone committing a crime
- You need to report an old crime
- Someone is injured or ill
- You see fire or smell smoke
- You see anyone or anything suspicious
- You think you see a drunken driver
- You have knowledge of a chemical spill

In addition, victims of stalkers or persons with protection orders against another party are strongly encouraged to notify the Auraria Campus Police Department of the threat and to provide ACPD a copy of the protection order so that Auraria Officers may enforce it. If the subject is restrained from the Auraria Campus, please have the court list your school and the Auraria Higher Education Center separately on the order.

The Auraria Campus Police Department also provides an [Anonymous Reporting Option](https://www.ahec.edu/services-departments/police/crime-report/crime-report-form) (<https://www.ahec.edu/services-departments/police/crime-report/crime-report-form>) for victims of crimes who do not wish to be identified. Additionally, the Dean of Students Office takes incident reports via an [Incident Report Form](https://www.msudenver.edu/deanofstudents/) (<https://www.msudenver.edu/deanofstudents/>) via phone at 303-615-0220 for any campus official who is designated as a Campus Security Authority (CSA) to complete as they become aware of a crime (even when the victim wishes to remain anonymous). Clery Act crimes can be reported to any designated CSA, however for timely reporting and collection it is preferred to report crimes to the Auraria Campus Police Department and the MSU Denver Dean of Students Office.

If a serious crime that may cause an ongoing threat to the campus is reported to a CSA, they are to directly report that incident to the Auraria Campus Police immediately. The University has a responsibility to notify the campus community about any crimes which pose an ongoing threat to the community, and as such, a CSA is obligated by law to report crimes immediately to the Auraria Campus Police Department, the Greenwood Village Police Department for MSU Denver South Campus, the Denver Police Department for DIME Denver, or Detroit Police Department for DIME Detroit.

The Auraria Campus Police Department encourages professional and pastoral counselors, although not required to report crimes, to tell victims about the [Anonymous Reporting Process](#).

On the MSU Denver South Campus:

Both the Greenwood Village Police Department and the private security company contracted by SB/Steelwave Triad, LLC work closely with the facilities in which the MSU Denver South Campus is located. The Greenwood Village Police Department is located at 6060 S Quebec St, Greenwood Village, CO 80111. The Greenwood Village Police Department has officers available 24 hours a day and can be reached by calling 911 at the MSU Denver South Campus or 303-773-2525.

For police services at DIME Denver, the Denver Police Department can be reached 24 hours a day by calling 911.

At DIME Detroit, security is primarily managed by Rock Security, the security solution arm of Bedrock. The Rock Security Command Center can be reached at 313-373-3333 or by text at 762522. SecurAmerica is contracted by Rock Security to provide additional support to the campus. Services provided to students through SecurAmerica include Project Lighthouse (313-471-6490) which offers help to anyone who is lost, separated from group, experiencing vehicle problems, or other safety concerns, and Rock Command can be accessed if a student is unable to reach Project Lighthouse. These numbers are shared on the back of the student badge.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

The Auraria Higher Education Center has developed an [Emergency Operations Plan](https://www.ahec.edu/files/general/Emergency_Procedures_Guide.pdf) (https://www.ahec.edu/files/general/Emergency_Procedures_Guide.pdf) that provides a comprehensive set of guidelines for directing resources before, during and after campus emergencies and disasters. The Auraria Police Department is very proactive in training all police officers and the community 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. Note: these guidelines are only applicable for the Auraria campus.

A [Campus Safety Video](#) is also available outlining emergency guidelines for the campus. The video is played continuously on the cable channel for the campus, at new student/faculty/staff orientations, and in classrooms during the first two weeks of each semester. This information is also available on the [AHEC website \(www.ahec.edu\)](#) and on AHEC's YouTube channel

In case of an active, major campus emergency, the Emergency Notification System may be activated. For further information see "**Crisis Communications Plan-Timely Warnings and Immediate Notifications.**"

The Auraria Campus Police Department tests emergency response and evacuation procedures on at least an annual basis during drills and other exercises. These tests are initiated by the Emergency Preparedness Manager and are normally announced and publicized in advance of the drill or exercise. Campus media releases and news stories document the results of such exercises.

The campus Emergency Preparedness Manager maintains records of all tests, drills and exercises that include a description of the exercise, the date, time, and whether it was announced or unannounced.

On the MSU Denver South Campus, each classroom has a MSU Denver South Campus Emergency Procedures guide posted. In the case of an emergency, a representative from the MSU Denver South

Campus will alert students, faculty, and staff who are on location about the emergency and which protocol will be in place. Students, faculty, and staff are encouraged to call 911 to notify the Greenwood Village Police Department of the emergency. MSU Denver South Campus staff will also notify SB/Steelwave Triad, LLC of the emergency.

Evacuation plans are posted at DIME Denver. Students are made aware of emergency procedures through the Student Handbook. Additionally, these procedures are being integrated into DIME student orientation. Should an emergency arise, the DIME Denver staff would alert all students and employees about the emergency and which protocol to follow. In case of an active, major emergency, text and email messages can be sent to all students, faculty and staff through the shopwindow notification system utilized by DIME Denver. DIME Denver will begin to hold annual fire evacuation drills during the 2018-2019 academic year.

Bedrock Real Estate Services has developed thorough fire safety and evacuation plans that are utilized by DIME Detroit. The plans are posted throughout the building. The plans are also outlined for students during the building orientation meeting by the DIME facilities manager.

CRISIS COMMUNICATIONS PLAN – TIMELY WARNINGS AND IMMEDIATE NOTIFICATIONS

Purpose

This plan provides guidelines for communicating within the campus, and from the campus to the media and the public, in the event of an emergency or crisis.

Disasters, emergencies and crises disrupt the normal activities of the campus and may require activation of the AHEC Emergency Operations Plan. This Crisis Communications Plan describes the role of Communications and Campus Relations in communicating vital information to members of the Auraria community and the public.

For the MSU Denver South Campus, a staff member will email faculty who teach at the MSU Denver South Campus location about the emergency or crisis to relay information to their students. Also, in the event the emergency is taking place during class, a representative from MSU Denver South Campus will notify each class about the emergency and what protocol is in place.

This plan is to be flexibly used with emergency decision-making procedures of the campus.

Elements should be tested annually in conjunction with campus-wide emergency drills. Appendices should be checked for accuracy and completeness at least annually, and as often as necessary.

Objectives

- 1) Determining whether the situation requires invoking this plan.
- 2) Assembling the Crisis Communications Team to recommend responses.
- 3) Implementing immediate actions to:
 - a) Identify key constituencies who need to be informed.
 - b) Communicate facts about the situation and minimize rumors.
 - c) Restore a sense of confidence and order.

Assessment & Notification Procedures

- 1) **Assessment** – The AHEC Assistant Vice President of Campus Relations (AVPCR) or their

designee will be made aware of a potential crisis or emergency by the Chief of the Auraria Campus Police Department or their designee. The Chief of Police and AVPCR or their designees then determines whether it is appropriate to invoke this plan and activate all or part of the Crisis Communications Plan. Once activated, the AVPCR will notify each of the institutional Communications Directors/Public Information Officers or their backups as soon as practical.

- 2) **Issuance of a “Timely Warning”** – Per the requirements of the Clery Act, “Timely Warning” advisories are made to the campus community for crimes that are reported to the Auraria Campus Police Department or local police and which may represent an ongoing threat to the safety of students or employees. The Chief of the Auraria Police Department or their designee shall make the decision as to whether an incident poses an ongoing threat and if a “Timely Warning” advisory is required. In the event that an advisory is required, the Chief of Police or their designee shall provide the AHEC AVPCR or their designee with the specifics of the case for the purpose of drafting the “Timely Warning” advisory. **In all cases, Timely Warning advisories are then sent by AHEC staff via electronic mail directly to all staff, faculty, and students on the Auraria Campus using their institution-provided email accounts. For the MSU Denver South Campus, the Program/Site Manager or their designee shall make the decision as to whether an incident poses an ongoing threat and if a “Timely Warning” advisory is required for the MSU Denver South Campus.**

These advisories may also be made using one or a combination of the following methods:

- Press Releases
 - Crime Advisories
 - Making reports available to the campus community and media through campus websites and newspapers, and radio and television news stations
 - Advertising in campus publications
- 3) **Issuance of an “Immediate Notification”** – In the event that there is a confirmed significant emergency or dangerous situation involving an immediate threat to the campus community (per the judgment of the Chief of the Auraria Campus Police Department or their designee), AHEC will, without undue delay, and taking into account safety of the community, determine the content of the notification and initiate the immediate notification system. However, if in the professional judgment of responsible authorities the notification may compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency, the notification may be delayed.

For the MSU Denver South Campus, students, faculty, and staff may be notified through email and verbal communication by a representative from the MSU Denver South Campus.

As with the above section related to “Timely Warnings”, the Chief of Police or their designee shall provide the AHEC AVPCR or their designee with the specifics of the case for the purpose of drafting the content of the immediate notification. AHEC also maintains pre-scripted short message scripts for a variety of hazards to assist in the timely issuance of immediate notifications. **In all cases, Immediate Notifications will be sent by AHEC staff via the electronic Emergency Notification System (i.e. text messaging system) directly to all staff, faculty, students, and visitors on the Auraria Campus that have subscribed to the free system.** A variety of other communications tools may be used, including campus-wide email messages, broadcast voice mail messages, updates to the Auraria Campus Emergency Hotline (1-877-556-EMER) and notices posted on [electronic message boards](#) (www.ahec.edu).

Upon learning via the Rock Security Command Center or Detroit Police Department of a situation that would warrant either a timely warning or immediate notification, DIME Detroit staff can send out a

mass email to their campus community via CRM, their centralized database. Templates for timely warnings and emergency notification have been developed and are stored in CRM.

Crisis Communications Spokesperson

The designation of a spokesperson is incident-dependent. Generally, this is the highest-ranking individual who has direct knowledge of the events, or the AHEC Assistant Vice President of Campus Relations. The individual selected will have the highest credibility and understanding of the events surrounding the crisis. Other qualified public information officers may fill in for these individuals if the crisis is prolonged, but they should not be the initial responders to the general public, the media, or the campus community.

In the event that the incident is related to a criminal act, the basic thresholds that the Auraria Police Department may use to determine the lead agency for public information are as follows:

- Misdemeanor Crime = Auraria Campus Police Department lead (ACPD Chief or designee)
- Felony Crime = Denver Police Department/ District Attorney lead (PIO or designee)
- As a criminal act relates to a particular student/faculty/staff of a single institution, the institutional PIO shall be the primary media contact, in partnership with the law enforcement spokesperson. If a criminal act relates to the campus facilities or operations, the AHEC AVPCR shall be the contact.

Incidents that are not crime-related will follow similar guidelines. Situations that affect a single institution, such as a student death, will be represented by the respective PIO. Situations that involve the campus facilities or operations, such as a natural disaster, will be represented by the AHEC AVPCR.

LAW ENFORCEMENT AUTHORITY AND INTER-AGENCY RELATIONSHIPS

The police officers in the Auraria Campus Police Department receive their police authority via the provisions of the Colorado Revised Statutes, Title 24, Article 7.5, Part 1. The Auraria Board, through its Chief Executive Officer, has delegated authority to the Auraria Campus Police Department to enforce campus rules and regulations as well as Municipal, State Laws and Federal Statutes. Auraria Campus Police Department officers have full police authority and are certified police officers as defined under CRS 16-2.5-101 and 16-2.5-120.

The City and County of Denver entered into an Intergovernmental Agreement establishing the working relationship between the Auraria Campus Police Department and the Denver Police Department, and granting to the Auraria Campus Police Department Police Officers a Denver Special Police Officer Commission, issued by the City's Manager of Safety, to enforce clearly defined ordinances of the City of Denver. These ordinances include criminal and traffic related offenses.

It is the desire of both the Auraria Campus Police Department and the Denver Police Department to provide the best possible atmosphere of public safety on and around the campus. The Intergovernmental Agreement is designed to establish the current working relationship between the Auraria Campus Police Department and the Denver Police Department, consistent with and in compliance with the requirements of the Denver City Charter and State statutes, and all terms and conditions of the Intergovernmental Agreement are to be interpreted in light of the goal of increased public safety.

