



**CSU**  
**PUEBLO**

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**2019 FIRE SAFETY  
AND SECURITY  
REPORT**

**2018 CRIME  
STATISTICS**

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## Colorado State University-Pueblo Non Discrimination Statement

### Equal Opportunity/Affirmative Action Commitment & Notice of Nondiscrimination

Colorado State University-Pueblo is committed to equal educational and employment opportunities and to the elimination of all forms of discrimination, protected class harassment, sexual misconduct, intimate partner violence stalking, and retaliation. Furthermore, CSU-Pueblo is committed to maintaining respectful, safe, and nonthreatening educational, working, and living environments. In furtherance of this commitment, CSU-Pueblo does not discriminate on the basis of age, citizenship, creed, color, disability, gender, gender expression, gender identity, genetic information, national origin or ancestry, pregnancy, race, religion, sex, sexual orientation, veteran status, or because an individual has inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. CSU-Pueblo is an affirmative action/equal opportunity institution. It encourages diversity and provides equal opportunity in education, employment, all of its programs and activities, and the use of its facilities. The University takes affirmative action to employ qualified women, racial/ethnic minorities, protected veterans, and individuals with disabilities.

CSU-Pueblo complies with the Equal Pay Act, Titles IV, VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments, the Americans with Disabilities Act, as amended, Section 503/504 of the Rehabilitation Act, the Age Discrimination Act, Age Discrimination in Employment Act, the Vietnam Era Veterans' Readjustment Assistance Act, the Pregnancy Discrimination Act, Executive Order 11246, as amended, Violence Against Women Reauthorization Act of 2013, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act the Genetic Information Nondiscrimination Act of 2008, and all civil rights laws of the State of Colorado.

The Director of the Office of Institutional Equity has been designated by the President as the person with overall responsibility for the implementation and maintenance of the University's affirmative action programs. The Director of the Office of Institutional Equity has also been designated as the University's Title IX Coordinator, Americans with Disabilities Act (ADA) Coordinator, and Section 504 of the Rehabilitation Act of 1973 Coordinator. As such, the Director of the Office of Institutional Equity is responsible for addressing compliance with all federal, state, and local laws pertaining to nondiscrimination, civil rights, access, and equity. For any inquiries or concerns regarding discrimination, protected class harassment, or sexual misconduct, please contact Joshua R. Ernst ([josh.ernst@csupueblo.edu](mailto:josh.ernst@csupueblo.edu)), Executive Director, Office of Institutional Equity at (719) 549-2210, Administration Building – Room 304.

Student seeking disability resources and accommodation or who have other related concerns, should contact Justin Hiniker ([dro@csupueblo.edu](mailto:dro@csupueblo.edu)), Director of the Disability Resource & Support Center at (719) 549-2648, Library and Academic Resource Center (LARC) – Room 169.

Employees seeking disability resources and accommodations or who have other related concerns, should contact Joshua R. Ernst ([josh.ernst@csupueblo.edu](mailto:josh.ernst@csupueblo.edu)), Executive Director, Office of Institutional Equity at (719) 549-2210, Administration Building – Room 304 or Kat Abernathy ([kat.abernathy@csupueblo.edu](mailto:kat.abernathy@csupueblo.edu)), Director of Human Resources at (719) 549-2441, Administration Building – Room 306.

Please visit [www.csupueblo.edu/institutional-equity](http://www.csupueblo.edu/institutional-equity) for more information.



### **Message from Colorado State University-Pueblo President**

To the Campus Community:

The 2019 Fire Safety and Security Report contains important information about our campus environment.

All colleges and universities that participate in federal financial aid programs are required to keep and disclose crime statistics per the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Jeanne Clery Act). Enclosed you will find information about key institutional policies, personal safety and crime prevention information, how to report suspicious and criminal activities, and required Clery Act crime statistics for the last three calendar years.

For more than a decade, the Pueblo County Sheriff's Office (PCSO) has provided law enforcement services as well as community-oriented prevention and education activities that help to reinforce safety to students, faculty, staff, and campus visitors. It is incumbent upon all of us to familiarize ourselves with our resources and processes for preventing and responding to criminal activity. This annual report serves as a resource of safety information as well as policies and procedures that we hope will help secure a safe environment in which to teach, learn, and work.

Timothy P. Mottet  
President

## EMERGENCY DIAL 911

## ON-CAMPUS

CSU-Pueblo Sheriff's Office  
Lower Level of Administration Building  
(719) 549-2373

## OFF-CAMPUS

City of Pueblo Police Department  
(719) 553-2502  
Dispatch for Reporting

### CAMPUS EMERGENCY CALL BOXES

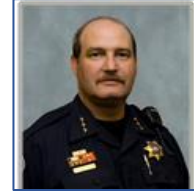
These boxes are strategically located on campus and are available to students, staff, or visitors who would like to seek safety assistance and/or report any crime in progress. Once the call is activated, it will connect directly to the Pueblo County Sheriff's Office Dispatch Center.

**SEE CALL BOX MAP on Page 45**

### Stay Informed – Daily Crime Log

The Pueblo County Sheriff's Office at Colorado State University-Pueblo Crime Log contains information on recent crimes and incidents that have occurred on the Colorado State University-Pueblo Campus.

<https://www.csupueblo.edu/campus-safety/sheriffs-office/index.html>



## Message from the Pueblo County Sheriff

The Pueblo County Sheriff's Office is proud to serve as the law enforcement agency at CSU-Pueblo. Our goal is to provide the students, faculty, staff, and guests with the highest level of safety and security through interaction, education, and response.

Our deputies serve in a way that fosters trust, cooperation, and compliance while still demonstrating the utmost respect and compassion for CSU-Pueblo students and their guests.

The Pueblo County Sheriff's Office at CSU-Pueblo strives to protect life and property in an attempt to create a safe environment conducive to learning.

If you have questions or concerns about campus safety, do not hesitate to contact Lt. Cliff Kindred at our CSU-Pueblo Campus Sheriff's Office at 719-549-2373. For further information regarding the Pueblo County Sheriff's Office, visit: <http://www.sheriff.co.pueblo.co.us/>

**Kirk M. Taylor**  
Sheriff

# SAFETY



## Introduction

The information in this report is provided to educate current students, prospective students, faculty, and staff about safety and security policies, procedures, and statistics for Colorado State University-Pueblo (CSU-Pueblo). The University believes that a well-informed campus community is better prepared to deal with crime and emergency situations. The University encourages campus community members to become actively involved with the safety and security of students, faculty, and staff.

In 1990, the Higher Education Act of 1965 (HEA) was amended to include the Crime Awareness and Campus Security Act of 1990 (Title II of Public Law 101- 542). This amendment required all postsecondary institutions participating in Title IV student financial aid programs to disclose campus crime statistics and security information. In 1998, the act was renamed the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act in memory of Jeanne Clery, a university student who was killed in her dorm room in 1986. More commonly known as the Clery Act, this law requires colleges and universities to:

- Collect, classify, and count crime reports and statistics
- Issue campus alerts
- Publish an annual security report
- Submit crime statistics to the Department of Education
- Maintain a daily crime log
- Disclose missing student notification procedures
- Provide fire safety information

## Preparing the Annual Report

This report is compiled by the CSU-Pueblo Safety Team that is comprised of campus law enforcement, administrators, and staff members who are responsible for and/or directly involved with safety and security of the campus:

- Associate Vice President of Facilities Management
- Pueblo County Sheriff's Office at CSU-Pueblo
- Senior Associate Vice President of Student Affairs
- Deputy General Counsel
- Executive Director of Marketing, Communications, & Community Relations
- Director of Student Conduct
- Assistant Dean of Student Conduct and Residence Life and Housing
- Parking and Safety Manager
- Office of Institutional Equity

The Pueblo County Sheriff's Office at CSU-Pueblo, in conjunction with the CSU-Pueblo designated Clery Coordinator, prepares the annual disclosure of crime statistics report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The report is prepared in cooperation with the Division of Student Affairs, including the Office of Residence Life and Housing and the Office of Student Conduct. Campus fire, crime, arrest, and disciplinary referral statistics include those reported to the Pueblo County Sheriff's Office at CSU-Pueblo and to University Campus Security Authorities.

## Law Enforcement Qualifications & Authority

Law enforcement services at CSU-Pueblo are provided by the Pueblo County Sheriff's Office. The Sheriff's Office is staffed with experienced State-Certified peace officers who are current in Colorado Peace Officer Standards and Training (P.O.S.T.) procedures. All of these officers have the authority to make an arrest. Additionally, the Pueblo County Sheriff's Office provides law enforcement and emergency services to unincorporated Pueblo County. This connection to the community means that campus law enforcement is up to date with developments in the community allowing them to better serve the campus. Deputies assigned to CSU-Pueblo actively monitor off-campus crime, as it relates to the campus, students, faculty, and staff.

## Law Enforcement Partnerships

CSU-Pueblo has a contractual and collaborative agreement with the Pueblo County Sheriff's Office to provide all law enforcement services on campus. This partnership allows CSU-Pueblo to have access to all services that are available to the larger community, including emergency management, search and rescue teams, investigations unit, high-tech crimes unit, and SWAT teams. Because CSU-Pueblo is adjacent to State of Colorado Highway property and City of Pueblo residential and commercial property, the Sheriff's Office and CSU-Pueblo work closely with the Colorado State Patrol (CSP) and the Pueblo City Police Department (PPD) to address any issues, emergencies, or community service needs that may involve both CSU-Pueblo and CSP and/or PPD geographical areas of jurisdiction.



***This report is posted on the  
CSU-Pueblo website:***

<https://www.csupueblo.edu/campus-safety/>

***Copies of the report are retained in the offices of:***

***Admissions  
Human Resources  
Facilities Management  
Office of Student Affairs  
Office of the General Counsel  
Marketing, Communications and Community Relations***

### Take Safety Precautions

Students, faculty, and staff should take the following precautions to prevent circumventing policies designed to protect the safety of self and others:

- ✓ Do not prop doors open or allow strangers into campus buildings that have been secured.
- ✓ Do not lend keys or leave them unattended.
- ✓ Do not give codes to anyone.
- ✓ Keep your valuables secured and out of sight.
- ✓ Notify the Sheriff's Office of any suspicious activities or individuals.



## Reporting a Crime

In the event of any crime, fire, or emergency on campus, students and employees should immediately notify the Pueblo County Sheriff's Office (PCSO), located at CSU-Pueblo. They will respond to all reports and make appropriate referrals to the Pueblo County District Attorney's Office, appropriate University Administrators, and/or the CSU-Pueblo Office of Student Conduct. The PCSO at CSU-Pueblo is housed in Administration 118. Students may call (719) 549-2373 for general safety and security information or to contact individual Sheriff's Office staff.

For all off-campus emergencies, calls should be directed to the local law enforcement agency. Students enrolled in any CSU-Pueblo classes held in Colorado Springs should contact the Colorado Springs Police Department or the El Paso County Sheriff's Office to report a crime. If attending classes at Ft. Carson Army Base, contact the appropriate Ft. Carson law enforcement authorities to report a crime. Students who reside in the City of Pueblo should direct their emergency calls to 911 or to the Pueblo City Police Department (719) 553-2502.

## Confidential Crime Reporting

A witness of a crime who wishes to remain anonymous may call the CSU-Pueblo Tip Line at (719) 549-2376. The Tip Line is a voice message system only; and therefore, immediate action will not be taken. Witnesses of crimes also may report to Pueblo Crime Stoppers at (719) 542-7867(STOP).

## Reporting a Crime to a Campus Security Authority (CSA)

For the purpose of a timely warning, the University encourages students and employees to promptly report any fire or criminal activity directly to the Pueblo County Sheriff's Office at CSU-Pueblo. However, students and employees may report a fire or crime to a Campus Security Authority (CSA) who is responsible for forwarding non-identifying information to the Clery Coordinator for inclusion in the annual Security Report, regardless of whether the victim chooses to file a report with law enforcement.

### WHO IS A CAMPUS SECURITY AUTHORITY?

Pueblo County Sheriff's Office at CSU-Pueblo  
Parking Operations Staff  
Vice President of Enrollment Management,  
Communications and Student Affairs  
Senior Associate Vice President of Student  
Affairs  
Assistant Dean of Student Engagement, Events  
and Leadership  
Office of Student Engagement and Leadership  
Staff  
Executive Director, Office of Institutional Equity  
Office of Institutional Equity Staff  
Student Organization Advisors  
Director of Student Conduct and community  
Standards  
Assistant Director, Health Education and  
Prevention  
Assistant Dean, Student Life  
Residence Area Coordinators  
Resident Assistants  
All Athletics Department Staff  
All Athletics Department Volunteers  
Extended Studies Student Advisor  
Site Manager, University Tower Location at  
Colorado Springs  
Site Manager, Fort Carson Location  
Director of Center for Academic Enrichment  
Center for Academic Enrichment Advisors  
Director of Disability Resource and Support  
Center  
Student Recreation Center Professional Staff  
Student Recreation Center Front Desk Staff  
Director of Student Support Services (SSS)  
Education Development Specialist (SSS)  
Associate Vice President for Facilities  
Director of Auxiliary Services  
Director of Career Center  
Director of Student Financial Services  
Financial Aid Counselors  
Assistance Dean for Student Support and  
Advocacy  
Director of English Language Institute  
Hasan School of Business Academic Advisors  
Asst. Director of Latinx Program and CAMP  
Coordinator, Center for International Programs  
Writing Room and General Education Coordinator  
Director of Honors Program  
Director of Presidents Leadership Program  
Director of STEM Learning Center  
Director of CBASE

### ***Exemption from Reporting***

Licensed professional mental health counselors and pastoral counselors (employed by religious organizations to provide confidential counseling) who are working within the scope of their license or religious assignment at the time they receive the crime report are exempt from reporting under the Clery Act.

## **Secure Access to Campus Facilities**

Preserving a safe and secure environment is the responsibility of everyone on campus. Employees have the responsibility to secure their work area, and students have the responsibility to lock their residence hall rooms and apartments, as well as secure their personal property.

Most campus buildings and facilities are accessible to the public during normal business hours Monday through Friday, excluding holidays. Certain facilities may be opened by facilities personnel for designated hours on weekends and evenings. Buildings may be secured at different times based upon class schedule, special events, and computer lab hours.

## **Secure Access to Residential Facilities**

All residence halls are secured using a card access system. Residence halls are accessible to the campus community and visitors from 8 a.m. to 5 p.m. Monday through Friday. Residence Halls have restricted access on weekends from 5 p.m. on Friday to 8 a.m. on Monday. During those hours, any visitors must be accompanied by a hall resident, and the resident must provide proper identification and access card. Visitors must sign in at the front desk. Access to the residence halls, after business hours, may be made available for campus programming. Campus apartments are secured by lock and key and are not available for community access at any time.

## **Security Considerations in Building Maintenance**

Although maintenance requests are prioritized based upon need, budget, and emerging conditions, safety and security issues that are observed may be a cause for quicker response and handling. If a student, faculty, staff, or visitor notices a potentially dangerous or hazardous condition concerning maintenance, they should immediately contact the University Physical Plant at (719) 549-2211. The University conducts a semi-annual nighttime review of outdoor lighting and responds by installing or repairing lighting as needed.

The University requires all contractors who work in campus-owned residences to agree to and follow the policies and procedures set forth in the *Special Contract Conditions for Construction Projects in Occupied Student Housing Facilities at Colorado State University-Pueblo*. Contractors are required to adhere to special contract conditions for projects that involve construction within or adjacent to student housing facilities, defined as residence halls and apartments. The contractor, all workers, subcontractors, deliverymen, and anyone else coming on to the work site must be informed of the requirements to respect the students' privacy and enjoyment of their residences. The work must be done in a manner that maintains the security of the students' residences, limits contact with the residents, provides advance notice of any work that may affect the residents, and limits communications about the project to those persons designated by Colorado State University-Pueblo.

# Timely Warning & Emergency Notification

## *Timely Warning*

Under the *Clery Act* (20 U.S.C. state § 1092), Colorado State University-Pueblo, through designated personnel, is responsible for issuing a “timely warning” if a crime has been reported and CSU-Pueblo determines there is a serious or continuing threat to the campus community. In addition, CSU-Pueblo is required to send an “emergency notification” if there is an immediate threat to the health or safety of students or employees occurring on campus.

### **The decision to issue a timely warning or an emergency notification:**

- Will be decided on a case-by-case basis in compliance with the *Clery Act* and after consideration of available facts.
- May depend on the nature of the crime, the continuing danger to the campus community, and the possible risk of compromising law enforcement efforts.
- Will depend upon the particular health or safety threat. CSU-Pueblo will, without delay, take into account the safety of the community, determine the content of the notification, and will determine whether to initiate the notification system.

## *Emergency Notification*

The emergency notification system will be immediately activated when University authorized representatives become aware of and confirm a critical incident or other emergency situation that potentially affects the health and/or safety of the campus community.

Law enforcement and University officials will assist those preparing the emergency notification with determining what segment or segments of the campus community should receive the notification. Generally, campus community members in the immediate area of the dangerous situation (i.e. the building, adjacent buildings, or surrounding area) will receive the emergency notification first. The University may issue subsequent notifications to a wider group of community members. In addition to the emergency notification that may be issued via the University mass notification system, the University will post applicable messages about the dangerous condition on the University website and social media outlets to help ensure the rest of the campus is aware of the situation and the steps they should take to maintain personal and campus safety. The University will not disclose the identity of any victim related to the situation prompting the notice.

If the emergency affects a significant portion of or the entire campus, University officials will distribute the notification to the entire campus community. With the assistance of the Pueblo County Sheriff’s Office, the University will determine the content of the notification. The University has developed a wide range of template messages addressing several different emergency situations. The communications officers (or others issuing the alert) will select the template message most appropriate to the on-going situation and modify it to address the specifics of the present incident.

## How to sign up for the Emergency Alert System

**HOW DO STUDENTS REGISTER FOR EMERGENCY ALERTS?** Enrollment in this program is not automatic. Participation in this program is voluntary. Students must register for the service and will be responsible for updating their personal cell phone numbers in the event their contact information changes. It may take up to 72 hours for a cell phone number to become active in the Emergency Notification System.

- ➔ Sign on to your PAWS Account
- ➔ Click the “Emergency Text” Tab
- ➔ Respond to prompts each time you register

**HOW DOES THE SYSTEM WORK?** In the event of an emergency, a scheduled testing of the emergency system, or an unexpected closing of the University, a text message will be sent to all enrolled cell phones.

Each text message will begin with the message “\*CSU-Pueblo ALERT!\*” and will follow with the nature of the alert and any additional information. The text message will be brief, and you will be instructed to check the main CSU-Pueblo website or other media outlets for more information. You will receive messages within a few minutes of their transmission as long as your cell phone is turned on. The University will test the system each semester by sending a test message.

**DOES IT COST?** The service is free, but you may be charged your cellular service provider's standard rates. If you have verified the registered cell phone number is correct and you do not receive the once a-semester test message, you will need to check with your carrier to make sure your number is not blocked from receiving subscription text messaging from short codes.

**FACULTY AND STAFF REGISTER THROUGH THE FACULTY & STAFF PORTAL**

**MORE INFORMATION CAN BE FOUND ONLINE AT:**

<https://www.csupueblo.edu/campus-safety/csu-pueblo-alert.html>

## Crime Prevention

Throughout the year, campus personnel and Sheriff's Deputies participate in programs aimed at crime prevention and the community policing philosophy to provide information that pertains to crime prevention, alcohol use, and illegal drugs. Educational programs are provided to students, faculty, and staff that include New Student Orientation and Parent Orientation Safety sessions, Alcohol and Drug Awareness, Active Shooter Awareness, Student-Athlete Safety Training, Orientation, Residence Life and Housing Safety Training, DUI Awareness, Sexual Assault Awareness, Bystander Intervention, Dating Violence Awareness, Domestic Violence Awareness, Stalking Awareness, Fire Safety Education, and other training as needed for students, faculty, and staff.

### Crime Prevention Services

- ➔ **CAMPUS SAFETY OFFICERS (CSOs):** CSU-Pueblo student employees who provide additional foot patrol, building security, and parking enforcement. Call (719) 549-2373.
- ➔ **CAMPUS SAFE WALK:** Available to any campus member who wants to have the added security of being escorted from one location to another. Call (719) 549-2373 for assistance.
- ➔ **RESIDENCE HALL AND BUILDING PATROL:** Patrols include Sheriff's Deputies and CSOs patrolling in and around campus buildings.
- ➔ **EMERGENCY CALL BOXES:** Call boxes are found in 15 locations around campus. Call box maps and pictures are located at the end of this document.
- ➔ **LIGHTING SURVEY:** Facilities personnel regularly survey outdoor lighting and address any concerns. Call (719) 549-2211 to report lighting issues.
- ➔ **INDIVIDUAL OR DEPARTMENTAL SAFETY CONSULTATION:** Campus members are encouraged to contact a Deputy with any safety or security concerns by visiting the Pueblo County Sheriff's Office at CSU-Pueblo Administration 118 or dialing (719) 549-2373.
- ➔ **ACTIVE Assailant RESPONSE TRAINING:** At various times throughout the year, the PCSO conducts active assailant response training on campus.
- ➔ **SEX OFFENDER REGISTRY:** Information about registered sex offenders enrolled, working, or volunteering at Colorado State University-Pueblo may be obtained from the Pueblo County Sheriff's Office at CSU-Pueblo in Administration 118 or (719) 549-2373. Additionally, information about registered sex offenders residing in Pueblo County is available at the Pueblo County Sheriff's Office Annex, 920 N. Main St., Pueblo, CO 81003 (719) 583-6400, or online at <https://sotar.us>. A list of registered sex offenders residing in the City of Pueblo can be found at the Pueblo Police Department's website, <http://police.pueblo.us/p2c/sexoffenders.aspx>. These lists include only those persons who have been required by law to register and who are in compliance with the sex offender registration laws.
- ➔ **OPERATION ID:** Allows students, faculty, or staff to register valuable items with the Pueblo County Sheriff's Office at Colorado State University-Pueblo. The Sheriff's Office will keep the record on file to be used for identification purposes should the items be stolen. Items can be registered by obtaining a form from the Campus Sheriff's Office or online at:

<https://www.csupueblo.edu/campus-safety/sheriffs-office/operation-id.html>

Additional information regarding crime prevention services can be found in the CSU-Pueblo Student Pack Guide at <https://www.csupueblo.edu/student-affairs/index.html>.