The current scope of this authority for the Auraria Campus Police Department Police Officers is limited to the Auraria Campus area.

For the MSU Denver South Campus, the scope of authority is given to the Greenwood Village Police Department.

For DIME Denver, the scope of authority is given to the Denver Police Department.

For DIME Detroit, the scope of authority is given to the Detroit Police Department.

AURARIA CAMPUS POLICE DEPARTMENT

The Auraria Campus Police Department staff includes a Chief of Police, two Commanders, Sergeants, Corporals, two Detectives, Police Officers, Neighborhood Community Officers (non-sworn), Dispatchers, and office support staff. Service is provided on an ongoing basis to the community. Auraria Campus Police also provide police services to retailers and their customers in the Tivoli Student Union.

Some services provided to the Auraria Campus by the Department include:

- Respond to police, fire, medical and environmental emergencies
- Investigate criminal reports, traffic accidents, and suspicious activities
- Assist victims of crime by taking reports, doing follow up investigations and referring them to appropriate resources
- Monitor alarms for intrusion, robbery and environmental hazards
- Comply with federal, state and local laws regarding release of information
- Assist with sick/injured and other non-criminal activity
- Provide police and security services at special events such as concert and sporting activities
- Provide police and security consultations to students and office personnel
- Assist motorists with vehicle unlocks
- Assure that AHEC is in compliance with city, state and federal environmental regulations
- Ensure the safety of the campus by monitoring environmental and safety hazards
- Hold, inventory and return found property
- Present crime prevention and awareness programs

SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS

A community and its police must do more than simply react to crime. It is important to look for opportunities to deter and/or prevent crime. The Auraria Campus Police Department provides the following services and programs to improve safety 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.

Programs provided by the Auraria Campus Police Department include:

EACH SEMESTER New Student Orientation This presentation on crime, personal safety, and security is given to new students.	ON GOING/SET HOURS Fingerprinting Effective September 24, 2018 fingerprint services are no longer offered.
ON REQUEST Drug Information Seminars These talks cover recognition of controlled substances, their effects on people, and what	ON GOING Crime Analysis Auraria Police staff will review reported crimes and determine if focused patrol activity may be required

<p>to do if one suspects that someone is using or selling drugs.</p>	<p>for repeated offenses in any given area.</p>
<p>EACH SEMESTER/ON REQUEST Personal Safety on Campus</p> <p>This program, usually given to small groups, covers ways to avoid being the victim of physical or sexual assault.</p>	<p>ON GOING/ON REQUEST* MSU Denver Counseling Center Alcohol/Drug Abuse Prevention Program</p> <p>An MSU Denver substance abuse education, prevention and referral program.</p>
<p>ON REQUEST Robbery Prevention</p> <p>This seminar, given to cashiers, gives tips on how to survive an armed robbery and be a good witness.</p>	<p>ON GOING Electronic Alarm Systems</p> <p>Auraria Police monitors intrusion, fire, environmental and general emergency alarms with the help of a sophisticated computerized monitoring system. The terminal for the alarm readouts is at the Auraria Facilities Services building.</p>
<p>ON GOING Escort</p> <p>A Nightrider and Escort service is available through the Parking and Transportation Services Office. After hours, Auraria Police will provide a limited escort service for people walking on campus. Students, staff and faculty are always encouraged to walk with others when possible and to choose paths that are well illuminated.</p>	<p>ON GOING/EACH SEMESTER or ON REQUEST Date/Acquaintance Rape Education</p> <p>The purpose of this educational program is to increase awareness of date/acquaintance rape at Auraria. R.A.D (Rape Aggression Defense) classes available.</p>
<p>ON REQUEST Security Surveys</p> <p>Upon request, officers will evaluate a facility's physical security and make recommendations for improvements</p>	<p>ON REQUEST Crisis Follow-ups</p> <p>Offered through Counseling Services of each institution, crisis follow-up sessions are provided for mental health concerns and to individuals who have been victims of violence. Information is presented regarding personal safety and coping with traumatic events.</p>
<p>ON GOING Architectural Design</p> <p>Auraria Police has significant input into the design of all new and renovated campus facilities with regard to physical and electronic security systems.</p>	<p>ON GOING Bike Theft Prevention</p> <p>Community Services hosts Bicycle Clinics each semester providing helpful tips on preventing bike thefts and the bike theft problem on campus.</p>
<p>ON REQUEST Theft and Fraud Seminars</p> <p>These presentations are usually given to people working in areas where check and</p>	<p>ON GOING Campus Safe Night</p> <p>Annually, each fall, an event is held, which groups tour the campus after dark and provides suggestions</p>

credit card fraud occurs (such as the Bookstore, Bursar's Office, Recreation Center, etc.). The talk covers commonly used scams, how to recognize them, and what to do when they occur.

for security enhancements.

* PROGRAMS SPONSORED BY THE INSTITUTIONS WITH COOPERATION FROM AURARIA CAMPUS POLICE DEPARTMENT

SECURITY OF AND ACCESS TO CAMPUS FACILITIES

Exterior door locks on the Auraria Campus are fully electronic, programmed by the Access Control Department in Facilities Services. The system also has the ability to be placed in "lockdown" directly by Campus Police. The Auraria Campus Police Department has the primary responsibility for ensuring the lock hardware is function properly. Established facility hours are coordinated and maintained by the Auraria Academic Services. Auraria Police also works closely with the Facilities Services Department to maintain building security and key control. Access to facilities after normal building hours is limited and coordinated with Facilities Services Access Control and Auraria Police.

[Work Orders](#) noting security issues with campus facilities can be filed online (www.ahec.edu/workorder) or called in at 303-556-3260.

At the MSU Denver South Campus, University spaces are unlocked during normal business hours and Saturdays when classes are in session. Admission to the building after hours is limited to authorized personnel. Buildings are secured by security personnel on-site and buildings are monitored from 8am – 9pm, with after-hours support as requested. SB/Steelwave Triad, LLC oversees the security of the MSU Denver South Campus facilities and has an office located in the vicinity of MSU Denver South Campus classrooms.

The access door remains locked and closed at DIME Denver. Building access is also monitored by an intrusion alarm. Students and employees access the building through a card swipe system.

At DIME Detroit, campus space is accessible only by authorized members of the campus community or guests who have been granted access by security staff. Entrance is through a centralized monitored access point. Only community members with active ID cards can access the DIME floors of the building via elevator or stairwell.

ALCOHOL AND DRUG POLICY

By Gubernatorial decree and in compliance with applicable laws, the illegal use of alcohol, other drugs, or controlled substances when on campus is prohibited.

In addition to the policy described above, education, training, and treatment programs are available through the Student Life Programs at each institution and through Auraria Human Resources. The campus may take action when policies on the use, possession, distribution, manufacture, and sale of illegal drugs have been violated. AHEC also cooperates with local, state and federal authorities in the detection and prosecution of drug offenses.

AHEC alcohol policies apply to the Auraria 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. 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).

MSU Denver also specifically states the following in the student code of conduct (which is applicable to all MSU Denver students on the Auraria Campus, the MSU Denver South Campus, DIME Denver, and DIME Detroit):

By a preponderance of evidence, any student found to have committed the following misconduct is subject to the disciplinary sanctions outlined in Article IV:

12. Possessing, using, manufacturing, distributing, or selling of narcotics or other controlled substances, or related drug paraphernalia, or prescription drugs in violation of law or University policies. Attending classes, University or campus functions, or being on campus while under the influence of drugs/illegal substances, shall also be considered a violation of this Code.

13. Public intoxication, and/or the use, possession, or distribution of alcoholic beverages or marijuana, except as expressly permitted by the law and University regulation. Attending classes, University or campus functions, or being on campus while under the influence of alcohol or drugs shall also be considered a violation of this Code.

Note: Although, in accordance with the requirements of the Colorado Constitution, possession and use of marijuana for certain medical conditions, and the possession and use of less than 1 ounce of marijuana by persons 21 years of age or older is legal, the possession and use of marijuana remains prohibited on the Metropolitan State University of Denver South and Auraria campuses and at all University-sponsored activities. In addition, federal law, including the Controlled Substances Act and the Drug Free Schools and Communities Act, prohibits the use and/or possession of marijuana while a student is on campus.

SERVING ALCOHOL

Those persons or organizations that control the service of alcoholic beverages are responsible for compliance with applicable laws and campus policies. Those policies are:

Service of alcoholic beverages is planned to stop before the close of the event.

The burden of proof for showing legal age is on the alcohol consumer. No alcohol will be served unless clear evidence of legal age is presented. It is the responsibility of those in charge of an event to ensure that no one who is under age is served or consumes any alcoholic beverages.

Alcohol may not be consumed or carried in open containers in common areas or "public" areas of any building or grounds except as follows: for group activities or events where a liquor license (if required) has been obtained and the scheduling officer has approved the event.

ILLEGAL DRUGS

The policy for Auraria and the institutions prohibit the sale, manufacture, distribution, use or possession of illegal drugs on the Auraria Campus. This policy applies equally to administrators, faculty, staff, and students. For the MSU Denver South Campus, DIME Denver, and DIME Detroit, the MSU Denver Student Code of Conduct applies to MSU Denver students.

VIOLATION OF DRUG POLICY

Sale, distribution or manufacturing of illegal drugs by a member of the Auraria Campus community will normally result in the administration taking action to curtail the activity. This policy applies within or upon the grounds, buildings, or any other facilities of the campus. Sanctions may be imposed upon individuals found in violation of these policies, as well as violation of laws controlling drugs and alcohol.

More specific and detailed information about Auraria and institutional policies addressing drugs and alcohol concerns can be found in operations manuals, student handbooks, Catalogs, personnel offices or administrative policy information. Faculty, staff and students are encouraged to obtain this information through the Student Life or administrative areas of Community College of Denver, Metropolitan State University of Denver, University of Colorado Denver, or the Auraria Higher Education Center Administrative office.

Auraria Campus Police Department
1201 5th Street, Administration Building, Suite 110
Denver, CO 80204
Police Communications 303-556-5000
Fax 303-556-3257
E-Mail dispatch@ahec.edu

MSU DENVER SEXUAL MISCONDUCT POLICY & PROCEDURES

Metropolitan State University of Denver prohibits sexual misconduct in any form, including sexual assault or sexual abuse, sexual harassment, and other forms of nonconsensual sexual conduct, including stalking and electronic harassment. Forms of intimate partner violence, such as domestic and dating violence, are also prohibited under this policy. Retaliation in any form for reporting such sexual misconduct or for cooperating in a sexual misconduct investigation is strictly prohibited and will be addressed as a separate violation of the [Student Code of Conduct](#). Students, faculty, staff, and visitors should be able to live, study, and work in an environment free from sexual misconduct. It is the [policy of MSU Denver that Discrimination, Sexual Misconduct, and Retaliation](#) in any form will not be excused or tolerated. This policy is promulgated under Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681, et seq., and its implementing regulations; 34 C.F.R. Part 106; Title IV of the Civil Rights Act of 1964 (42 U.S.C. § 2000c); The Violence Against Women Reauthorization Act ("VAWA"); The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act ("Clery Act"); Title VII of the Civil Rights Act of 1964 ("Title VII"); Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d, et seq and its implementing regulations at 34 C.F.R. Part 100; and Colo. Rev. Stat. § 24-34-402.

Sexual misconduct is a broad term encompassing any nonconsensual behavior of a sexual nature that is committed by force or intimidation, or that is otherwise unwelcome. The term includes sexual assault, sexual exploitation, and sexual harassment as those behaviors are described later in this section. Sexual intimacy requires that all participants consent to the activity.

Procedures promulgated pursuant to this Policy provide for prompt, thorough, and impartial resolution of complaints by students at MSU Denver who are victims/survivors discrimination, sexual misconduct, and retaliation.

In this policy you will find the following:

- Definitions
- How to report discrimination, sexual misconduct, and retaliation
- An outline of the investigation process
- Information about training

The Discrimination, Sexual Misconduct, and Retaliation Policy is referenced in the [MSU Denver Student Code of Conduct](#), all policies, procedures and definitions in the Student Code of Conduct apply to this policy. In the Student Code of Conduct you will find the following:

- Adjudication of complaints in the student conduct process
- Information about appeals

The Discrimination, Sexual Misconduct, and Retaliation Policy applies to all institutional constituents. This policy follows in its entirety:

I. Introduction

- A. **Authority:** C.R.S. § 23-54-102, *et seq.* (2019) authorizes the Trustees of Metropolitan State University of Denver (MSU Denver) to establish rules and regulations to govern and operate the University and its programs. The Trustees retain authority to approve, interpret, and administer policies pertaining to University governance. The Trustees authorize the President of MSU Denver to approve, administer, and interpret policies pertaining to University operations.
- B. **Purpose:** MSU Denver community members should be able to live, study, and work in an environment free from unlawful discrimination and sexual misconduct. This policy is promulgated under:
1. Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681, *et seq.*, and its implementing regulations;
 2. 34 C.F.R. Part 106; Title IV of the Civil Rights Act of 1964 (42 U.S.C. § 2000c);
 3. The Violence Against Women Reauthorization Act (“VAWA”);
 4. The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (“Clery Act”);
 5. Title VII of the Civil Rights Act of 1964 (“Title VII”);
 6. Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d, *et seq.* and its implementing regulations at 34 C.F.R. Part 100; and
 7. Colo. Rev. Stat. § 24-34-402.
- C. **Scope:** This policy applies to all areas of MSU Denver’s operations and programs, and to all board members, administrators, students, faculty, staff, volunteers, consultants, vendors, contractors, sub-contractors, guests, visitors, and others who have an association with, are doing business with, and/or have a presence at MSU Denver or any of its facilities. The Policy applies to conduct that takes place at MSU Denver and at any of its sponsored events. The

Policy may apply off-campus and to electronic conduct, online and elsewhere, if it is determined that the off-campus conduct affects a substantial interest of MSU Denver. A substantial MSU Denver interest includes, but is not limited to conduct that:

1. Occurs in the context of an educational program or activity of MSU Denver;
2. Has continuing adverse effects on campus, including creating possible risk to the greater MSU Denver community;
3. Has continuing adverse effects in an off-campus program or activity, including but not limited to study abroad, Detroit Institute of Music Education, Denver ("DIME"), or research or internship program.
4. Constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state or federal law;
5. Creates a situation where it appears that the responding party may present a danger or threat to the health or safety of self or others;
6. Creates a situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
7. A situation that is detrimental to the educational interests of MSU Denver.
8. If an alleged violation of the Policy might impact the greater MSU Denver community and/or is particularly egregious, the Policy and related procedures may be followed even in cases where the impacted community member does not want MSU Denver to respond to the complaint.

II. Roles and Responsibilities

- A. **Responsible Executive:** Chief Executive Officer
- B. **Responsible Administrator:** Chief Equal Opportunity Officer
- C. **Responsible Office:** Office of Equal Opportunity
- D. **Policy Contact:** Office of Equal Opportunity, 303-615-0036

Raúl M. Sánchez, J.D.

Executive Director, Office of Equal Opportunity

Title IX Coordinator

Jordan Student Success Building Suite 306

Phone: 303-615-0036 Email: rsanch64@msudenver.edu

III. Policy Statement

Metropolitan State University of Denver ("MSU Denver") is committed to maintaining work, study, and recreational environments for all students, employees, and visitors free from discrimination and harassment. Therefore, in accordance with applicable local, state, and federal laws, the University does not discriminate and prohibits discrimination and harassment in all of its programs and activities, including but not limited to academics, extracurricular activities, employment, promotion, admissions,

and access to all academic, career and technical programs on the basis of the following protected classes and/or characteristics:

1. Race;
2. Creed;
3. Color;
4. Sex;
5. Gender;
6. Gender Identity or Expression;
7. Pregnancy;
8. National Origin;
9. Nationality;
10. Age;
11. Ancestry;
12. Marital, Domestic Partnership, or Civil Union Status;
13. Religion;
14. Affectional or Sexual Orientation;
15. Atypical Hereditary Cellular or Blood Trait;
16. Genetic Information;
17. Liability for Military Service;
18. Protected Veteran Status;
19. Mental or Physical Disability, including perceived disability, AIDS and HIV-related illnesses;
20. Harassment (related to any of the forgoing categories);
21. Retaliation for filing a complaint of, or participating in an investigation of discrimination and harassment; and
22. Any other category protected by law.

This policy shall be known as the Policy Prohibiting Discrimination, Sexual Misconduct, and Retaliation (the Policy). The Policy prohibits the forms of discrimination described above, as well as all forms of sexual misconduct, which is discrimination based on gender or sex, and includes sexual assault, sexual abuse, sexual harassment, other forms of nonconsensual sexual conduct, stalking, interpersonal violence, including domestic and dating violence, and sexual exploitation.

This policy prohibits discriminatory harassment, a form of discrimination which is improper conduct toward a particular individual, individuals, or groups on the basis of one or more of the protected classes indicated above. Discriminatory harassment occurs when behavior is sufficiently severe, persistent, or pervasive that it has the purpose or effect of:

- a. Creating an intimidating, hostile, or offensive environment; or
- b. Unreasonably interfering with work, academic performance, personal security, or participation in any University activity.

Retaliation against anyone who files a complaint or participates in an investigation related to the Policy also is strictly prohibited. Reports of retaliation will be addressed as separate potential violations of the Policy.

MSU Denver will take immediate and appropriate action to investigate allegations of discrimination, harassment, and retaliation. If, after an adequate, reliable and impartial investigation of those complaints there is a finding that MSU Denver's policy has been violated, MSU Denver will impose appropriate discipline on the individual found in violation.

Comprehensive procedures shall be established by the Equal Opportunity Office and Title IX Coordinator to implement this Policy. The procedures must be interpreted in conjunction with this

Policy. Any inconsistency between this Policy and the procedures will be resolved in favor of the Policy. MSU Denver's procedures can be found on the Equal Opportunity Office website.

A. **Sexual Harassment**

The Policy prohibits sexual harassment, a form of discrimination based on sex and/or gender. Sexual harassment encompasses *quid pro quo* sexual harassment, gender-based harassment, hostile environment sexual harassment, and sexual misconduct. Sexual harassment also covers unwelcome verbal or physical conduct of a sexual nature.

1. **Types of Sexual Harassment**

- a. *Quid pro quo* sexual harassment occurs when:
 - i. Submission to unwelcome verbal or physical conduct of a sexual nature is made either explicitly or implicitly a term or condition of any individual's employment or education; or
 - ii. Submission to or rejection of unwelcome verbal or physical conduct of a sexual nature by an individual is used as the basis for employment or educational decisions affecting the individual.
- b. Gender-based harassment is a form of sexual harassment and is defined as harassment of a non-sexual nature that occurs because of a person's sex and/or gender. It also includes harassment based on a person's nonconformity with sex and/or gender stereotypes.

2. **Offenses that Constitute Sexual Harassment**

Sexual harassment is subject to discipline when it creates a hostile environment, meaning the behavior is sufficiently severe, persistent, or pervasive to unreasonably interfere with an individual's work or educational performance. Examples include, but are not limited to, the following:

- a. Physical assault;
- b. Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades, work references, or letters of recommendation; and
- c. Sexual behavior that is unwelcome. Such behavior may include, but is not limited to:
 - i. Comments of a sexual nature;
 - ii. Sexually explicit statements, questions, jokes, or anecdotes;
 - iii. Unnecessary or undesirable physical contact;

- iv. Unwanted, offensive, and/or uninvited comments about another's physical appearance;
 - v. Display of pictures with sexual content;
 - vi. Persistent, unwanted attempts to change a professional relationship to an amorous relationship;
 - vii. Subtle propositions for sexual activity or direct propositions of a sexual nature; and
 - viii. Uninvited letters, emails, telephone calls, text messages, instant messages or other correspondence or writings referring to or depicting sexual activities.
- d. Other offenses that may constitute sexual harassment when based on sex and/or gender include, but are not limited to:
- i. Threatening or causing physical harm, extreme verbal abuse, or other conduct that threatens or endangers the health or safety of any person.
 - ii. Intimidation, which is defined as implied threats or acts that cause reasonable fear of harm of another
 - iii. Hazing, as defined in the Student Code of Conduct.
 - iv. Bullying, as defined in the Student Code of Conduct.
 - v. Workplace violence, which is defined as any acts or threats of physical harm, including intimidation, harassment, and/or coercion, which involve or affect the University or any of its employees, which occur on University property or are related to the workplace and are prohibited.
 - vi. Intimate partner violence, which includes violence or abusive behavior within an intimate partner relationship. Intimate partner violence may also be referred to as domestic violence or dating violence. It can be physical, sexual, emotional, verbal, economic, or psychological in nature and may include actions or threats of actions that influence or harm an intimate partner.
 - vii. Stalking, which refers to purposeful conduct directed at a specific person that would cause a reasonable person to fear bodily injury or death to themselves and/or a family member and knowingly, recklessly, or negligently places such person in reasonable fear of bodily injury or death to himself or family member, and includes, but is not limited to, conduct occurring in person, electronically, or through a third party.

B. Sexual Misconduct

Sexual misconduct is a form of sexual harassment and is prohibited by the Policy. It is an egregious form of sex discrimination/sexual harassment. A number of acts are regarded as Sexual Misconduct including, but not limited to, nonconsensual sexual contact (including sexual intercourse), sexual assault, stalking on the basis of sex and/or gender, domestic violence involving sex, gender or sexual behavior, dating violence, and sexual exploitation.

1. Consent

Consent to any sexual activity must be clear, knowing, and voluntary. Anything less is equivalent to a "no." Clear, knowing, and voluntary consent to sexual activity requires that, at the time of the act, actual words or conduct demonstrate clear permission regarding willingness to engage in sexual activity and the conditions of such activity. Silence or passivity is not consent. Even if words or conduct alone seem to imply consent, sexual activity is nonconsensual when:

- a. Force is used.
 - i. Force is the use of physical violence, physical force, threat, or intimidation to overcome resistance or gain consent to sexual activity.
 - ii. Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to obtain consent from another. When an individual makes it clear through words or actions that they do not want to engage in sexual contact, they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point may be coercive. Other examples of coercion may include using blackmail or extortion to overcome resistance or gain consent to sexual activity.
- b. The person is incapacitated.
 - i. A person cannot consent if the person is unable to understand what is happening or is disoriented, helpless, asleep, or unconscious for any reason, including due to alcohol or other drugs. A person violates this policy if they engage in sexual activity with someone they know to be, or should have known to be, physically or mentally incapacitated.
 - ii. Incapacitation occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the "who, what, when, where, why, or how" of their sexual interaction). This policy also covers a person whose incapacity

results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or from the consumption of incapacitating drugs.

- iii. It is not an excuse that the responding party was intoxicated and, therefore, did not realize the incapacity of the reporting party. The question of whether the responding party should have known of the incapacity is an objective question about what a reasonable person, exercising sober, good judgment, would have known, in the same or similar circumstances.

2. **Nonconsensual Sexual Contact** is any intentional sexual touching, however slight, with any object or body part, by one person against another person's intimate parts (or clothing covering any of those areas), or by causing another person to touch his or her own or another person's intimate body parts without consent and/or by force. Sexual contact also can include any intentional bodily contact in a sexual manner.

3. **Nonconsensual Sexual Intercourse** is any sexual intercourse, however slight, with any object by a person upon another person that is without consent and/or by force. Sexual intercourse vaginal or anal penetration by a penis, tongue, finger, or object, or oral copulation (mouth to genital contact) no matter how slight the penetration or contact.