## Colorado State Law Definitions

The Colorado criminal law definitions of sexual assault, domestic violence, and stalking may be different from some of the definitions used in University policies. Colorado criminal law does not define dating violence. Reproduced below are the relevant sections of the Colorado Criminal Code.

#### Consent – Colorado Revised Statute § 18-3-401

(1.5) "Consent" for sexual activity means cooperation in act or attitude pursuant to an exercise of free will and with knowledge of the nature of the act. A current or previous relationship shall not be sufficient to constitute consent. Submission under the influence of fear shall not constitute consent.

#### Sexual Assault – Colorado Revised Statute § 18-3-402

- (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 consequences 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 bona fide medical purposes 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.

#### Unlawful Sexual Contact – Colorado Revised Statute § 18-3-404

- (1) Any actor who knowingly subjects a victim to any sexual contact commits unlawful sexual contact if:
- a) The actor knows that the victim does not consent; or
  - b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or
  - c) The victim is physically helpless and the actor knows that the victim is physically helpless and the victim has not consented; or
  - d) The actor has substantially impaired the victim's power to appraise or control the victim's conduct by employing, without the victim's consent, any drug, intoxicant, or other means for the purpose of causing submission; or
  - e) Repealed.
  - f) The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority, unless incident to a lawful search, to coerce the victim to submit; or
  - f) The actor engages in treatment or examination of a victim for other than bona fide medical purposes or in a manner substantially inconsistent with reasonable medical practices.
- (1.5) Any person who knowingly, with or without sexual contact, induces or coerces a child by any of the means set forth in section 18-3-402 to expose intimate parts or to engage in any sexual contact, intrusion, or penetration with another person, for the purpose of the actor's own sexual gratification, commits unlawful sexual contact. For the purposes of this subsection (1.5), the term "child" means any person under the age of eighteen years.

### Domestic Violence – Colorado Revised Statute § 18-6-800.3 (1)-(2)

Domestic violence means an act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. Intimate relationship means a relationship between spouses, former spouses, past or present unmarried couples, or persons who are both the parents of the same child regardless of whether the persons have been married or have lived together at any time. 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. (Note: in Colorado, “dating violence” is included with the broader definition of domestic violence).

### Stalking – Colorado Revised Statute § 18-3-602 (1)(a)-(c)

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

## VAWA Definitions

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

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

**Domestic Violence** is defined as a felony or misdemeanor crime of violence committed -

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

**Stalking** is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to -

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.
- For the purposes of this definition -
- 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 property.

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

## **Sexual Misconduct, Intimate Partner Violence (Domestic Violence and Dating Violence), & Stalking**

CSU-Pueblo is committed to equal educational and employment opportunities, and to the elimination of all form of sexual misconduct, intimate partner violence (domestic violence and dating violence), and stalking. Furthermore, CSU-Pueblo is committed to maintaining respectful, safe, and nonthreatening educational, working, and living environments. CSU-Pueblo prohibits any conduct that constitutes sexual misconduct (including non-consensual sexual contact, non-consensual sexual intercourse, sexual exploitation, and sexual harassment), intimate partner violence (including dating violence and domestic violence), and stalking. As such, CSU-Pueblo prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking.

## **Sexual Misconduct, Intimate Partner Violence, & Stalking Definitions**

### WHAT IS SEXUAL MISCONDUCT UNDER CSU-PUEBLO POLICY?

Sexual misconduct means non-consensual sexual contact, non-consensual sexual intercourse, sexual exploitation, or sexual harassment.

Non-Consensual Sexual Contact means either

intentional sexual contact or touching, however slight, by a Responding Party of a Reporting Party's Intimate Body Parts (or any materials such as clothing, covering the immediate area of the Intimate Body Parts) without the Reporting Party's Consent and/or by force; or

intentional sexual contact or touching, however slight, of a Reporting Party with a Responding Party's Intimate Body Parts (or any materials such as clothing, covering the immediate area of the Intimate Body Parts) without the Reporting Party's Consent and/or by force.

Non-Consensual Sexual Intercourse means either

oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the contact or penetration, without the Reporting Party's Consent and/or by force; or

penetration, no matter how slight, of a person's vagina or anus with any body part or object without the Reporting Party's Consent and/or by force.

Sexual Exploitation means conduct involving a Responding Party taking, or attempting to take, non-consensual or abusive sexual advantage of a Reporting Party when such conduct would not otherwise be defined as Non-Consensual Sexual Contact, Non-Consensual Sexual Intercourse, or Sexual Harassment



## WHAT IS INTIMATE PARTNER VIOLENCE UNDER CSU-PUEBLO POLICY?

Intimate Partner Violence is either dating violence or domestic violence.

**Dating violence** means an act or threatened act of violence upon a Reporting Party by a Responding Party who has been in a social relationship of a romantic or intimate nature with the Reporting Party. This includes, but is not limited to, threats, sexual or physical abuse, property damage, and violence or threat of violence to one's self, animals, or to the family members of the romantic or intimate partner when used as a method of coercion, control, punishment, intimidation or revenge. Whether there was a romantic or intimate relationship will be gauged by the length of the relationship, the type of relationship, and frequency of interaction between the persons involved in the relationship. Dating Violence does not include acts covered under the definition of Domestic Violence.

**Domestic violence** means an act or threatened act of violence upon a Reporting Party with whom the Responding Party is or has been involved in an intimate relationship. This includes, but is not limited to, threats, sexual or physical abuse, property damage, and violence or threat of violence to one's self, animals, or to the family members of the romantic or intimate partner when used as a method of coercion, control, punishment, intimidation or revenge. For purposes of Domestic Violence, 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.

## WHAT IS STALKING UNDER CSU-PUEBLO POLICY?

Stalking means engaging in a course of conduct directed at a Reporting Party that would cause a reasonable person to fear for their safety or the safety of others; repeated conduct which reasonably and subjectively causes a Reporting Party to fear for their safety or the safety of another; or repeated conduct which causes a Reporting Party to alter their activities in response to the repeated conduct. Such conduct may include but is not limited to any of the following: following or approaching a Reporting Party, someone with whom that Reporting Party has or has had a continuing relationship, or a member of that Reporting Party's family or household; contacting a Reporting Party, someone with whom that Reporting Party has or has had a continuing relationship, or a member of that Reporting Party's family or household whether or not conversation ensues; and placing a Reporting Party, someone with whom that Reporting Party has or has had a continuing relationship, or a member of that Reporting Party's family or household under surveillance.

## WHAT TO DO IF THIS HAS OCCURRED TO YOU?

A student or employee has multiple options for reporting an allegation of prohibited conduct to the University. It is an individual's choice whether or not to file a complaint with the appropriate law enforcement agency. Filing a complaint with law enforcement is not required in order for CSU-Pueblo to investigate a concern of sexual misconduct, intimate partner violence, or stalking. Furthermore, reporting a concern to law enforcement is not a prerequisite for receiving resources and reasonable accommodations through the University. The University can and will assist an individual with making a report to the appropriate law enforcement agency if they so choose.

To report allegations of sexual misconduct, intimate partner violence, or stalking, as well as allegations of discrimination, protected class harassment, and retaliation to CSU-Pueblo, an individual should contact the Office of Institutional Equity's Executive Director, who is also the University's Title IX Coordinator:

Josh Ernst, Executive Director  
Office of Institutional Equity  
Administration Building – Suite 304  
(719) 549-2210  
josh.ernst@csupueblo.edu

If an individual wishes to report an allegation or concern to law enforcement, and the alleged incident occurred on the University's Pueblo Campus, the individual can report to the Pueblo County Sheriff's Office, at the following:

Pueblo County Sheriff's Office  
Administration Building 118  
(719) 549-2373 – non-emergency number

If an individual wishes to report an allegation or concern to law enforcement, and the alleged incident occurred off of the University's Pueblo campus but in the City of Pueblo, including the privately owned property surrounding the University's campus, the individual can report to the City of Pueblo Police Department at the following:

Pueblo Police Department  
200 South Main Street  
Pueblo, Colorado 81003  
(719) 553-2538 – non-emergency number

If an individual wishes to report an allegation or concern to law enforcement, and the alleged incident occurred at the CSU-Pueblo Tower located in Colorado Springs, including the parking lot and building entrances, the individual can report to the El Paso County Sheriff's Office at the following:

El Paso County Sheriff's Office  
(719) 520-7100 – non-emergency number

Contact information for law enforcement agencies in other jurisdictions where the University has physical operations can be found under the reporting tab on the Office of Institutional Equity's webpage at <https://www.csupueblo.edu/institutional-equity/>.

It is important to preserve evidence if a student or employee has been a victim of any of these crimes. The preservation of evidence will help prove the crime occurred and also may help obtain a restraining order from the Courts, if necessary. The student or employee should preserve any text messages, pictures, voice messages, call logs, clothing, or other items that may have been involved in the crimes. If they have text messages or electronic communications, they should take a "screen capture" or print out a copy of the electronic evidence in case the device becomes damaged or destroyed. When saving text messages or any electronic communications, they should remember to save it in a format that shows the timestamp for the communication. All items should be given to law enforcement.

An individual who wishes to make a report to law enforcement regarding an alleged sexual assault may ask to have a forensic examination by a trained medical professional, such as a Sexual Assault Nurse Examiner ("SANE") for the purposes of preserving evidence. It is important for the preservation of evidence for a person to refrain from showering, washing clothes or placing them in a plastic bag, or otherwise altering their physical state until after they have contacted law enforcement or had an exam.

Colorado law allows for an individual to undergo a forensic exam without any identifying information being turned over to law enforcement.

If a student or employee contacts the Pueblo Rape Crisis Center, the Center also will assist with reporting the crime. The Pueblo Rape Crisis Center, (719)549-0549, will provide an advocate to accompany the student or employee to the hospital and also will inform them of additional resources. The Rape Crisis Center operates a 24-hour hotline for services. A Community Organization for Victim Assistance (ACOVA), (719)583-6250, can also provide an advocate to assist an individual with reporting an allegation to law enforcement or accompanying the individual to the hospital for a forensic exam. Parkview Medical Center, 400 W. 16<sup>th</sup> St., Pueblo, C) 81003, provides Sexual Assault Nurse Examiners (SANE) who can conduct the appropriate and necessary examination to preserve evidence and provide medical assistance.