4. **Sexual Exploitation** occurs when a person takes:

- a. Non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses explained above. Examples of Sexual Exploitation may include, but are not limited to:
 - i. Causing or attempting to cause the incapacitation of another person to gain sexual advantage over such other person (e.g., surreptitiously giving someone an incapacitating drug such as Rohypnol;
 - ii. Repeatedly providing a person with alcohol when they are visibly intoxicated, then attempting or engaging in sexual activity with that person);
 - iii. Invading another person's sexual privacy;
 - iv. Prostituting another person;

- v. Engaging in voyeurism. A person commits voyeurism if, for the purpose of arousing or gratifying the sexual desire of any person, he or she knowingly views, photographs, records, or films another person, without that person's knowledge and consent, while the person being viewed, photographed, recorded, or filmed is in a place where the individual has a reasonable expectation of privacy;
 - vi. Knowingly or recklessly exposing another person to a significant risk of sexually transmitted disease or infection;
 - vii. Exposing one's intimate parts in nonconsensual circumstances; and
 - viii. Sexually based stalking and/or bullying.
5. **Voluntary use of alcohol or other drugs** is neither an excuse, nor a valid defense to a violation of the Sexual Misconduct policy. The question of whether the responding party should have known of the incapacity is an objective question about what a reasonable person, exercising sober, good judgment, would have known, in the same or similar circumstances.
6. **Prohibition on Retaliation:** Retaliation against a person who reports a potential violation under this policy, assists someone with a report of a violation, or participates in any manner in an investigation or in the resolution of a complaint made under this policy is strictly prohibited and will not be tolerated. Retaliation includes but is not limited to threats, intimidation, reprisals and/or adverse actions related to an individual's employment or education. MSU Denver will take appropriate steps to ensure that a person who in good faith reports, complains about, or participates in an investigation pursuant to this Policy will not be subjected to prohibited retaliation. Individuals who believe they are experiencing retaliation are strongly encouraged to file a complaint with the Equal Opportunity Office and/or Title IX Coordinator or designee.

Rights and Options for Victims/Survivors through the University

There are a number of options and rights that victims/survivors have available to them should they choose to report sexual misconduct to their school. These include:

- Inform victim/survivor of available grievance procedures, how to file a formal complaint within the institution, provide a clear and complete explanation of the complaint process, provide information on the protocol for reporting to campus police, provide the police protocol once information is received, and provide information on reporting the incident to the Office of Civil Rights.
- Provide appropriate referral (with victim/survivor's permission) to the Campus office

responsible for investigation of employee sexual misconduct, if the perpetrator is a faculty or staff member.

- Ensure victim/survivor knows that their identity will remain confidential unless they are willing to reveal identity through a formal complaint. Discuss the institution's confidentiality policy, reporting requirements, and opportunity for anonymous reporting.
- Provide an anonymous report of the incident, date and location for Clery Act reporting (the Clery Act is a federal law that requires anonymous statistical reporting of a number of crimes, including sexual misconduct. The numbers appear in an annual crime report).
- Discussing potential educational support interim actions for students who may have experienced sexual misconduct. Support and interim actions may include, but are not limited to, changes in course enrollment, support with on-campus transportation, or financial aid. Students may contact the Dean of Students Office with questions regarding support and interim actions.

Reporting

To Report Confidentially

MSU Denver encourages students impacted by sexual misconduct to talk to somebody about what happened so that support may be provided and the University can respond appropriately. This section is intended to make students aware of the various reporting and confidential disclosure options available to them so they can make informed decisions about where to turn should they become a victim of sexual misconduct.

An individual who speaks to one of the confidential resources noted in this section must understand that, if the individual wants to maintain confidentiality, the University may be unable to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator. An individual may speak to a confidential resource and then later decide to file a report with the University to have the incident fully investigated.

If you desire that details of the incident be kept confidential you may speak to on-campus counselors in the MSU Denver Counseling Center, Health Center at Auraria licensed medical practitioners, The Phoenix Center, or off-campus rape crisis resources, which will maintain confidentiality to the extent possible by law.

The Health Center at Auraria may be reached by calling 303-615-9999 or by visiting Plaza 150. The Health Center's Victim Assistance Services may be reached by calling 303-615-9911.

The MSU Denver Counseling Center may be reached by calling 303-615-9988 or by visiting Tivoli 651 during the hours of 8 a.m.-5 p.m. Campus counselors are available to help you free of charge and may be seen on an emergency basis. If you need assistance between 5 p.m.-8 a.m., or on the weekends, you may contact the After Hours Mental Health and Victim Assistance Crisis Line by calling 303-615-9911.

As a MSU Denver student, you also may contact the Phoenix Center at Auraria for confidential victim's assistance to the extent possible by law. You may call its 24/7 helpline at 303-556-CALL. It can assist in reporting and connect you to both on-campus and local resources. The Phoenix Center

at Auraria provides advocacy services for victims, including accompanying them to the hospital to receive an examination and evidence collection, court advocacy for orders of protection or through criminal proceedings and advocacy through the reporting process.

Reporting Sexual Misconduct, Including Sexual Assault and Sexual Harassment, to the University

MSU Denver strongly encourages prompt reporting of complaints and information rather than risking any student's well-being. Although there is no time limit on the reporting of formal charges with the campus, the institution ultimately may be limited in its investigation if too much time has passed or if the accused student has graduated.

Amnesty for students reporting sexual misconduct:

MSU Denver recognizes that an individual who has been drinking or using drugs at the time of an incident may be hesitant to make a report because of potential Student Code of Conduct consequences for his/her own conduct. An individual that reports sexual misconduct will not be subject to disciplinary action by MSU Denver for his/her own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not and do not place the health and safety of any other person at risk. MSU Denver may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs.

Students have multiple reporting options:

1) Dean of Students Office – This office is responsible for investigating any allegation of sexual misconduct where the respondent (accused) is a student. You can expect to have incidents of sexual misconduct taken seriously and responded to quickly. Incidents will be investigated and properly resolved through administrative procedures as described in the [conduct process](#). If you request confidentiality, MSU Denver may be limited in its ability to take disciplinary action against the alleged harasser. Moreover, if you request confidentiality, MSU Denver must evaluate your request in the context of its commitment to provide a reasonably safe and nondiscriminatory environment for the campus community. Thus, MSU Denver cannot ensure confidentiality of a complaint. Information will be shared to the extent necessary for MSU Denver to pursue other steps to limit the effects of the alleged harassment and prevent its recurrence. To discuss questions or concerns related to confidentiality prior to reporting an incident to the University, you may contact the Dean of Students Office and ask to speak with Title IX staff. To report to the Dean of Students Office, a student may visit the Office of Student Engagement and Wellness in Tivoli 311 or call 303-615-0220 to speak with the Title IX Investigator. Students may also file a [conduct report](#).

2) Auraria Police – The Dean of Students Office can assist you in reporting any incident of sexual misconduct to the Police. An incident may be reported to MSU Denver or the Auraria Police Department even if the victim/survivor has not decided to take legal action. If the assault took place off campus, Auraria Police or the Dean of Students Office can assist you in contacting the police that have jurisdiction over that area. Auraria Police may be reached by calling 911 from any campus phone or by calling 303-556-5000 from any non-campus phone.

3) Title IX Coordinator/Equal Opportunity – If your complaint involves a faculty or staff member, you would file a report with the Office of Equal Opportunity to be investigated and properly resolved. You may contact the [Office of Equal Opportunity](#) in the Student Success Building, room 360 or by calling

303-615-0036.

4) MSU Denver community members also may contact the Department of Education Office of Civil Rights (OCR). The Denver OCR may be reached by calling 303-844-5695 or emailing OCR.Denver@ed.gov. The OCR national office may be reached by calling 800-421-3481 or emailing OCR@ed.gov.

Actions and investigations initiated under this policy are separate from civil or criminal proceedings that may relate to the same incident. Investigations or conduct proceedings by the institution are not postponed while criminal or civil proceedings are pending unless otherwise determined by the Title IX investigation.

An individual reporting sexual misconduct may report to the University and to law enforcement at the same time. The individual may also decide to report to one entity and not the other. The decision to pursue legal action through the law enforcement/criminal justice system does not impact an individual's ability to proceed with filing a report with the University.

If an administrator, staff, or faculty member, other than those identified in the "To Report Confidentially" section, becomes aware of a complaint or other violation of this policy, the administrator, staff, or faculty member is required to bring the information to the Title IX Coordinator/Equal Opportunity Office or the Dean of Students Office so that concerns are heard and services can be offered to the affected students.

Medical Assistance and Preservation of Evidence

Individuals who experience sexual misconduct are strongly encouraged to seek immediate medical attention in order to treat injuries, test for and treat sexually transmitted infections, and access emergency contraception (if requested), as applicable. In addition, a hospital can perform a sexual assault evidence collection procedure. If possible, an individual that has been sexually assaulted is advised to not shower, bathe, douche, or change clothes or bedding before going to the hospital or seeking medical attention. If the individual decides to change clothes, the individual is advised to not wash the clothes worn during the assault and should bring them to the hospital or medical facility. Do not delete emails, texts, voicemails, or social media messages, as evidence may exist in those formats.

These steps are important to help preserve evidence for possible use in legal actions or requests for a civil restraining order or order of protection. Because evidence dissipates quickly, individuals that wish to preserve evidence are encouraged to seek medical attention within 48 hours of the incident.

MSU Denver community members (students, faculty, staff) may contact the Health Center at Auraria by calling 303-615-9999 or 303-615-9911 (after hours) in order to seek treatment or support in accessing other medical or community resources. The Health Center at Auraria can provide transportation support to a local hospital for sex assault examinations or other medical services.

Federal Timely Warning & Reporting Obligations

Victims/survivors of sexual misconduct also should be aware that institutional administrators, including the Auraria Police Department, must issue timely warnings for incidents reported to them that pose a

substantial threat of bodily harm or danger to members of the campus community. The institution will make every effort to ensure that a victim/survivor's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.

Immediate Actions by the Institution

MSU Denver may take immediate interim actions to protect the safety of the Auraria community, to enable students with complaints and witnesses to continue studies, and to ensure the integrity of an investigation. The Dean of Students, or their designee, after considering the needs of the individual student and the community, will determine which action needs to be taken. These actions may include:

- Interim suspension of the accused student
- No-contact notices
- Modifying class or work schedules
- Addressing other academic concerns (e.g., absences, assignments, grades, leaves of absence, withdrawal, financial aid, visa or immigration status)
- Referral to health, mental health, victim advocacy, legal assistance, or other on- and off-campus resources
- Safety planning

Conduct Process and Sanctions

The Title IX Investigator and Conduct Officer shall coordinate the investigation of all formal charges of Sexual Misconduct brought forward. Investigations shall be conducted and completed in 60 calendar days (should the investigation take longer than 60 calendar days, all parties to the dispute will be notified) and shall use a preponderance-of-- information standard (more likely than not). In cases where the respondent (accused) is a student, the Title IX Investigator will conduct a thorough investigation of the case, which may include gathering relevant information, and interviewing the complainant, respondent and witnesses. Conflict Resolution, including mediation, will not be used to resolve sexual assault complaints. If a party to a complaint declines to participate in the investigation and/or student conduct process, the process may move forward without them. Upon completion of an investigation, the reporting and responding parties will have an opportunity to review the report, provide additional information to include in the report, and discuss potential corrections to the report. The Title IX Investigator's report will be forwarded to the Conduct Officer to be determined if it will be referred to the [conduct process](#). Parties to the dispute will receive a written notice of the final disposition of the complaint upon completion of the investigation. Students found responsible could receive sanctions ranging from a warning through suspension or expulsion. This is separate from any potential criminal and civil proceedings in this case.

Appeal

As this process is part of the student conduct policy, it is eligible for appeal under Article IV F of the [Student Code of Conduct](#). Both parties are eligible to appeal. If one party chooses to appeal, the other party will be notified so that the appeals may be submitted simultaneously. The decision by the appellate officer is final.