## WHAT THE UNIVERSITY WILL DO?

Upon receiving a report of sexual misconduct, intimate partner violence and stalking, the University will forward that report to the University's Title IX Coordinator, who is the Executive Director of the Office of Institutional Equity. The Title IX Coordinator will provide the student or employee with written information regarding resources within the University and the community in the event that they are an alleged victim of sexual misconduct, intimate partner violence, or stalking. The University will provide the student or employee with written notification regarding student counseling services, employee assistance programs, health services, mental health services, victim advocacy, and legal-aid services. The University also will provide the student or employee with written notification of where to obtain assistance with visa and immigration issues and student financial aid. A list of these resources can be found below. The Pueblo County Sheriff's Office can provide transportation, if needed, and an advocate from the University, the community, or another support person, can accompany victims to the hospital and remain throughout any exam.

The University will provide a victim written notification about options for and available assistance in and how to request changes to their academic, living, transportation and working situations. The Title IX Coordinator will coordinate the provision of these accommodations upon request, and requests should generally be directed to the Title IX Coordinator. The University also will provide information on how to obtain a protective order through the courts. University Officials may issue an administrative no-contact order, enforceable via the Student Code of Conduct. Accommodations requested and protective measures will be provided to the alleged victim regardless of whether they report the incident to law enforcement. Students interested in an administrative no-contact order should contact the Title IX Coordinator.

Also, the University will abide by the terms of a validly issued protection order. ACOVA (whose contact information is below) can assist you with requesting a protection order through the county courts. Information on protection orders and ACOVA's protection order clinic is also available on ACOVA's website at [http://acovapueblo.org/Protection\\_Order\\_Clinic.html](http://acovapueblo.org/Protection_Order_Clinic.html).

## Important Tips to Preserve Evidence



Hospital staff can collect evidence, check for injuries, and address the possibility of exposure to sexually-transmitted infections. If clothing has been changed since the assault, the clothing worn at the time of the assault should be brought to the hospital in a clean, sanitary container such as a clean paper grocery bag or wrapped in a clean sheet (plastic containers do not breathe and may render evidence useless). Otherwise, a change of clothing should be brought to the hospital, as the clothing being worn may be kept as evidence. The area where the assault occurred should remain undisturbed—leave all sheets, towels, etc. that may bear evidence for law enforcement to collect.

The private nature of information provided to the Office of Institutional Equity and the University regarding an allegation of sexual misconduct, intimate partner violence, or stalking will be accorded the utmost respect. Identifiable information is not shared except to investigate or resolve an allegation of prohibited conduct, in order to comply with the law, or to the extent necessary to provide accommodations or interim measures. Accommodations or interim measures related to living arrangements, class modifications, employment duties, and other situations will be discussed only with necessary personnel at the University and with the goal of keeping the information as private as possible given the circumstances.

The University has federal reporting obligations under the Clery Act, including the obligation to provide, publicly, statistics or timely warnings regarding certain reported crimes. The University will not include a Reporting Party's name or other identifying information in publicly available reports or timely warnings, as proscribed by the Clery Act.

The University recognizes that an individual may wish to further maintain their privacy beyond the scope described above. As such, the Executive Director of the Office of Institutional Equity, in their capacity as the Title IX Coordinator, or designee, will respectfully consider all requests by an alleged victim: that their identifying information not be shared with the other party; that the alleged prohibited conduct not be investigated by the University; or to otherwise not participate in an investigation by the University. The University also recognizes that it has an obligation to provide a safe environment for all University Members, free from sexual misconduct, intimate partner violence, and stalking. A request for additional privacy may severely limit the University's ability to provide a safe environment free from prohibited conduct, investigate the allegations, and pursue disciplinary action against an individual, if warranted. Therefore, there may be circumstances in which the University cannot honor a request for further privacy in light of the University's obligation to provide a safe and non-discriminatory environment for all University Community Members.

## **Important Numbers to Report and/or Receive Services Related to Sexual Assault, Intimate Partner Violence and Stalking**

### **Emergency**

**911**

### **On-Campus Services**

<b>Pueblo County Sheriff's Office</b>	(719) 549-2373
<b>CSU-Pueblo Title IX Coordinator</b>	(719) 549-2210
<b>University Student Counseling Center</b>	(719) 549-2838
<b>University Student Health Center</b>	(719) 549-2830
<b>Student Financial Aid Office</b>	(719) 549-2753

### **Off-Campus Services**

<b>Pueblo Police Department</b>	(719) 553-2502
<b>El Paso County Sheriff's Office</b>	(719) 520-7100
<b>Pueblo Rape Crisis Center</b>	(719) 549-0549
<b>Parkview Medical Center</b>	(719) 584-4400
<b>National Sexual Assault Hotline</b>	(800) 656-4673
<b>ACOVA</b>	(719) 583-6250
<b>Colorado Legal Services</b>	(719) 545-6708
<b>YWCA- Pueblo</b>	(719) 542-6904

## **Disciplinary Action Procedures for Sexual Misconduct, Intimate Partner Violence (Dating Violence and Domestic Violence), & Stalking**

The University's Policy on Discrimination, Protected Class Harassment, Sexual Misconduct, Intimate Partner Violence, Stalking, & Retaliation expressly prohibits any conduct that constitutes Discrimination, Protected Class Harassment, Sexual Misconduct, Intimate Partner Violence, Stalking, and Retaliation. A student or employee alleged to have engaged in prohibited conduct may be subject to investigation and discipline for their conduct.

During any process defined under University's Policy on Discrimination, Protected Class Harassment, Sexual Misconduct, Intimate Partner Violence, Stalking, & Retaliation or its Procedures, both the Reporting Party and the Responding Party has the following rights.

- (A) The right to have a support person or advisor of their choice accompany them during any stage of the process.
  - (1) The support person or advisor may not be permitted to ask or answer questions, or otherwise speak or advocate on behalf of the party.
  - (2) The support person or advisor may be asked to leave any meeting if the support person or advisor becomes disruptive or otherwise substantially interferes with the process.
  - (3) The support person or advisor may be an attorney, family member, faculty or staff member, a trusted friend, or anyone else the party chooses.
  - (4) The support person or advisor should not be a person who may reasonably be called as a witness as part of an investigation. A support person or advisor who is also a witness may be asked to leave a meeting during which substantive information regarding the conduct alleged to have violated the Policy are being discussed.

- (B) The right to participate or decline to participate in the process. However, even if a party declines to participate, the University may, in some instances, continue to investigate the matter and issue an investigative report and discipline, if warranted, based on available information.
- (C) The right to consult at any time with any other resources.
- (D) The right to request support services, assistance, accommodations, and Interim Measures.
- (E) The right to reasonable updates regarding the status of the resolution process.
- (F) The right not to have their irrelevant past sexual history discussed during the process.

The University's disciplinary procedure for resolving alleged violations of the Policy on Discrimination, Protected Class Harassment, Sexual Misconduct, Intimate Partner Violence, Stalking, & Retaliation involve two main phases, as outlined below. The first phase involves the investigation and determination if a violation of the policy occurred. The second phase involves the determination of disciplinary action if a violation was found to have occurred. All allegations of a violation of the Policy on Discrimination, Protected Class Harassment, Sexual Misconduct, Intimate Partner Violence, Stalking, & Retaliation must be proven by a preponderance of the evidence. This means that in the judgment of the individual or institutional body responsible for determining if a violation occurred, it is more likely than not that a violation of the Policy occurred.

## I. **Formal Investigation/Resolution**

### (A) **Initiation of a Formal Investigation**

- (1) Upon the direction of the Executive Director of OIE, or designee, OIE will undertake a prompt and equitable formal investigation of an alleged violation of the Policy.
- (2) OIE will advise the Reporting Party, in writing, that the University is initiating an investigation into their complaint. This notice will include, at a minimum:
  - (a) a copy, or link to an electronic copy, of the Policy and these Procedures;
  - (b) the identity of the Responding Party;
  - (c) the identity of the investigator assigned to investigate the matter;
  - (d) the factual description which serves as the basis for the investigation into the alleged violation of the Policy;
  - (e) the provision(s) of the Policy alleged to have been violated, including the definition of the prohibited conduct alleged to have occurred; and
  - (f) a recitation of the Reporting Party's rights under these Procedures.

### (B) **Notice of Investigation**

- (1) Within fourteen (14) days of initiating a formal investigation under these Procedures, OIE will provide, to the Responding Party, a written notice of investigation. This notice will include, at a minimum:
  - (a) a copy, or link to an electronic copy, of the Policy and these Procedures;
  - (b) the identity of the Reporting Party;
  - (c) the identity of the investigator assigned to investigate the matter;
  - (d) the factual description which serves as the basis for the investigation into the alleged violation of the Policy;
  - (e) the provision(s) of the Policy alleged to have been violated, including the definition of the prohibited conduct alleged to have occurred;

- (f) a recitation of the Reporting Party's rights under these Procedures;
  - (g) a request for the Responding Party to contact investigator within three (3) days to schedule a meeting to discuss the allegations against them; and
  - (h) a statement that if the Responding Party does not contact the investigator in a timely manner to schedule a meeting, schedules a meeting but does not attend the meeting, or elects not to participate in the formal investigation, OIE may complete its formal investigation based on the otherwise available information.
- (2) This notice of investigation may be sent to the Responding Party via their University e-mail account, permanent addresses appearing in the University's records, an address appearing in a police report, or hand delivery. The notice is considered delivered on the date hand-delivered or sent via e-mail. Notices sent via the United States Postal Service or other carrier will be considered delivered two days after the notice was deposited with the carrier.
- (3) A copy of this notice may also be sent to the following individuals.
- (a) If the Responding Party is faculty or staff, a copy of the written notice may also be provided to:
    - (i) the Vice President for the Responding Party's division or the Provost; (ii) the Director of Human Resources; and (iii) other appropriate people.
  - (b) If the Responding Party is a student, a copy of the written notice may be sent to: (i) the Director of Student Conduct & Case Management; and (ii) other appropriate people.
  - (c) If the Responding Party is a Contractor, Guest, Volunteer, etc., a copy of the written notice may be sent to any appropriate people, including the entity responsible for the relationship between the Reporting Party and the University.

**(C) Investigatory Process & Information Collection**

- (1) Unless either party indicates an unwillingness to participate in the formal investigatory process, OIE will separately interview the Reporting Party and the Responding Party.
- (2) Individuals will be provided at least forty-eight (48) hours written notice of any interview or other meeting where their presence is requested. An individual may waive this advance notice by agreeing to attend an interview or other meeting with less than forty-eight (48) hours advance notice.
- (3) It is within OIE's discretion to interview a Reporting Party, Responding Party, or any witness multiple times.
- (4) Within five days of being interviewed by OIE, the Reporting Party or the Responding Party may supplement their oral statements with a written statement provided to the investigator.
- (5) Subsequent to being interviewed by OIE, the Reporting Party, Responding Party, and any witnesses will be provided with a written summary of the information they provided during their interview.
- (6) A Reporting Party, Responding Party, and any witnesses interviewed by OIE may provide OIE with evidence, documentary or otherwise, that the person deems relevant to the investigation.

**(D) Information Review**

- (1) Upon the conclusion of the investigatory process outlined in Section 1.01(C), the Reporting Party and the Responding Party will be given the opportunity to review: (a) an overview of the investigation undertaken; and (b) a written summary of all of the available evidence, information, and statements to be considered as part of the investigatory report.
- (2) OIE will provide simultaneous written notice to the Reporting Party and the Responding Party that this information is available for review.
- (3) This information will be available for review for at least three (3) days.

- (4) This information will be reviewed in person and under the supervision of an OIE representative.
- (5) No information reviewed may be removed from the location where the review occurs.
- (6) No photocopies, photographs, or other reproductions of the information may be made; however notes may be taken freely.
- (7) The Reporting Party and the Responding Party will have at least two (2) days after reviewing this information to provide written comments to the investigator regarding the information reviewed. These written comments may include, but are not limited to, additional information for consideration and questions for the other party or witnesses.
- (8) After the parties have had an opportunity to exercise their right to review and comment, the investigator will either prepare an investigative report or reopen the investigation for the limited purpose of addressing any new material evidence or questions posed as part of the parties' right to review and comment.
- (9) In the event that the investigator reopens the investigation for limited purposes, the parties will be afforded a second opportunity to exercise their rights under this Section 1.01(D). Notwithstanding the foregoing, the parties may not abuse their rights under this Section 1.01(D) in order to unreasonably delay the formal investigation/resolution process.

**(E) Investigative Report**

- (1) After the Reporting Party and Responding Party have had the opportunity to exercise their rights under Section 1.01(D), the investigators will prepare a written investigative report.
- (2) Each investigative report will contain, at a minimum:
  - (a) an overview of the investigation undertaken;
  - (b) a summary of all of the available evidence, information, and statements to be considered;
  - (c) findings of fact based on the available evidence and testimony;
  - (d) a conclusion as to whether or not a violation of the Policy occurred, or if insufficient evidence exists to make such a conclusion;
  - (e) the rationale and analysis in support of the findings of fact and conclusion; and
  - (f) recommended sanctions to eliminate the prohibited conduct, prevent its recurrence, and remedy its effects.
- (3) If the Responding Party is a student, any findings of fact and conclusions contained within the investigative report will be recommended findings of fact and recommended conclusions.
- (4) A copy of the investigator's final investigative report will be provided to either the Director of Student Conduct and Community Standards (if the Responding Party is a student) or the Responding Party's supervisor and appointing authority (if the Responding Party is an employee).
- (5) The Reporting Party and Responding Party may make arrangements with OIE to review a copy of the final investigative report.

**(F) Notification of Outcome**

OIE will advise the Reporting Party and Responding Party simultaneously in writing of the result or outcome of the formal investigation, including the rationale for the result or outcome. This written notice will also include, at a minimum a description of the next steps in the formal resolution process, including appeal rights available at that time, if any.



## **(G) Disciplinary Processes & Sanctioning**

### **(1) Generally**

- (a) The disciplinary authority shall be responsible for implementing any sanctions or otherwise ensuring any discipline or sanctions are implemented.
- (b) Under no circumstances is mediation an appropriate means of determining a sanction or discipline when an individual is found to have engaged in Sexual Misconduct, as defined by the Policy.
- (c) Even if a Responding Party is found not to have violated the Policy, the University may direct in writing that the Reporting Party, in the Reporting Party's role as a University Community Member, cease behavior that, if continued or accumulated, would constitute a conduct prohibited by the Policy.
- (d) Upon determining the appropriate discipline or sanction, the disciplinary authority will simultaneously inform the Reporting Party, Responding Party, and Executive Director of OIE, or designee, in writing of the terms and conditions of the sanction or discipline to be imposed, and the rationale for that decision.
- (e) The Reporting Party and Responding Party must be afforded equitable rights, to the extent either has any rights, under any process used to determine an appropriate sanction or discipline.

### **(2) If Reporting Party is a student**

#### **(a) Potential Sanctions/Discipline**

##### **(i) Loss of Privileges**

A limitation is placed upon selected privileges for a specific period of time. Loss of privileges may include, but may not be limited to, denial of the right to represent the University, a denial of the use of University facilities or access to areas of campus, or denial from participation in co-curricular activities.

##### **(ii) No Contact Orders**

A no contact order is a directive from the University to an individual instructing that individual to refrain from any intentional contact, direct or indirect, with one or more designated persons or group(s) through any means, including personal contact, electronic, telephone, or third parties. All individuals issued a no contact order are held responsible for following the directive. Violating a no contact order can result in disciplinary action pursuant to the generally applicable University policies and procedures.

##### **(iii) Community Service/Activity**

Requirement that services be offered for a specified period to an appropriate non-profit community agency and/or to a University office.

##### **(iv) Educational Assignment**

A Responding Party is required to complete a specified educational assignment related to the violation committed. Such educational assignments may include completion of a workshop or seminar, class, report, paper, project, writing a letter of apology, seeking academic counseling or substance abuse screening, alcohol or drug program and/or consultation, counseling consultation, psychological or psychiatric evaluation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the Responding Party was found responsible.

##### **(v) Educational Fund Payment**

Reasonable fees may be imposed.

##### **(vi) Residence Hall Transfer or Removal**

A Responding Party is required to transfer residence halls or leave the residence halls for a specified or indefinite period of time.

**(vii) Restitution**

Reimbursement for damage or loss of property or expenses of others as a result of the violation of the Policy.

**(viii) Coach Referral**

A Responding Party's coach will be notified of the violation if a Responding Party is a student athlete. Additional discipline may be taken by the Responding Party's coach with respect to the Responding Party pursuant to Athletics Department policy and procedures.

**(ix) Warning**

A warning is given to notify a Responding Party that past behavior has been inconsistent with the expectations of the University. A warning has no immediate effect upon a Responding Party's standing at the University. However, once given a warning, a Responding Party should expect more serious sanctions to result from any subsequent violations.

**(x) Probation**

Probation serves to notify a Responding Party that further transgressions must be avoided for a finite and specified period in order for the Responding Party to remain a part the University community. During a Responding Party's probationary period, that Responding Party is not in good disciplinary standing with the University. Any further violations of University policy, including the Code of Student Conduct, while on probation may result in a Responding Party's suspension or dismissal from the University.

**(xi) Deferred Suspension**

During a deferred suspension the Responding Party will be suspended from the University, but the suspension will be deferred, meaning that the Responding Party may continue to attend classes. However, the suspension will be automatically enforced if the Responding Party fails to complete any assigned sanctions by the deadline and/or for any subsequent violations of the Code of Student Conduct. If the Responding Party is found responsible for any subsequent violations of University policy, including this Policy or the Code of Student Conduct, the Responding Party will be automatically suspended from the University in addition to the other sanctions imposed for the subsequent violation. During a Responding Party's deferred suspension period, that Responding Party is not in good disciplinary standing with the University.

**(xii) Suspension**

A Responding Party who has been suspended from the University may not participate in any University activities, academic or otherwise, for a specific period, and may be restricted from University premises. This sanction will be noted as a "Suspension" on the Responding Party's official academic transcript and the Responding Party will be withdrawn from all courses. A suspended Responding Party who wishes to re-enroll must apply for re-entry to the University and must also petition the Director of Student Conduct, who shall determine whether any and all requirements for readmission have been satisfactorily completed.

**(xiii) Expulsion**

Expulsion is permanent separation and removal from the University. A Responding Party who has been expelled from the University is permanently prohibited from participating in any University activities, academic or otherwise, and will be restricted from all University premises and activities. This sanction will be noted as "Expelled" on the Responding Party's official academic transcript and the Responding Party will be withdrawn from all courses.

**(b) Disciplinary Procedures**

- (i) Upon receipt of an investigative report from OIE, the Director of Student Conduct will appoint a trained Conduct Officer, who may be the Director of Student Conduct, to consider the materials within the investigative report.

- (ii) The Conduct Officer will review the investigative report, and if they believe additional investigation is necessary, may request the investigator reopen the investigation for a limited purpose. This request must be made in writing to the investigator and state the rationale for the request. Within two (2) business days of the request, the investigator will respond in writing to the Conduct Officer either informing the Conduct Officer that the request is granted or denied, and the rationale for that decision. If the investigation is reopened, the Executive Director of OIE, or designee, will advise the Reporting Party and the Responding Party that the investigation will be reopened and the limited basis for which the investigation is reopened. Reopening the investigation for the limited basis at the request of the Conduct Officer will trigger the rights of Section 1.01(D).
- (iii) The Conduct Officer will request to meet with both the Reporting Party and Responding Party separately and independently of the other. The purposes of these meetings is not to receive additional material evidence or engage in further investigation into the allegations. Rather, the purpose of these meetings is for the parties to have an opportunity to address the investigative report with the Conduct Officer prior to a decision being made as to whether or not a violation of the Policy occurred. Although the parties may not present new evidence to the Conduct Officer, they may provide an impact or mitigation statement or discuss why the evidence does or does not support their allegations, the recommended findings, or recommended conclusion.
- (iv) After the Conduct Officer has met with both parties, or afforded the parties the opportunity to meet, the Conduct Officer will issue a written determination as to whether or not a violation of the Policy occurred. The Conduct Officer is not required to accept the recommended findings and conclusions of the investigator, but should give deference to them. The written determination must also include the rationale for the Conduct Officer's decision. Furthermore, the written determination must include notice of the disciplinary action, if any, to be taken against the Responding Party and a statement of the parties appeal rights. A copy of this written determination should be simultaneously communicated to the Reporting Party and Responding Party, as well as the Executive Director of OIE.

**(3) If Responding Party is faculty or staff**

**(a) Potential Disciplinary Sanctions**

- (i) Written Reprimand**  
Written documentation of a failure to abide by University policy or procedures maintained in the employee's personnel file.
- (ii) Educational Programs**  
Participation in educational programs, such as training, workshops, seminars, or other educational activities.
- (iii) Revocation of Privileges**  
Revocation of University privileges, such as participation in extra-curricular, service, or volunteer activities, for a definite or indefinite period of time.
- (iv) Campus Restrictions**  
Limitations on the times and/or places where a Responding Party may be present on campus.
- (v) No Contact Orders**  
Prohibition on all forms of contact with certain people.
- (vi) Suspension**  
Exclusion from work, with or without pay, and other related activities as set forth for a definite period of time.
- (vii) Termination**  
Permanent separation of the employment relationship.