The criteria for the appeal are limited to the following:

- 1) To determine whether the original hearing was conducted fairly in light of the charges and evidence presented, and in conformity with prescribed procedures, giving the appealing party a reasonable opportunity to prepare and to present a rebuttal of those allegations.
- 2) To determine whether the decision reached regarding the accused student or organization was based on substantial evidence; that is, whether the facts in the case were sufficient to establish that a violation of the Student Code of Conduct did occur.
- 3) To determine whether the sanction(s) imposed was appropriate for the violation of the Student Code of Conduct that the student or organization was found to have committed.
- 4) To consider new evidence sufficient to alter a decision or other relevant facts not brought out in the original hearing because the person or organization appealing did not know such evidence and/or facts at the time of the original hearing.

In most cases, the process takes between 30-60 days. If the process takes longer than 60 days, both parties will receive notification.

Notification of Outcomes

The outcome of a campus conduct process is part of the educational record of the accused student, and is protected from release under a federal law, the Family Educational Rights and Privacy Act (FERPA). However, MSU Denver will observe the legal exceptions as follows:

- Complainants in nonconsensual sexual contact/intercourse, sexual exploitation, sexual harassment, stalking, and relationship violence incidents have an absolute right to be informed, in writing, of the outcome and sanctions of the campus conduct process as it relates to sexual misconduct without condition or limitation.
- Students that bring any sort of sexual misconduct complaint against faculty or staff may be informed of the outcome and sanction, because FERPA does not apply.
- The institution may release publicly the name, nature of the violation and the sanction for any student that is found in violation of a campus policy that is a “crime of violence,” including: aggravated assault, arson, burglary, robbery, criminal homicide, sex offenses, assault, destruction/damage/vandalism of property, intimidation, and kidnapping/abduction. The campus will release this information to the complainant in any of these offenses regardless of the outcome.

Retaliation

MSU Denver prohibits retaliation against an individual for making a complaint of sexual misconduct, for resisting such behavior, or for otherwise using or participating in the grievance process. Prohibited behavior includes any form of intimidation, threats, or harassment by the individual accused of misconduct or persons acting in support of or on behalf of that individual. Acts of retaliation are a

separate violation of the Student Code of Conduct.

An individual experiencing retaliation may contact the Dean of Students Office by calling 303-615-0220.

False Complaints

MSU Denver also prohibits an individual from knowingly filing a false complaint or making misrepresentations of sexual misconduct. However, a complaint made in good faith is not considered false merely because the evidence does not ultimately support the allegation of sexual misconduct or sexual harassment. Knowingly filing a false complaint is a violation of the Student Code of Conduct.

Past Sexual History/Character

The past sexual history or sexual character of a party will not be admissible by the other party in the conduct process unless the Conduct Officer determines such information to be highly relevant. The Conduct Officer may consider previous complaint information only if:

- The accused individual was previously found to be responsible;
- The previous incident was substantially similar to the present allegation;
- Information indicates a pattern of behavior and substantial conformity with that pattern by the accused student.

Resources available to assist anyone that has been the victim of sexual misconduct

[Counseling Center](#)

[Health Center at Auraria](#)

[Phoenix Center at Auraria](#)

ADJUDICATION OF VIOLATIONS

Note: Because email is an official method of communication for the University, students will be notified over email of potential violations of the Student Code of Conduct and the outcome of any conduct process. Students may also be contacted at the mailing address on file with the University.

A. Standard of Proof

The University views the conduct process as a learning experience that can result in growth and personal understanding of one's responsibilities and privileges within the University community. It is not intended to be a substitute for civil or criminal legal proceedings, and is designed to provide a fair evaluation of whether or not a student has violated University policies. Formal rules of evidence do not apply in the University's conduct process. The University uses a preponderance-of-evidence standard when determining responsibility for alleged violations of the Student Code of Conduct. A preponderance of evidence means that what is alleged to have happened is, more likely than not, what actually happened. This shall be the standard of proof used in all conduct proceedings under this Code.

B. Processes

Filing a Report

Any person may file a complaint against any student or organization for misconduct. Complaints shall be prepared in writing in the form of an incident report and directed to the Conduct Officer responsible for the administration of the University conduct system. Any complaint shall be submitted by the reporting party within 20 working days after learning that the misconduct has occurred. The Conduct Officer may extend time limits for good cause.

Notification

The Conduct Officer may notify the student or organization of the complaint. Once the student is notified of the complaint, he/she has the opportunity to schedule a conduct hearing with the Conduct Officer or designee to discuss the situation. If the student fails to make contact with the Conduct Officer/designee within the time frame specified in the notification, the Conduct Officer/designee may make a decision in the student's absence on the next steps in the process or place a registration hold on the student's account

Conduct Hearing

Charge

Prior to the conduct hearing, the Conduct Officer shall present to the respondent or responding organization, in writing, a statement of the allegations, the charges they would support and the potential consequences in the event that student is found responsible. The student will be responsible for scheduling the conduct hearing with the Conduct Officer. In the event of extenuating circumstances, the Conduct Officer may determine that the hearing shall take place via telephone or through a written process. The Conduct Officer will notify the respondent in writing of this determination.

Advisor

The complainant and the respondent have the right to have any advisor they choose, at their own expense, to be present during any meeting or conduct hearing. The advisor may be an attorney, with notification of this information to the Conduct Officer. The complainant and/or the respondent is responsible for presenting his/her own case and, therefore, advisors are not permitted to participate in any meeting or hearing within the conduct process unless the University legal counsel specifically advises otherwise. The respondent and/or the complainant will notify the Conduct Officer at least 5 business days before the meeting or hearing of the name, address and telephone number of the advisor. In certain cases, University Legal Counsel may be present. If the advisor selected by the complainant or respondent is also a witness to the complaint, the student must identify an alternate advisor, as a witness may not also be an advisor.

Investigation

The Conduct Officer, or designee, is responsible for investigating all allegations of violations of the Student Code of Conduct. The investigation process may vary by case depending upon circumstances involved. Investigations may include, but are not limited to, interviewing all parties involved, interviewing any witnesses deemed relevant, and gathering and reviewing evidence provided by any parties or witnesses.

Hearings

- Hearings shall be conducted in private.

- Admission of any person to the hearing shall be at the discretion of the Conduct Officer within outlined policies.
- In hearings involving more than one respondent, the Conduct Officer at his/her discretion may permit the hearings concerning each student to be conducted concurrently.
- Both the respondent and the complainant may present witnesses pertaining to the alleged incident. The Conduct Officer will meet with any witnesses prior to the conduct hearing to review the evidence they have to share pertaining to the case.
- Pertinent records, exhibits and written statements may be accepted as evidence for consideration by the Conduct Officer at his/her discretion.
- After the hearing, the Conduct Officer shall determine whether the student has violated the Student Code of Conduct.
- The Conduct Officer's determination shall be made on the basis of whether it is more likely than not that the respondent or organization violated the Student Code of Conduct.
- If a student is found responsible for a violation of the Student Code of Conduct, the Conduct Officer may assign a range of sanctions (Article IV. C.)
- Except in the case of a student charged with failing to obey the summons of a Conduct Officer or University official, no student may be found to have violated the Student Code of Conduct solely because the student failed to appear before a Conduct Officer. In all cases, the evidence in support of the charges shall be considered.
- University legal counsel shall serve as legal advisor to the Conduct Officer.

Restorative Process

The Student Conduct Officer has the authority to determine whether to initiate a restorative process from the conduct hearing. This decision is primarily based on, but not limited to, the following factors:

- If the respondent admits or otherwise takes responsibility for the alleged prohibited conduct;
- The respondent's prior conduct record;
- The nature and severity of the alleged prohibited conduct;
- The alleged impact and/or harm caused to another person or community;
- Whether the alleged conduct would violate the Student Code of Conduct; and
- Any other factors that the Conduct Officer finds relevant to the specific allegations.

The restorative process is voluntary. Since the respondent takes responsibility for their actions in the restorative process, it is not a process of determining responsibility but rather one determining how to repair the harm caused from the incident. The restorative process will result in a written agreement among all parties involved to be completed by the respondent.

This process generally may include, but is not limited to, a meeting with a Conduct Officer, a meeting with the Coordinator for Student Conflict Resolution Services, completion of the agreement, and/or participation in a restorative process.

During the conduct hearing, if the Conduct Officer determines that the restorative process may be appropriate, the Conduct Officer will offer it as an option to the respondent and address any questions the respondent may have about the process. If the respondent accepts responsibility for the alleged prohibited conduct and agrees to **and** completes the agreement developed during the restorative

process, the matter will be considered resolved and no further action will be taken.

The Coordinator for Student Conflict Resolution Services reserves the right to stop the restorative process and refer the matter back to the conduct hearing process at any time prior to the student's fulfillment of the agreement requirements, including but not limited to, if the student fails to schedule or attend a meeting with the Coordinator for Student Conflict Resolution Services, denies responsibility for the alleged prohibited conduct, does not want to participate in the restorative process, or the Conduct Officer and/or Coordinator for Student Conflict Resolution Services determines that the matter is more appropriately resolved under the conduct hearing process.

C. Sanctions

1. The following sanctions may be imposed upon any student found to have violated the Student Code of Conduct through a conduct hearing:

Status Sanctions

- a. **Warning:** A notice in writing to the student that the student is violating or has violated the Student Code of Conduct.
- b. **Probation:** A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s) and/or the Student Code of Conduct during the probationary period.
- c. **University Suspension:** Separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for re-enrollment may be specified. A temporary ban from any MSU Denver Campus may be put into effect as a part of the conditions of suspension. If a student has not yet enrolled in classes, admission may be rescinded.
- d. **University Expulsion:** Permanent separation of the student from the University. This may include a permanent ban from any MSU Denver Campus, enforceable by the Police.
- e. **Auraria Campus Suspension or Expulsion:** In cases where a student's behavior could threaten the safety or well-being of the Auraria campus community, a student could be suspended or expelled from all three Auraria Institutions: MSU Denver, Community College of Denver, and University of Colorado Denver.

Administrative and Educational Sanctions

- f. **Loss of Privileges:** Denial of specified privileges for a designated period of time.
- g. **Fines:** Previously established and published fines may be imposed.
- h. **Restitution:** Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

i. Discretionary Sanctions: Work assignments, service to the University, or other related discretionary assignments that have the prior approval of the Conduct Officer.

j. Restorative sanctions: Mediation, restorative conference, dialogue, conflict coaching, and other activities to address any harm caused by a violation.

2. More than one of the sanctions listed above may be imposed for any single violation.

3. Sanctions shall not be made part of the student's academic transcript, but shall become part of the student's conduct file.

4. The following sanctions may be imposed upon groups or organizations:

- Those sanctions listed above in Section C1, a through j.
- Deactivation: Loss of all privileges, including official University recognition or suspension for a specified period of time.

5. The Conduct Officer shall notify the respondent, in writing, of the outcome of the hearing and any sanctions assigned. The complainant may be notified of the outcome as required and/or permitted by University policy or relevant law.

Colorado State Statutes

MSU Denver also considers state statutes when developing and applying policy. Statute definitions applicable to our Discrimination, Sexual Misconduct, and Retaliation Policy follow.

In the State of Colorado, Domestic Violence, defined in state statute 18-6-800.3, as:

An act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. "Domestic violence" also includes any other crime against a person, or against property, including an animal, or any municipal ordinance violation against a person, or against property, including an animal, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship. An "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.

In Colorado, Consent is defined in state statute 18-3-401 as:

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 under the provisions of this part 4. Submission under the influence of fear shall not constitute consent. Nothing in this definition shall be construed to affect the admissibility of evidence or the burden of proof in regard to the issue of consent under this part 4. Additionally, in Colorado, a minor (meaning a person under the age of 16 years) cannot consent to sexual activity. This means that sexual contact by an adult with a person younger than 16 years old may be a crime, and a potential violation of the Policy, even if the minor welcomed the sexual activity.

In Colorado, Sexual Assault is defined in state statute 18-3-402 as:

(1) 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.