**(b) Disciplinary Procedures – Generally**

- (i) The appointing/disciplinary authority may initiate formal action against a Responding Party if they were found to have violated the Policy pursuant to the generally applicable disciplinary procedures. The specific procedures for disciplining a Responding Party who is an employee will be determined based upon the generally applicable disciplinary procedures for the Responding Party's employee group (e.g. faculty, classified staff, administrative-professional staff, etc.).
- (ii) The appointing/disciplinary authority may have access to the investigative records and may consult with the investigator or Executive Director of OIE in order to take appropriate action.
- (iii) The appointing/disciplinary authority shall simultaneously notify the Reporting Party, Responding Party, and Executive Director of OIE of any sanctions imposed and any other steps taken by the University to remedy the effects of the prohibited conduct, address its effects, and prevent its reoccurrence.

**(c) Disciplinary Procedures – Faculty**

Faculty members are subject to disciplinary action pursuant to the Faculty Handbook, found at <https://www.csupueblo.edu/faculty-senate/faculty-handbook.html>.

**(d) Disciplinary Procedures – Administrative/Professional Staff**

Administrative/Professional staff have no right to progressive discipline or a formal disciplinary process. As such, they may be disciplined or terminated by the appointing authority as deemed appropriate.

**(e) Disciplinary Procedures – Classified Staff**

Classified staff are subject to disciplinary action pursuant to State of Colorado State Personnel Board rule 6, found at: <https://www.colorado.gov/dhr/EmployeeHandbook>.

**(4) If Responding Party is a guest, contractor, etc.**

**(a) Potential Disciplinary Sanctions**

- (i) Trespass Warning**  
Notice that future visits to campus may result in a criminal charge of trespassing.
- (ii) Campus Restrictions**  
Limitations on the times and/or places where a Respondent may be present on campus.
- (iii) No Contact Orders**  
Prohibition on all forms of contact with certain people while on campus.
- (iv) Relationship Termination**  
Termination of the relationship (e.g. contractual, volunteer, sponsorship, athletic booster, donor, etc.) between the Respondent and the University.

**(b) Disciplinary Procedures**

- (i) The nature of determining sanctions or discipline against a contractor, guest, etc. will vary depending upon the nature of the relationship between the third party and the University.
- (ii) Regardless of the manner in which disciplinary sanctions are determined, the Reporting Party and Executive Director of OIE must be notified of the sanctions imposed by the entity responsible for imposing the same.

## **(5) Additional Remedies, Interventions, and Accommodations**

- (a) Regardless of the nature of the Responding Party's relationship with the University, or any disciplinary actions taken against a Responding Party, additional remedies, interventions, and accommodations may be available to a Reporting Party, including a Third Party Reporting Party, or a University Community Member, either individually or collectively.
- (b) The Executive Director of OIE, or designee, will coordinate additional remedies, interventions, and accommodations, if any.
- (c) Additional remedies, interventions, and accommodations, if any, will be determined on a case-by-case basis.
- (d) Possible additional remedies, interventions, and accommodations include, but are not limited to, the following:
  - (i) Residential reassignments;
  - (ii) Changes to academic assignments;
  - (iii) Physical or mental health related accommodations;
  - (iv) Counseling;
  - (v) Referral to a University unit, other than OIE, for additional consideration;
  - (vi) Evaluation of policies or procedures;
  - (vii) Educational programs or forums.

## **II. Timelines**

- (A) OIE endeavors to complete a formal investigation/resolution process under these Procedures within sixty (60) days of initiation of the formal investigation. However, all timelines expressed in these Procedures are meant to be guidelines and not rigid requirements.
- (B) Factors that may affect the length of time necessary to completely resolve an alleged violation of the Policy through a formal investigation include, but are not limited to: the complexity of the allegations; the availability of the Reporting Party, the Responding Party, witnesses, and evidence; the effect of concurrent criminal investigations; intervening closures of University; the necessity to afford the Responding Party due process; and any other unforeseeable circumstances
- (C) The Reporting Party and the Responding Party each have an obligation to meet deadlines as requested by OIE. OIE will only grant extensions of time for good cause shown.
- (D) In the event a University unit or employee determines it requires additional time beyond the time frames set forth in these Procedures to fully and properly carry out its responsibilities under these Procedures, it will provide simultaneous written notice to the Reporting Party, the Responding Party, and the Executive Director of OIE, or designee, notifying them of the anticipated length of the delay and the general nature of the circumstances causing the delay.

## **III. Final Notifications**

For matters addressed through formal investigation and resolution, upon exhaustion of all appeals, or if no appeals are filed in a timely manner, the Executive Director of OIE, or designee, shall provide simultaneous written notice to the Reporting Party and Responding Party that the results of the formal investigation and resolution process are final.

## Educational Programs for Sexual Assault, Intimate Partner Violence (Dating Violence, Domestic Violence) & Stalking Awareness

The Office of Institutional Equity, in conjunction with its campus and community partners, offers a variety of training and educational programs throughout the year to students, faculty, and staff regarding topics such, but not limited to a description of the conduct prohibited by the University's Policy on Discrimination, Protected Class Harassment, Sexual Misconduct, Intimate Partner Violence, Stalking, & Retaliation; the procedures used to address and resolve alleged violations of the University's Policy on Discrimination, Protected Class Harassment, Sexual Misconduct, Intimate Partner Violence, Stalking, & Retaliation; the definitions of dating violence, domestic violence, sexual assault, stalking, and consent (in relation to sex-based offenses) under Colorado criminal law; descriptions of safe and positive options for bystander intervention; and information on risk reduction.

As part of new student orientation, all incoming students (either first year or transfers), are required to participate in online orientation. This online orientation includes a recorded video of the University's Title IX Coordinator discussing the above topics, as well as providing an overview of the Office of Institutional Equity. Furthermore, all incoming students are required to complete the online program *Sexual Assault Prevention for Undergraduates*. In addition to the topics discussed above, the two part *Sexual Assault Prevention for Undergraduates* program, developed by EVERFI, addresses other related topics such as healthy relationships.

In addition to the online training new student athletes receive as part of their orientation to campus, the Office of Institutional Equity also provides in-person training to all student athletes regarding the University's policies and procedures, prohibited conduct, bystander intervention, and risk reduction. These interactive presentations also address topics such as healthy masculinity and challenge student athletes to question their perceptions around sexual misconduct, intimate partner violence, and stalking.

All faculty and staff, including student employees, are required to complete annual training (on-line) on sexual misconduct, intimate partner violence, and stalking. This training includes information regarding how to respond when a student reports an allegation of prohibited conduct, as well as recognizing prohibited conduct when it presents itself. This training reaffirms their responsibility to report allegations of misconduct, as well as the importance of maintaining the private nature of allegations. Certain employees, including, but not limited to, coaches, athletics personnel, residence life professional staff, and residence life paraprofessional staff receive additional, focused training regarding issues related to sexual misconduct, intimate partner violence, and stalking that are unique or germane to their roles on campus. Furthermore, the Office of Institutional Equity, upon request, will provide targeted in person training to administrative and academic units.

During the academic year, the Pueblo Rape Crisis Center comes to campus and provides information to the campus community regarding their services, sexual assault, and the power dynamics often underlying sexual assault.

Throughout the year, educational programs on preventing and responding to sexual assault, intimate partner violence, staking and healthy relationships are presented in the residence halls, and educational programs and information tables are available throughout the year in various campus locations. Similarly, bystander intervention training is provided throughout the year in varied formats. Topics include general information and definitions, scenarios, questions, action steps, and available resources. Students are provided with examples of when and how to intervene in various situations.

In addition to specific trainings, sexual assault, intimate partner violence, stalking, and healthy relationships awareness information brochures are made available to all students, staff and faculty. The brochures identify services and resources available and provide contact information for reporting a sexual assault. Similarly, all residence hall rooms were provided, before the start of the academic year, a refrigerator magnet with information regarding how to report allegations of sexual misconduct, intimate partner violence, and stalking. This information is also available on OIE's website.



## Alcohol and Other Drug Policy

### PURPOSE

CSU-Pueblo recognizes the dangers, effects and consequences that alcohol and other drugs have on the success of students. Health Education and Promotion (HEP) believes that student health and safety is a fundamental step in developing and sustaining an environment that enhances academic and student success.

CSU-Pueblo students, student organizations, Greek organizations, athletic teams, club sports teams, and their visitors must comply with all local, state, and federal laws concerning alcohol and other drugs.

CSU-Pueblo will not tolerate the excessive, inappropriate, or illegal use or abuse of alcohol or other drugs on or off campus property. CSU-Pueblo adjudicates off-campus cases that are judged to impact the University's educational mission and/or the health and safety of members of the community.

### POLICY APPLIES TO (Persons affected by):

All Students

### EXEMPTIONS:

Under certain circumstances, registered student organizations or university-sponsored functions, may be granted an exemption from the alcohol-free event policy

### DEFINITIONS:

**Alcohol-** any substance which is or contains ethyl alcohol that is designed for the purpose of human consumption

**AOD-** alcohol and/or other drug is referred to by this acronym

**BAC-** blood alcohol content is referred to by this acronym. BAC is the percentage of alcohol in the bloodstream: under the laws of most states, a BAC of 0.08 is the legal definition of intoxication.

**Binge Drinking-** is a pattern of drinking that brings blood alcohol concentration (BAC) levels to 0.08 g/dL. This typically occurs after 4 drinks for women and 5 drinks for men—in about 2 hours.

**Cannabis-** a tall plant with a stiff upright stem, divided serrated leaves, and glandular hairs. It is used to produce hemp fiber and as a psychotropic drug. Can cause short-term effects such as slow reflexes; increase in forgetfulness; alters judgment of space and distance; aggravate pre-existing heart and/or mental health problems; long-term health effects include permanent damage to lungs, reproductive organs and brain function; can interfere with physical, psychological, social development of young users.

**Illicit Substances-** Please refer to: <https://www.deadiversion.usdoj.gov/schedules/> for a complete list of all scheduled controlled substances.

**Medical Amnesty-** An exception or pardon from disciplinary sanctions when a student calls for medical help for themselves and/or others.

**Medicinal- refers** to the medical use of cannabis or to medical cannabis dispensaries.

**Possession-** is an act where a student has or holds any amount of an alcoholic beverage anywhere on his or her person

**Smoking-** means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, e-cigarette, water pipe, or device used to inhale substances other than prescribed medications.

**Standard Drink-**

- One 12 oz. beer containing 5% alcohol
- One 5 oz. glass of wine containing 12% alcohol
- One 1.5 oz. shot of liquor containing 40% alcohol

**Tetrahydrocannabinol (THC)-** is the main cannabinoid found in the cannabis plant and is responsible for the majority of the plant's psychoactive properties.

**Tobacco Products-** means all forms of tobacco and imitation tobacco products, including but not limited to cigarettes, cigars, pipes, water pipes (hookah), electronic/e-cigarettes, vape pens and smokeless or "spit" tobacco, and specific nicotine products.

**POLICY STATEMENT:**

**Alcohol**

**Underage Possession or Consumption**

If you are under age 21, you cannot purchase, possess, or consume alcohol.