Off-Campus Resources

Below are off-campus resources that may be available to MSU Denver community members. MSU Denver does not specifically endorse these organizations or services:

Greenwood Village Police Department

(For the MSU Denver South Campus location)

303-773-2525

<http://www.greenwoodvillage.com/police>

The Center for Trauma and Resilience

303-894-8000, 303-718-8289 (Español)

<http://traumahealth.org/>

The Blue Bench Rape Crisis Hotline

303-322-7273

<http://www.thebluebench.org/>

US Department of Education Office of Civil Rights

1-800-421-3481

<https://www2.ed.gov/about/offices/list/ocr/index.html>

US Department of Justice

1-888-TITLE-06 (1-888-848-5306)

<http://www.justice.gov/crt/about/cor/coord/titleix.php>

The DIME Detroit staff shares the following resources with students in their Student Support Resources Guide.

[Wayne County Sexual Assault Forensic Examiner's Program](#)

WC SAFE is a non-profit, 501(c)3, comprehensive organization that provides compassionate and **trauma-informed** care to survivors of sexual assault throughout Wayne County. WC SAFE is largest and busiest program of it's kind in Michigan and the *only* program in southeast Michigan to provide comprehensive services focused solely on sexual assault.

The office is staffed 24 hours a day, 7 days a week and **services are free of charge**. Services are available to ALL ages – men, women and children. Medical-forensic exams are provided up to 120 hours post assault. Counseling and advocacy services are available to anyone who identifies as a survivor of sexual assault, sexual abuse or incest ~ no matter when it occurred. Our services are available to anyone, despite where they live or where they were assaulted.

The on-call Forensic Examiner and Advocacy staff will respond within 10 minutes to a crisis page and will arrange to meet patients at the clinic site of their choice, within 1 hour of initial contact. We can arrange for appointments as well, if that works better for the patient. We can also provide assistance with transportation to enable the patient to obtain services safely.

In addition to the medical-forensic examinations, this service provides:

- crisis intervention and support
- medication prophylaxis
- advocacy
- short-term/long-term/group counseling
- expert witness testimony
- community education and awareness on issues around sexual assault and the services available to survivors

LOCATIONS

[Detroit Receiving Hospital](#)

4201 St. Antoine
Detroit, Michigan 48201
(near the I-94 / I-75 interchange)
313-996-9911
(<https://www.dmc.org/our-locations/detroit-receiving-hospital>)

[Sinai Grace Hospital](#)

6071 W Outer Drive
Detroit, MI 48235
313-966-3300
(<https://www.dmc.org/our-locations/sinai-grace-hospital>)

[Beaumont Hospital](#)

10000 Telegraph Road
Taylor, Michigan 48180
313-295-5000

[Ascension St. John Hospital & Medical Center](#)

22101 Moross Rd
Detroit, MI 48236
313-343-4000
(<https://healthcare.ascension.org/Locations/Michigan/MIDET/Detroit-Ascension-St-John-Hospital>)

[Michigan Coalition to End Domestic and Sexual Violence](#)

MCEDSV is a statewide membership organization whose members represent a network of more than 70 domestic and sexual violence programs and over 200 allied organizations and individuals. They have provided leadership as the statewide voice for survivors of domestic and sexual violence and the programs that serve them since 1978.

MCEDSV is dedicated to the empowerment of all the state's survivors of domestic and sexual violence. Their mission is to develop and promote efforts aimed at the elimination of all domestic and sexual violence in Michigan.

(<http://www.mcedsv.org/about-us.html>)

OTHER USEFUL RESOURCES

National sexual assault hotline (1-800-656-hope)

Rape abuse & incest national network

www.rainn.org (RAINN)

National Center on Domestic and Sexual Violence

www.ncdsv.org

Men Can Stop Rape

www.mencanstoprape.org

PROGRAMMING AND EDUCATION AT MSU DENVER

Education, training, outreach, and awareness programming

MSU Denver strictly prohibits acts involving domestic violence, dating violence, sexual assault, and stalking, and these acts are addressed within the MSU Denver Sexual Misconduct Policy and Procedures as noted above.

DESCRIPTIONS OF PROGRAM TYPES

Awareness programs are defined as: 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 programs are defined as: 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; includes recognition of 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 are defined as: 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 are defined as: 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 programs are defined as: 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.

Programming for students, staff, faculty, and campus community is available throughout the year through various formats. The table below describes the programs that took place in 2018 as well the target audience for each program, the number of occurrences that took place, and the departments or offices responsible for the programming. To inquire about programming, refer to the Presenters section of the table to find the hyperlinks for each office.

Program	Description	Audience	Frequency	Presenters
Gatekeeper Training Face to Face	Administrators, faculty and staff are often the first point of contact for students experiencing distress and/or mental-health challenges, so it's important to properly prepare employees to administer meaningful and successful interventions.	Faculty & Staff	20 occurrences	CARE Team ; Health Center at Auraria ; Counseling Center ; Dean of Students Office
Dean of Students Office Services Presentation for Faculty and Staff	On request workshops that provide information on campus safety and crime, the Student Code of Conduct, how to file a report, and resources available on campus related to support and education on sexual assault, dating violence, stalking, and interpersonal violence.	Faculty & Staff	Available throughout the year	Dean of Students Office
Bullying Prevention Training for Staff and Faculty	Online module with information about bullying, prevention, policy, and resources.	Staff and Faculty	917 completions	Human Resources

Program	Description	Audience	Frequency	Presenters
ADA Awareness for Staff and Faculty	Online module with information about ADA law, resources, and awareness.	Staff and Faculty	493 completions	Human Resources
Unlawful Harassment for Staff and Faculty	Online module with information about unlawful harassment and discrimination.	Staff and Faculty	1038 completions	Human Resources
Sexual Violence and Discrimination Prevention for Staff and Faculty	Online module with information about sexual violence, sex based discrimination and harassment, and prevention.	Staff and Faculty	640 completions	Human Resources
The Phoenix Center at Auraria Bathroom Signs	Bathroom signs which feature different topics and resources every month on the topics of interpersonal violence, stalking, and sexual assault.	All Campus	Ongoing in all campus bathrooms	Phoenix Center at Auraria
New Student Employee Handbook	Includes information on their mandatory reporter status related to sexual misconduct issues, how to file a report, and on campus resources for confidential support.	New Student Employees	Upon Hire	Human Resources
New Student Orientation Folder	Folder provides information on support services and how to file a report regarding issues related to sexual misconduct.	Incoming Students	Every Semester	Orientation
Crisis Walk-in Hours	Provides opportunity for students, faculty, and staff for crisis intervention.	All MSU Affiliates	Monday-Friday	Counseling Center
New Employee Orientation	Presentation with information on campus safety and crime, how to file a report, and resources available on campus related to support and education on sexual	New Employees	Monthly	Human Resources

Program	Description	Audience	Frequency	Presenters
Substance Abuse Education	assault, stalking, and interpersonal violence. Education on the risks of alcohol and marijuana abuse.	All Students	2 occurrences	Counseling Center
Roadrunners United: Interpersonal Violence Prevention Training	Online Blackboard module designed and available to all MSU Students that overviews: Sexual misconduct policy and definitions; bystander intervention; reporting; resources; and supporting survivors.	All Students	Ongoing	Dean of Students Office
National Condom Day	Focus on how to talk about consent with individuals and proper use of safer sex materials.	All Students	1 occurrence	Health Center at Auraria ; Phoenix Center at Auraria
Safe Spring Break	Educational event about mental health, alcohol, safe sexual health, consent, interpersonal violence, and resources	All Students	1 occurrence	Health Center at Auraria ; Phoenix Center at Auraria ; Auraria Campus Police Department
Blurred Lines	An event aimed at raising awareness of alcohol abuse and risks associated with using alcohol.	All Students	1 occurrence	Health Center at Auraria ; Phoenix Center at Auraria ; Auraria Campus Police Department
National Alcohol Screening Day	Screenings for alcohol abuse, educational resources, and referrals as appropriate.	All Campus	1 occurrence in the spring semester	Counseling Center
Supporting Survivors	Curriculum training to faculty and staff related to providing support for survivors of interpersonal violence through their roles at the university.	MSU Faculty	2 occurrences	Phoenix Center at Auraria
Moving Beyond Trauma	Focus on how trauma has impacted students in the present as well as effects of past trauma.	All Students	3 occurrences	Counseling Center
Lavender Graduation	Graduation ceremony honoring LGBTQIA students.	All Campus	3 occurrences per year	LGBTQ Student Resource Center

Program	Description	Audience	Frequency	Presenters
Sexual Health Classroom Presentations	Presentation on the sexual health model, STI's and prevention, and interpersonal violence, campus resources for support and additional subject matter.	All Students	6 occurrences	Health Center at Auraria
LGBTQ Student Resource Center Class Presentations	Sessions tailored to connect LGBTQ topics to course content and LGBTQ Student Resource Center information.	All Students	8 occurrences	LGBTQ Student Resource Center
Interpersonal Violence 101	This session will provide a general overview of all aspects of interpersonal violence and will include interactive activities to help folks think about the dynamics of violence and issues such as consent, healthy relationships, and how to help a friend.	All Campus	11 occurrences	Phoenix Center at Auraria
Safe Zone Training	2 hour training to develop knowledge of the LGBTQ community.	All Campus	13 occurrences	LGBTQ Student Resource Center
New Student Orientation in Person	Presentations include information on campus safety and crime, how to file a report, and resources available on campus related to support and education on sexual misconduct issues such as sexual assault, stalking, dating violence, domestic violence, and public safety.	Incoming Students	53 occurrences in 2018	Orientation
New Student Orientation Online	Online orientation sessions include information on campus safety and crime, how to file a report, and resources available on campus related to support and education on sexual misconduct issues such as sexual assault, stalking, dating violence, domestic violence, and public safety.	Incoming Students	4581 students completed	Orientation
Student Health 101	Articles providing information, support, and resources on student health and well-being that include information related to interpersonal violence.	All Students	16,810 site visits	Health Center at Auraria

Program	Description	Audience	Frequency	Presenters
<i>Title IX Notice and Comment Information Event</i>	Informational table event regarding the proposed changes to Title IX, tips for engaging with the Title IX notice and comment period and information about resources and services.	All Campus	December 6-12, 2018	Phoenix Center at Auraria
<i>It Happens Here</i>	Interactive art exhibit, theatrical activism performances, and a debrief discussion event to raise awareness that IPV happens in our community.	All Campus	January 22, 2018-February 1, 2018	Phoenix Center at Auraria
<i>Love is a Drag Workshop and Performance</i>	Education around drag and drag identities; safer sex education and drag performance.	All Campus	February 14, 2018	LGBTQ Student Resource Center
<i>Let's Talk About Sex (Maybe?)</i>	Day-long event addressing healthy sexuality.	All Campus	February 26, 2018	Phoenix Center at Auraria
<i>Transgender Day of Empowerment</i>	A day to memorialize and honor those individuals who were murdered due to anti-transgender hatred and prejudice.	All Campus	March 28, 2018	LGBTQ Student Resource Center
<i>The Clothesline Project</i>	A month-long event open to students, staff, and faculty aimed at raising awareness of sexual assault.	All Campus	April 2018	Phoenix Center at Auraria
<i>Violent Masculinities</i>	Campus discussion event addressing the construction of toxic masculinity and offered tools to construct healthy masculinity.	All Campus	April 2, 2018	Phoenix Center at Auraria
<i>Advancing our Community</i>	Event showcasing student presentations of Creating Change Conference learning and community contributions.	All Campus	April 12, 2018	LGBTQ Student Resource Center
<i>Feminist Movie Screening</i>	Screening of Moana with discussion on its feminist themes.	All Campus	April 19, 2018	Phoenix Center at Auraria
<i>Stress and Coping Skills</i>	Psychoeducational event in which participants learn about healthy coping skills participated in a project, and received resource information.	All Campus	April 23, 2018	Phoenix Center at Auraria