**Providing Alcohol to Minors**

No student, regardless of age, shall provide alcohol to anyone under age 21.

**Public Intoxication**

Being intoxicated by alcohol in a public space and being a danger to yourself or others is prohibited.

**Severe Intoxication**

Being intoxicated by alcohol to a level that requires, or appears to require, medical attention or supervision by others, is prohibited.

**Drinking Games**

Possession or use of drinking devices that dispense alcohol, such as funnels, luges, keg taps, etc. is prohibited. The promotion, possession, or playing of alcohol drinking games that encourages binge drinking is prohibited.

**Drinking Paraphernalia**

Possession of empty or full alcohol containers that include but are not limited to: shot glasses, wine bottles, beer cans, wine glasses, etc. is prohibited.

**Alcohol in University Housing**

Possession and consumption of alcohol for Residential Students is further detailed in the *Residence Life and Housing Handbook*. Please refer to this handbook for University Housing specific alcohol policies.

**Irresponsible Serving of Alcohol**

Students must practice responsible serving procedures. Irresponsible serving procedures include but are not limited to: providing alcohol to intoxicated individuals, providing alcohol to minors, allowing such individuals to drive, or creating environments for binge drinking.

**Driving While Ability Impaired or Driving Under the Influence**

Students are required to follow the laws of the State of Colorado regarding alcohol and/or drugs and driving. Students receiving citations for DWAI or DUI may also be sanctioned by the University.



## **Marijuana**

### **Possession, Use, or Sale of Marijuana**

Pursuant to Federal law, possession, use, or sale of marijuana in any form (flower, wax, oil, edibles, etc.) is prohibited on campus. Marijuana possession, use or sale is also prohibited at University sponsored events, even if held off-campus.

### **Medical Marijuana**

Students and guests who have been issued a Medical Marijuana Identification Card by the State of Colorado, or have a license from another state, may NOT possess, use, or sell marijuana on University property, including in University housing areas. Medical Marijuana possession, use or sale is also prohibited at University sponsored events, even if held off-campus.

### **Advertisement and Promotion**

Marijuana industry promotions, advertising, marketing, and distribution are prohibited on any campus-owned or campus-leased grounds/facilities.

### **Smoking Paraphernalia**

Possession of used or unused marijuana paraphernalia that includes but is not limited to: pipes, water pipes, bongs, vaporizers, blunts/wrappers/papers, etc. is prohibited.

\*\*This policy is in accordance with the Controlled Substances Act and the Drug-Free Schools and Communities Act

## **Tobacco**

### **Tobacco and Vape Free Campus**

Tobacco use and smoking to include, cigarettes, e-cigarettes, vape pens, and chewing tobacco is prohibited in all campus buildings and on all campus grounds whether the property is owned or leased by CSU-Pueblo, and in all campus-owned vehicles. Please refer to the University's *Smoking and Tobacco Policy* for more information.

## **Illicit Drugs**

### **Possession, Use, or Sale of Illicit Substances**

Possession, use, or sale of illicit substances is prohibited. Illicit substances include scheduled amphetamines, anabolic steroids, cocaine, hallucinogens, heroin, inhalants, marijuana, methamphetamines, tranquilizers, etc.

### **Prescription Medication**

Students or guests who have been prescribed medications (including scheduled drugs) may only use those medications as prescribed by their treating physician. Any other use or unauthorized sale is prohibited. All prescription medication must remain in the original labeled packaging to the individual that it was prescribed to. Possession or use of prescription medication that has not been prescribed by the student's treating physician is prohibited.

## **Medical Amnesty**

CSU-Pueblo encourages all students to call for help when any sign of alcohol poisoning or drug overdose is observed. Students who call for help to assist a friend or themselves may be eligible for medical amnesty. Students who are provided medical amnesty shall not be subject to disciplinary sanctions; however, educational sanctions may be applied. Receipt of medical amnesty is at the discretion of the Director of Student Conduct.

**Failure to Respond to an Alcohol or Drug-Related Emergency:** Students who fail to call for medical assistance in an alcohol or drug-related emergency may be subject to disciplinary action and may receive enhanced sanctions.

**PROCEDURE:**

Violations of this Alcohol and Other Drug Policy shall be sanctioned in accordance with the Student Code of Conduct and the Alcohol and Other Drug Sanction Table. The University may sanction violations of standards that occurred off-campus and have or may have threatened to cause an impact on the University's activities, or on the health, safety, or security of the University, its members, or the community. The decision whether to adjudicate a specific off-campus incident shall be made at the discretion of the Director of Student Conduct. CSU-Pueblo students, student organizations, Greek organizations, athletic and club sports teams, and their visitors must comply with all local, state, and federal laws concerning alcohol and other drugs. CSU-Pueblo will not tolerate the excessive, inappropriate, or illegal use or abuse of alcohol or other drugs.

**THE ALCOHOL AND OTHER DRUG POLICY IS AVAILABLE AT:**

<http://csu-pueblo-policies.colostate.edu/policy.aspx?id=121>

All employees must follow the Drug Free Workplace Policy. Violation of this policy will result in disciplinary sanctions, which may include termination.

## **Alcohol and Other Drug Prevention Programs**

The University is dedicated to providing a safe and healthy environment for students to complete their educational goals without the burden of problematic or illegal use of alcohol or other drugs. The Alcohol and Other Drug Prevention Program works with individual students, small groups, and the campus and surrounding community to provide individually tailored, evidence-based prevention education and behavioral interventions. The Alcohol and Other Drug Policy is enforced by the Pueblo County's Sheriff's Office and the Division of Student Affairs.

The program also provides individual assessment and wellness services that help the student address alcohol and other drug use and/or abuse. Individuals can receive a free assessment, access to free education/behavioral intervention, and referral to additional options on campus and off campus.

Some students may be mandated to complete an assessment and educational intervention track with the AOD Prevention Coordinator as a result of violating the Alcohol and Other Drug Policy. More information about the University's drug and alcohol education programs (pre-matriculation survey, parent orientation, "Even Zombies Know," etc.) can be found in the 2012 Drug Free Schools and Communities Act Biennial Review notification at: <https://www.csupueblo.edu/student-affairs/health-education-and-prevention/drug-free-schools-and-communities-act.html>.

Health Education and Prevention (HEP) provides prevention education, healthy living, and learning opportunities in order to sustain a wellness-focused environment that further develops academics and success for students of Colorado State University-Pueblo. HEP works with individual students, small groups, the campus and surrounding community to provide individually tailored, evidence-based prevention education and behavioral interventions.

**Call (719) 549-2121 to schedule an appointment with the Health, Education, and Prevention Coordinator**

**PURSUANT TO FEDERAL LAW, THE POSSESSION, USE, OR SALE OF MARIJUANA ARE PROHIBITED ON CAMPUS. ALTHOUGH COLORADO LAW ALLOWS THE USE OF MARIJUANA, NO STUDENT MAY USE OR POSSESS MARIJUANA ON CAMPUS PROPERTY. POSSESSING A MEDICAL MARIJUANA CARD/LICENSE DOES NOT CREATE AN EXCEPTION.**

## Missing Student Policy

The following policy has been established to address missing student notification for University students living in University owned or leased housing and to identify procedures that University will follow if any of those students are determined to be missing for 24 hours.

All concerns of a possible missing student should be immediately reported to ANY of the following:

- The Pueblo County Sheriff's Office at CSU-Pueblo at (719) 549-2373
- The Senior Associate Vice President of Student Affairs at (719) 549-2586
- The Professional Staff on-call at (719) 549-2601

Upon receiving a report of a missing student, the aforementioned individual must immediately notify the Pueblo County Sheriff's Office at the University by calling (719) 549-2373.

Every student who resides in on-campus housing shall have the option to identify an individual to be contacted by the University in the event that the student is determined missing. This contact information will be kept confidential and accessible only to authorized campus officials. The University may only disclose this confidential contact information to law enforcement officials for the purpose of a missing student investigation. If a missing student is under the age of 18 and is not emancipated, the University must notify the student's parent or guardian.

Upon receiving information that a student cannot be located and may be missing, the Pueblo County Sheriff's Office at the University will begin an investigation to determine whether the student is missing and may contact the student's confidential contact person as part of the investigation.

Once it has been determined that a student living in University owned or leased housing has been missing for 24 hours, the University will notify the student's confidential contact person within 24 hours; however, the University may act sooner. If the missing student is under the age of 18 and is not an emancipated individual, the University will notify the custodial parent or legal guardian.

# FIRE SAFETY

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# Fire Safety

## REPORTING A FIRE

If a student sees a fire in progress, the student should immediately call 911. If a student is aware of a fire that occurred anywhere on campus, the student should report the incident to the Pueblo County Sheriff's Office at CSU-Pueblo, (719) 549-2373.

## EVACUATION PROCEDURES

When an alarm sounds, students should immediately begin to evacuate the building and take the following measures:

1. Leave the room immediately.
2. Close the room door.
3. Walk quietly and quickly to the nearest exit. Do not use the elevators.
4. Remain outside until the signal is given to return to their room.

Students are required to obey all fire regulations. A student who fails to evacuate a residence hall when an alarm sounds will be subject to disciplinary action. Residence Hall staff, CSU-Pueblo Sheriff's staff, other appropriate University staff and the Pueblo Fire Department reserve the right to enter student rooms to locate the source of any potential fire or smoke hazard and to ensure that everyone has evacuated the building.

## FIRE PROTECTION SERVICES

Fire protection for the Colorado State University-Pueblo campus is provided by the Pueblo City Fire Department. All Pueblo City Firefighters carry a minimum of an EMT-Basic and Firefighter 1 designations. Additionally, at least one member of each engine company is certified as an EMT Paramedic. More information on the Pueblo Fire Department may be accessed at:

<http://www.pueblo.us/index.aspx?NID=235>

# Fire Suppression and Detection Systems

A fire alarm system is available in each on-campus residence hall that includes Crestone, Culebra, and Greenhorn halls. Each building and its corresponding fire alarm system contains a Siemens' main control panel and initiating and notification devices. Examples of initiating devices are: smoke detectors, heat detectors, pull stations, and fire sprinkler control valves. Examples of notification devices are: horns, strobes, and speakers. In addition to monitoring the status of these devices, it also monitors the status of field wiring, annunciators, back-up batteries, and internal operations. When a condition occurs from any one of these devices or a problem is detected within the control panel itself, the main control panel transmits a signal—alarm, trouble, or supervisory—to a Digital Alarm Communicator Transmitter located at the Heating Plant.

In addition, all of CSU-Pueblo's fire alarm systems serve the purpose of voice evacuation. Each individual building is equipped with a control panel that can be used to initiate building-wide voice commands. Global (campus wide) voice commands can be initiated from one of two designated buildings—the campus Sheriff's Office and the Physical Plant building. The control panel located in the Sheriff's Office serves as the master page panel, and the control panel located in the Physical Plant Building serves as a slave panel to the master page panel. Both panels have the ability to initiate campus wide voice commands, in the event of an emergency.

Smoke alarms are located in individual living quarters in Crestone, Culebra, and Greenhorn halls. Belmont Hall utilizes battery-powered smoke alarms while Crestone, Culebra, and Greenhorn halls utilize 120VAC hardwired units with battery back-up. As noted above, these are used only for local evacuation purposes within the room and are not connected to the building fire alarm system.



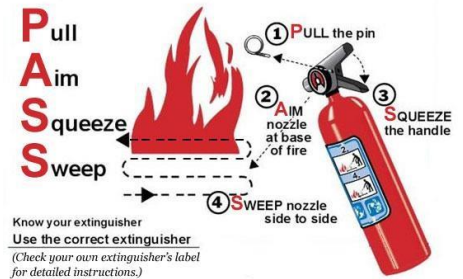
## EVACUATION PROCEDURES

<https://www.csupueblo.edu/facilities-management/environmental-health-safety/fire-safety.html>.

## FIRE EXTINGUISHER PROCEDURES

<https://www.csupueblo.edu/facilities-management/environmental-health-safety/fire-safety.html>

To operate an extinguisher:



## FIRE EMERGENCY – Call 911



<b>Fire Suppression and Detection Systems</b>						
<b>Building</b>	<b>Fire Alarm</b>	<b>Room Detection</b>	<b>Room Detection Reporting</b>	<b>Central Station Reporting</b>	<b>Automatic Sprinkler System</b>	<b>Stand Pipes</b>
<b>Belmont Hall</b>	Yes	Yes	No	Yes	Partial	Yes
<b>Culebra Hall</b>	Yes	Yes	No	Yes	Yes	Yes
<b>Crestone Hall</b>	Yes	Yes	No	Yes	Yes	Yes
<b>Greenhorn Hall</b>	Yes	Yes	No	Yes	Yes	Yes
<b>Walking Stick Apartments</b>	Yes	Yes	No	Yes	No	No

<b>Fire Drills</b>	
<b>Belmont Hall</b>	0
<b>Culebra Hall</b>	2
<b>Crestone Hall</b>	2
<b>Greenhorn Hall</b>	2
<b>Walking Stick Apartments</b>	1

### **Tampering with Fire and Safety Equipment**

Tampering with fire and safety equipment in the residence halls or in any campus building is prohibited. Tampering includes pulling false fire alarms, discharging fire extinguishers, removing exit signs, and interfering with smoke detectors. Violators will be charged for all damages that occur as a result of tampering with fire and/or safety equipment. In addition, all violators are subject to conduct sanctions and possible criminal prosecution.

## Electrical Appliances, Smoking, and Open Flame Policies

To help ensure a safe living environment, only the following appliances are permitted in the residence halls: microwave ovens (less than 700 watts), refrigerators (no more than 4 cubic feet), coffee pots, air popcorn poppers, pop-up toasters, hair dryers, electric shavers, radios, TVs, stereos, and irons. Microwave ovens are the only cooking appliances permitted for use in student rooms. No homemade electrical appliance will be permitted. Students who plan to operate appliances in their room must provide an UL-approved power strip with a self-contained circuit breaker. Octopus plugs are not permitted. Additionally, residents must be present when using any cooking appliance or iron in student rooms or in hall kitchens.

Items NOT allowed include but are not limited to: electric heaters, oil popcorn poppers, hotplates, toaster ovens, "George Foreman" or similar type grills, open coiled or open flame appliances, deep fryers, convection ovens, and any appliances with an open heating element and torchiere lamps and neon lights. Only those halogen lights with guards will be permitted.

Candles used with a candle warmer are allowed in the residence hall. Any candles with wicks that have been burned will be confiscated. Incense and any item with an open flame or exposed heat source are potential fire hazards and are prohibited.

Tobacco use and smoking to include, cigarettes, e-cigarettes, vape pens, and chewing tobacco is prohibited in all campus buildings and on all campus grounds whether the property is owned or leased by CSU-Pueblo, and in all campus-owned vehicles. Please refer to the University's *Smoking and Tobacco Policy* for more information.

Gasoline, kerosene, ether, oil, and any other flammable liquids are prohibited in residence halls.

## Fire Safety Education

Additionally, the following steps are taken in regards to fire safety education:

- ✓ Residence hall students are informed of evacuation procedures at the beginning of the academic year at floor meetings.
- ✓ Fire drills involving evacuation are held every semester in the residence halls.
- ✓ Residence hall advisors and staff members are trained on evacuation procedures and fire extinguisher use.





# Fire Statistics

Fire Statistics												
Building	Fires			Fire-related Fatalities			Fire-related Injuries			Value of Property Damages		
Year	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
Belmont Hall	0	0	0	0	0	0	0	0	0	\$0	\$0	\$0
Culebra Hall	0	1	0	0	0	0	0	0	0	\$0	\$0	\$0
Crestone Hall	0	0	0	0	0	0	0	0	0	\$0	\$0	\$0
Greenhorn Hall	0	0	0	0	0	0	0	0	0	\$0	\$0	\$0
Walking Stick Apartment	0	0	0	0	0	0	0	0	0	\$0	\$0	\$0

NOTE: Belmont Residence Hall closed to residents May 2015.



# CAMPUS CRIME STATISTICS

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# Colorado State University – Pueblo Crime Statistics

## CATEGORIES OF CRIME STATISTICS AS REQUIRED BY *CLERY ACT*

1. **TYPES OF OFFENSE:**
  - a. Murder and non-negligent homicide
  - b. Negligent manslaughter
  - c. Forcible Sex Offenses
  - d. Non-forcible Sex Offenses
  - e. Robbery
  - f. Aggravated Assault
  - g. Burglary
  - h. Motor Vehicle Theft
  - i. Arson
  - j. Dating Violence
  - k. Domestic Violence
  - l. Stalking
  - m. Hate Crimes (Disclose whether any of the above-mentioned offenses, or any other crimes involving bodily injury were hate crimes.)
  
2. **HATE CRIMES – REPORTED BY CATEGORY OF PREJUDICE**
  - a. Theft
  - b. Simple Assault
  - c. Intimidation
  - d. Criminal Mischief/Property damage
  - e. Any other crime involving bodily injury

Hate crime categories of prejudice include race, gender, religion, national origin, sexual orientation, gender identity, ethnicity or disability
  
3. **ARRESTS OR REFERRALS FOR DISCIPLINARY ACTION** - For illegal weapons possession and violation of drug and liquor laws.
  
4. **UNFOUNDED CRIMES** – A reported crime withheld from the statistics due to a full investigation and examination of evidence by law enforcement which determines that the crime is false or baseless.

## DEFINITIONS OF STATISTICS

**ON-CAMPUS CRIME STATISTICS:** On-campus crime statistics reflect crimes committed anywhere on the CSU-Pueblo campus. This includes the residence halls and Walking Stick Apartments.

**RESIDENCE HALL CRIME STATISTICS:** The residence hall data is a subset of the on-campus data. This data represents only reportable criminal activity that occurred in on-campus housing.

**NON-CAMPUS BUILDING CRIME STATISTICS:** This data represents crime in non-campus buildings that are being used by the University.

**PUBLIC PROPERTY CRIME STATISTICS:** This data represents reported crimes that occurred on public property. Public property as defined by the *Clery Act* is all public property that is within the same reasonably contiguous geographic area of the institution to include public streets and sidewalks.

CSU-Pueblo Clery Crime Statistics	On Campus			Campus Housing			Non Campus			Public Property		
	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
<b>Criminal Offenses</b>												
Murder and Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offense												
Rape	4	6	0	3	5	0	0	0	0	0	0	0
Fondling	2	1	3	1	1	2	0	0	0	0	0	0
Non-forcible Sex Offense	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	8	8	1	1	0	0	0	0	0	0	0	0
Motor Vehicle Theft	7	3	0	0	0	0	1	0	0	0	0	0
Arson	1	0	0	0	0	0	0	0	0	0	0	0
<b>Arrest or Summons</b>												
Illegal weapons	0	0	0	0	0	0	0	0	0	0	0	0
Violations of Drug Laws	7	11	9	4	10	9	0	0	0	0	0	0
Violation of Liquor Laws	26	23	18	21	23	18	0	0	0	0	0	0
<b>Referrals for Disciplinary Actions Only</b>												
Illegal Weapons	0	0	0	0	0	0	0	0	0	0	0	0
Drug Violations	18	18	26	18	18	26	0	1	0	0	0	0
Liquor Violations	51	59	54	51	59	54	3	0	0	0	0	0
<b>Hate Crimes</b>												
Murder / Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offense	0	0	0	0	0	0	0	0	0	0	0	0
Non-forcible Sex Offense	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Larceny / Theft	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	1*	0	0	0	0	0	0	0	0	0	0
Destruction / Damage / Vandalism of Property	0	1	1	0	0	1	0	0	0	0	0	0
<b>Violence Against Woman Act Offenses</b>												
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	5	1	0	4	1	0	0	0	0	0	0
Stalking	0	1	3	0	0	1	1	0	0	0	0	0
<b>Unfounded</b>												
Unfounded Crimes	0	0	0	0	0	0	0	0	0	0	0	0

- Category of Bias
  - Vandalism – Gender Identity

**Colorado Law Defines Consent as:** Cooperation in act or attitude pursuant to an exercise of free will and with knowledge of the nature of the act

**Hate Crimes include any of the listed criminal offenses which are motivated by the following biases:**  
Race, gender, religion, national origin, sexual orientation, gender identity, ethnicity or disability

**The following three types of incidents must be reported if they result in an arrest or summons:**

1. Liquor Law Violations; 2. Drug Law Violations; and 3. Illegal Weapons Possession

**Non-Campus Property:** CSU-Pueblo Extended Studies sites (Fort Carson, and Tower location in Colorado Springs, East High School), CSU-Pueblo Athletics practice and competition sites (Runyon Field Sports Complex, City Park Tennis Complex, Walking Stick Golf Course, Pueblo Country Club Golf Course, Colorado State Fair Grounds, Pueblo Tennis Center) and CSU-Pueblo School of Nursing instruction sites (Banner Health Facility, Colorado State University Library)

**Public Property:** The portions of Walking Stick Blvd. and Desert Flower Blvd. which run through and/or adjacent to campus



# Campus Emergency Call Box Map



## PARKING SECTORS

- NORTH:** N-1, N-2, N-3, N-4, N-5, N-6, N-7, N-8  
**EAST:** E-1, E-2, E-3, E-4, E-5, E-6, E-7, E-8 (north & south), E-9, E-10, E-11  
**SOUTH:** S-1, S-2, S-3, S-4  
**WEST:** W-1, W-2, W-3, W-4, W-5, and W-6 (north & south)

\*Visitors with permit may park in visitors lot or white lines only

- Emergency Phones
- Handicapped
- Call Box Location



I-25 Exit 101 at U.S. 50.  
 East to Bonforte Blvd. or  
 Troy Ave. exits

2200 Bonforte Blvd. • 719-549-2100 • www.csupueblo.edu