Program	Description	Audience	Frequency	Presenters
Consent	Training about consent.	MSU Denver Sorority	April 25, 2018	Phoenix Center at Auraria
Denim Day	An event aimed at raising awareness of myths and attitudes regarding sexual misconduct.	All Campus	April 25, 2018	Phoenix Center at Auraria
Embodiment of Trauma	Training on how trauma is enacted in the physical body.	MSU Denver Students	April 26, 2018	Phoenix Center at Auraria
Colorado Aids Walk	Fundraising to combat HIV/AIDS.	Local Community	August 18, 2018	LGBTQ Student Resource Center
Fall Welcome Back	Cookout and information about LGBTQ SRC services and programming.	All Campus	August 28, 2018	LGBTQ Student Resource Center
Red Flag Campaign	A public awareness event on campus aimed at raising awareness of dating and domestic violence.	All Campus	September 14-28, 2018	Phoenix Center at Auraria
Embracing Sexualities Awareness Month	Education and raising awareness about non-monosexual identities.	All Campus	September 21, 2018	LGBTQ Student Resource Center
Queer Faith	Keynote of queer interfaith scholar who spoke on how to reconcile identities of faith and LGBTQ identities.	All Campus	September 25, 2018	LGBTQ Student Resource Center
Out and Proud	Keynote and workshop on the topic of the medical industrial complex that tries to “correct” intersex babies	All Campus	October 11, 2018	LGBTQ Student Resource Center
National Coming Out Day	The annual celebration of those who come out as lesbian, gay, bisexual, transgender, queer, or as an ally.	All Campus	October 11, 2018	LGBTQ Student Resource Center
Trauma informed Pedagogy	Training provided to MSU Denver faculty regarding trauma informed pedagogy.	MSU Faculty	October 23, 2018	Phoenix Center at Auraria
Sexy Nerd Games: PrEP Education	Interactive session using a game that is aimed at educating the audience about PrEP (HIV prevention) and dispelling some myths around HIV and AIDS.	All Campus	November 7, 2018	LGBTQ Student Resource Center

Program	Description	Audience	Frequency	Presenters
Transgender Day of Resilience	Presentation and discussion to memorialize those trans individuals who have been murdered because of their trans identity.	All Campus	November 14, 2018	LGBTQ Student Resource Center
Bystander Intervention	Training to MSU Denver students regarding tactics for safe and effective bystander intervention.	All Students	November 20, 2018	Phoenix Center at Auraria
World Aids Day	Resource fair aimed at educating participants about preventing HIV and other STIs as well as a Rapid HIV testing station.	All Students	November 30, 2018	Health Center at Auraria ; Phoenix Center at Auraria ; Auraria Campus Police Department ; LGBTQ Student Resource Center

AURARIA CAMPUS SEXUAL ASSAULT POLICY

I. Statement of Purpose:

This Policy was developed collaboratively by the Auraria Higher Education Center (“Center”) and its Constituent Institutions—the Community College of Denver, the Metropolitan State University of Denver, and the University of Colorado Denver—for the purpose of implementing provisions of the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*, 20 U.C.S. § 1092(f), relating to the response of the Auraria Campus Police Department and the Constituent Institutions to students who are victims of sexual assault. The Auraria Campus is committed to responding appropriately to all reports of sexual assaults and to working collaboratively with other law enforcement and government and community agencies.

In the development of this Policy, the Auraria Campus also collaborated with the Sexual Assault Interagency Council and adhered to the spirit of the Denver Sexual Assault Response Protocol, which was signed by the chief executives of the Constituent Institutions on November 7, 2005. This Protocol is available online at <http://www.denversaic.org>.

This Policy provides general guidelines for responding to students of the constituent institutions who are victims of sexual assault on the Auraria Campus or during other institutionally-sponsored activities. For institution-specific procedures and resources, contact the following representatives or campus judicial officers:

Community College of Denver

Director of Student Conduct and Support
Office of Student Life
Tivoli, Room 259
CCD Campus Box 205
PO Box 173363
Denver, CO 80217-3363
303-352-3205

University of Colorado Denver

Director Office of Student Conduct and Community Standards
Tivoli 227
CU Denver Box 83
PO Box 173364
Denver, CO 80217-3364
303-315-7311

Metropolitan State University of Denver

Associate Director for Student Conduct
Student Engagement & Wellness, Tivoli 311
Campus Box 74
PO Box 173362
Denver, CO 80217-3362
303-615-0220

Auraria Higher Education Center

Chief of Police
Auraria Campus Police Department, Campus Box E
1201 5th Street
PO Box 173361
Denver, CO 80217-3361
303-556-5000

II. Policy Statement:

The Center and its Constituent Institutions prohibit sexual assault, attempted sexual assault and other sexual offenses on property owned or controlled by the Center or its Constituent Institutions, at institutionally-sponsored or supervised activities, or at functions of recognized student organizations. The Federal Bureau of Investigation's National Incident Based Reporting System of the Uniform Crime Report defines a sex offense in general as "any sexual act directed against another person, forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent."

Penalties for violations of this Policy or the internal policies of the Center or its Constituent Institutions by their employees or students are determined by their specific internal policies and procedures but may include termination or expulsion for instances of sexual assault or attempted sexual assault, and lesser penalties, including suspension, probation and assessment of financial penalties for other offenses, as appropriate.

III. Sexual Assault Prevention on the Auraria Campus:

The Auraria Campus institutions provide ongoing education about sexual assaults and prevention through new student orientation programs that take place during each fall and spring semester, and through scheduled educational programming through campus activities offices. The Auraria Campus Police Department offers sexual assault education and information programs to Auraria Campus students and employees upon request. For Center or institution specific information or literature on sexual assault education and campus response, contact the representatives listed in Section I of this Policy.

IV. Sexual Assaults / Offenses:

Students who believe they have been the victims of a sexual assault or attempted sexual assault on the Auraria Campus should first ensure that they are in a place that is safe and that they are receiving any necessary medical treatment.

Students should report any incident of sexual assault or attempted sexual assault immediately to the Auraria Campus Police Department at 303-556-5000, or by dialing '911' from any Auraria Campus telephone. Reports may be made anonymously. Students may also report to their institution's representative listed in Section I, a faculty member or an administrative official. In the interests of campus safety, the representative, faculty or staff member should immediately notify the Auraria Campus Police of the incident and also may be required to report the incident in accordance with their institution's internal policies—see paragraph V.5 below. The identity of the student involved in or reporting the incident is not essential for reporting—see paragraph V.6 below.

If they wish, students may have the assistance of campus administrative staff in reporting incidents of sexual assault. Care should be taken in such instances to file the report as soon as possible after the incident and to preserve all physical evidence of the crime to aid in the police investigation. These procedures are particularly important in the case where the assailant is unknown to the victim and may be a threat to the campus community.

V. Options for Student Victim of Sexual Assaults / Other Sexual Offenses:

The victim of an alleged sexual assault, a threatened sexual assault, or other sexual offenses on the Auraria Campus has several options that may be pursued individually or in combination with other options:

- 1) To get immediate crisis counseling (24 hours a day) contact The Blue Bench hotline (303-322-7273).
- 2) To file criminal charges with the police department. (In this case, the victim will likely be interviewed by police investigators and possibly by government attorneys, and if the case goes to trial, will likely be called to testify in court.)
- 3) To file a civil lawsuit or restraining order request against the accused. (In this case, the victim may need a private attorney to assist with these options, and the victim will likely be required to give testimony in court.)
- 4) To file charges against an accused assailant through the Center or institution's appropriate process. If the victim chooses this option, he or she can expect:
 - a) To be interviewed by an official designated by the Center or institution, who will develop a written incident statement and explain the complaint and disciplinary process;
 - b) To be notified whether the charge will result in a hearing following the preliminary review by the Center or institution's officials;
 - c) To give testimony and to answer questions about the case before an official or board, the accused and an advocate for the accused, should the charge result in a hearing;
 - d) To be afforded those rights available to the accused as outlined in the Center or institution's specific student code of conduct or employment policies;
 - e) That both the victim and the accused will be informed of the outcome, except when prohibited by law, of any hearing that may take place;
 - f) That the incident may be referred for criminal prosecution independent of the Center or institution's internal process.
- 5) Inform Center or institution officials without filing formal charges. However, the Center or institution may have a legal obligation to investigate the incident and take action against the accused. In that case, the victim can have the same expectations as described in subparagraphs 4.a-f above.
- 6) Make an anonymous report to a campus official without including student identifiers.

Special notes:

- 1) Student victims have the option to request adjustments to their academic schedules after a reported sexual assault, if such changes are reasonably available. Each such request will be handled on a case-by-case basis by the student's institution.

- 2) Both the accuser and the accused are entitled to the same opportunities to have others present during any disciplinary hearing.
- 3) Both the accuser and the accused will be informed of the outcome, except when prohibited by law, of any Center or institutional disciplinary proceeding that is brought alleging a sex offense.

VI. Support for Victims:

Students who are victims of sexual offenses have access to various confidential counseling options with staff that are specifically trained in the area of sexual offenses and crisis intervention. Victims of sexual offenses can be seen confidentially through the Health Center at Auraria. During regular business hours, victims should call the Health Center at o 303-615-9999 for immediate care or an appointment. After hours, victims should seek immediate assistance from Denver Health Medical Center at 8th and Bannock in Denver. For additional resources, see below or contact the institutional representative listed in Section I.

On the Auraria Campus:

The Phoenix Center at Auraria (available to any student)

Tivoli 227

8:00am-5:00pm Monday-Friday 303-315-7256

24/7 Helpline: 303-556-CALL (2255) (24/7)

(<https://www.thepca.org/>)

MSU Denver Counseling Center (for MSU Denver Students only—at no charge)

Tivoli 651

8:00am-5:00pm Monday-Friday 303-615-9988

After Hours Crisis Line 303-615-9911

(<http://www.msudenver.edu/counsel/>)

CU Denver Student & Community Counseling Center (for CU Denver students at no charge; fees may apply to MSU Denver and CCD students)

Tivoli 454

303-315-7270

(<http://www.ucdenver.edu/life/services/counseling-center/pages/default.aspx>)

Community College of Denver Counselling Center (for CCD students)

Tivoli 245

303-352-6436

(<https://www.ccd.edu/employees/departments/student-conduct-support/counseling-center>)

Health Center at Auraria (available to students, faculty, and staff—fees may apply)

Plaza 150

303-615-9999

(<http://www.msudenver.edu/healthcenter/>)

The Gender Institute for Teaching and Advocacy (referrals and community resources)

950 10th Street Plaza

Boulder Creek, Room 132

303-615-2052

(<https://msudenver.edu/gita/>)

Local law enforcement agencies:

Denver District Attorney's Office

720-913-9000

Victims Compensation: 720-913-9253

www.denverda.org

Denver Police Department

Emergency: 911

TDD/TTY: 720-913-2000

Non-Emergency: 720-913-2000

Victim Assistance Unit: 720-913-6035

Sex Crimes Unit: 720-913-6050

Sex Crimes Hotline: 720-913-6359

www.denvergov.org/police

For the MSU Denver South Campus location:

Greenwood Village Police Department

303-773-2525

www.greenwoodvillage.com/police

Community agencies/resources available in the Denver/Metro area:

Colorado Coalition Against Sexual Assault (CCASA)

303-839-9999

www.ccasa.org

The Center for Trauma and Resilience (Formally known as The Denver Center for Crime Victims)

Hotline: 303-894-8000

TTY: 711

Administrative line: 303-860-0660

www.traumahealth.org/

Moving to End Sexual Assault (MESA) (formerly the Boulder County Rape Crisis Team)

Hotline: 303-443-7300

Administrative Office: 303-443-0400

<https://movingtoendsexualassault.org/>

The Blue Bench Hotline: 303-322-7273

Spanish: 303-329-0031

TTY: 303-329-0023

Administrative Office: 303-329-9922 (M-F 9am-5pm)

www.thebluebench.org

WINGS Foundation

Survivors of childhood sexual abuse; support groups for men and women

303-238-8660

Toll free: 800-373-8671

www.wingsfound.org

Community specific services/resources:

Asian Pacific Development Center (Asian American / Pacific Islander)

303-923-2920

www.apdc.org

Denver Indian Center, Inc. (Native American/Indigenous)

303-936-2688 (8-12, 1-5pm M-F)

www.denverindiancenter.org

The Initiative (Formerly the Domestic Violence Initiative for Women with Disabilities; Not a shelter)

Hotline & TDD: 303-839-5510

Toll free: 1-877-839-5510

www.dviforwomen.org

Deaf Overcoming Violence through Empowerment (DOVE),

24 hour hotline: 303-831-7874

www.deafdove.org

Servicios De La Raza (Chicano / Mexicano / Latino & Spanish speaking)

303-458-5851

www.serviciosdelaraza.org

SEX OFFENDER REGISTRATION INFORMATION

Registered sex offenders who are students, employees, or volunteers for the Community College of Denver, Metropolitan State University of Denver, the University of Colorado Denver or the Auraria Higher Education Center are required to advise their local law enforcement agency of their affiliation with any of the listed institutions. This information is forwarded to the Colorado Bureau of Investigation (CBI).

For further information on Sex Offender Registration Information, please visit the [Colorado Bureau of Investigation's Convicted Sex Offender Site](http://sor.state.co.us/) (<http://sor.state.co.us/>).

AHEC WEAPONS POLICY

Legislative Declaration: The Auraria Board owns and manages the Auraria campus for the use and benefit of its constituent institutions of higher education – the Community College of Denver (CCD), Metropolitan State University of Denver (MSU Denver), and the University of Colorado Denver (CU Denver) – and to facilitate and further their respective educational missions. Section 23-70-106, C.R.S., authorizes the Auraria Board to promulgate rules and regulations for the safety of students, employees and property on the Auraria campus. The Auraria Board finds and determines that the free and unregulated possession of weapons on the Auraria campus would:

- 1) Create an unreasonable risk to the health, welfare and safety of students and employees and the preservation of property on the Auraria campus by careless or malicious use;
- 2) Create a climate of fear and intimidation that would distract and interfere with the reasoned discourse and cooperation required for productive learning and working environments on the Auraria campus; and
- 3) Be inconsistent with the academic missions of the constituent institutions.

Therefore, the Auraria Board adopts the following policy:

Statement of Policy: Except as expressly provided below, the possession of firearms, explosive or

incendiary devices, or other weapons on the Auraria campus is prohibited. This prohibition shall extend to all grounds and buildings on the Auraria campus, including the institutional neighborhoods and buildings owned by the constituent institutions therein. It shall not extend to facilities off of the Auraria campus, such as, for example, CU Denver's Lawrence Street Center, MSU Denver's South Campus, or CCD's Lowry Campus.

This policy shall apply to all employees and invitees of the Auraria Board, all students, employees and invitees of the constituent institutions, and all other visitors to the Auraria campus.

"Weapons" include, but are not limited to, the following:

- 1) Firearms of any size or type of construction and ammunition;
- 2) Gas or air guns, including BB, pellet and paint ball guns;
- 3) Bows and arrows, and cross-bows;
- 4) Blackjacks, bludgeons, batons, nunchaku, throwing stars, and metallic knuckles;
- 5) Swords, pikes, lances and spears;
- 6) Any knife with a blade over 3.5 inches in length, including hunting and fishing knives;
- 7) Ballistic, gravity and switchblade knives, regardless of the length of the blade;
- 8) Fireworks, bombs, grenades, and torches;
- 9) Shields, poles or other objects that may or are being used to strike, block, push or corral another person; and
- 10) Any harmless object designed to look convincingly like a firearm, explosive or incendiary device, or other weapon.

Exceptions: This policy shall not apply to:

- 1) A peace officer, as described in § 16-2.5-101, C.R.S., when carrying a weapon in conformance with the policy of his/her employing agency as provided in § 16-2.5-101(2).
- 2) A member of the armed forces of the United States or Colorado National Guard while acting in his/her official capacity and in conformance with general or specific military orders.
- 3) A law enforcement officer, agent or employee of the United States, when lawfully carrying a weapon in conformance with the policy of his/her employing agency.
- 4) A person carrying a concealed handgun who holds a valid written permit issued pursuant to § 18-12-201, et seq., C.R.S.
- 5) A weapon that remains inside a locked motor vehicle while on the Auraria campus, provided that the weapon is unloaded. This exception shall not apply to explosive or incendiary devices.
- 6) A student, employee or invitee of a constituent institution or an employee or invitee of the Auraria Board who has a legitimate educational or employment related purpose for the possession of a weapon on the Auraria campus and has obtained written permission from the appropriate office and from the Chief of the Auraria Police Department or his/her designee.

Violations: All violations of this policy shall be reported to the Auraria Police Department and the appropriate institutional office. Violators may be disciplined, banned from the Auraria campus and criminally prosecuted in appropriate cases.

Procedures and guidelines: The Chief Executive Officer is authorized to promulgate such procedures and guidelines as may be reasonable and necessary to implement and carry out the intent of this policy.

Note: There is not a specific weapons policy for the MSU Denver South Campus; however, the MSU Denver Student Code of Conduct applies to MSU Denver students, which includes the following as prohibited behavior, "illegal or unauthorized possession or use of firearms, explosives, or other weapons or dangerous chemicals".

ANNUAL FIRE SAFETY REPORT

Metropolitan State University of Denver does not maintain any on campus student housing facilities; therefore they are exempt from reporting on this.

MISSING STUDENT NOTIFICATION

Metropolitan State University of Denver does not maintain any on campus student housing facilities; therefore they are exempt from reporting on this.

DEFINITIONS OF REPORTED CRIMES

The following definitions are crimes that Federal Law requires institutions to report:

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.

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.

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.

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.)

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.

Burglary vs. Larceny: An incident must meet three conditions to be classified as a Burglary.

- There must be evidence of unlawful entry (trespass). Both forcible entry and unlawful entry – no force are counted.
- The unlawful entry must occur within a structure, which is defined as having four walls, a roof, and a door.
- The unlawful entry into a structure must show evidence that the entry was made in order to commit a felony or theft.

If the intent was not to commit a felony or theft, or if the intent cannot be determined, the proper classification is Larceny.

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.)

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

- a) Rape- Is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
- 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 age or because of his/her temporary or permanent mental incapacity.
- c) Incest-Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- d) Statutory Rape- Sexual intercourse with a person who is under the statutory age of consent.

Hate Crimes: A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. In addition to the above offenses, larceny-theft, simple assault, intimidation and destruction/damage/vandalism of property, in which is motivated by bias of the actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin or disability of the victim that are reported to campus security authorities or local police agency. This data shall be collected and reported according to category of prejudice.

Additionally, the following violations should be reported to ACPD or to the appropriate institutional Judicial Affairs office. The police or judicial affairs staff will make tabulation of statistics from these referrals.

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. This classification encompasses weapons offenses that are regulatory in nature.

Drug Abuse Violations: the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Liquor Law Violations: as 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.

Domestic Violence: In the State of Colorado, domestic violence, defined in state statute 18-6-800.3 is an act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. "Domestic violence" also includes any other crime against a person, or against property, including an animal, or any municipal ordinance violation against a person, or against property, including an animal, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship. An "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.

VAWA Offense definition of 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 the jurisdiction in which the crime of violence occurred.*
- *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 violence occurred.*

Dating Violence: Is violence committed by a person (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship, (ii) the type of relationship, and (iii) the frequency of interaction between the persons involved in the relationship (42 USC § 13925).

For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Currently, the State of Colorado does not have a specific definition of dating violence.

VAWA Offense definition of Stalking: Is a pattern of behavior (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. Stalking behaviors include but are not limited to: Non-consensual communication, including face-to-face communication, telephone calls, voice messages, e-mails, written letters, gifts, or any other communications that are undesired and place another person in fear. 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.

The State of Colorado definition of stalking, found in state statute 18-3-602, is: 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 case 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 section (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.

Unfounded: Reported crimes that are investigate by sworn or commissioned law enforcement personnel and found to be false or baseless.

AURARIA CAMPUS CLERY STATISTICAL REPORT Metropolitan State University of Denver

CRIMINAL OFFENSES	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Murder and Non Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	1	0	1	0	0	0	0	0	1
Fondling	2	1	4	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	4	1	2	3	1	0	0	0	0
Aggravated Assault	4	1	5	3	2	0	0	0	0
Burglary	11	17	16	0	0	0	0	0	0
Motor Vehicle Theft	12	10	7	0	1	0	1	0	0
Arson	2	4	0	0	0	0	0	0	0
ARRESTS	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Liquor Law Violations	3	9	8	2	1	0	0	0	0
Drug Law Violations	39	24	13	22	14	6	3	0	2
Illegal Weapons Possessions	2	6	6	1	1	3	0	0	0

REFERRALS	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	6	4	1	0	1	0	0	0	0
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0

	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Domestic Violence	13	10	12	1	4	0	0	0	0
Dating Violence	0	1	1	1	0	0	0	0	0
Stalking	12	17	17	0	1	0	0	0	0

For the year 2018 Auraria Campus Police had zero (0) reported Hate Crimes

For the year 2017 Auraria Campus Police had zero (0) reported Hate Crimes

For the year 2016 there were four (4) On Campus and one (1) Public Property Hate Crimes

- 3 – Intimidations involving religion – On Campus
- 1 – Intimidation involving race – On Campus
- 1 – Aggravated Assault involving orientation– Public Property

Unfounded: A thorough investigation by the Auraria Campus Police Department, in the below cases, revealed that the elements of the reported crime were found to have not occurred.

2018

- Case # 18-1589 Robbery
- Case # 18-2296 Sex Assault (Rape)

2017

- Case # 17-0085 Motor Vehicle Theft
- Case # 17-0216 Domestic Violence
- Case # 17-0789 Domestic Violence
- Case # 17-0995 Motor Vehicle Theft

2016

- Case # 16-1849 Motor Vehicle Theft
- Case # 16-3288 Motor Vehicle Theft
- Case # 16-3305 Domestic Violence
- Case # 16-3693 Motor Vehicle Theft
- Case #16-4016 Domestic Violence

AURARIA CAMPUS CLERY STATISTICAL REPORT
Metropolitan State University of Denver – South Campus

CRIMINAL OFFENSES	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Murder and Non Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	1	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	3	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0

ARRESTS	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0

REFERRALS	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0

	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

For the year 2018 Greenwood Village Police had zero (0) reported Hate Crimes
 For the year 2017 Greenwood Village Police had zero (0) reported Hate Crimes
 For the year 2016 Greenwood Village Police had zero (0) reported Hate Crimes

AURARIA CAMPUS CLERY STATISTICAL REPORT
 Metropolitan State University of Denver – Detroit Institute of Music Education – Denver Campus
 November 6, 2017

CRIMINAL OFFENSES	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Murder and Non Negligent Manslaughter		0	0		0	0		0	0
Negligent Manslaughter		0	0		0	0		0	0
Sex Offenses		0	0		0	0		0	0
Robbery		0	0		0	0		0	0
Aggravated Assault		0	0		0	0		0	0
Burglary		0	0		0	0		0	0
Motor Vehicle Theft		0	0		0	0		0	0
Arson		0	0		0	0		0	0

ARRESTS	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Liquor Law Violations		0	0		0	0		0	0
Drug Law Violations		0	0		0	0		0	0
Illegal Weapons Possessions		0	0		0	1		0	0

REFERRALS	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Liquor Law Violations		0	0		0	0		0	0
Drug Law Violations		0	0		0	0		0	0
Illegal Weapons Possessions		0	0		0	0		0	0

	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Domestic Violence		0	0		0	0		0	0
Dating Violence		0	1		0	0		0	0
Stalking		0	1		0	0		0	0

For the year 2018 Denver Police had zero (0) reported Hate Crimes

For the year 2017 Denver Police had zero (0) reported Hate Crimes

AURARIA CAMPUS CLERY STATISTICAL REPORT
 Metropolitan State University of Denver – Detroit Institute of Music Education
 August 1, 2016

CRIMINAL OFFENSES	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Murder and Non Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	1	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	1	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0

ARRESTS	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0

REFERRALS	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0

	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

For the year 2018 zero (0) reported Hate Crimes

For the year 2017 there were three (3) Public Property Hate Crimes

- 1 – Theft unknown bias
- 1 – Intimidation unknown bias
- 1 – Destruction of Property unknown bias