



Auraria Higher Education Center

Annual Security Report through 2020

Prepared by the
Auraria Campus Police Department
Providing full police services to:



CAMPUS SECURITY AND SAFETY

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

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

DEFINITION OF CAMPUS

The term "campus" means:

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

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

The Lowry Campus is defined as those properties, private streets, retail operations, and facilities owned by the State of Colorado and used by students, staff, faculty and visitors, which are roughly bounded by Lowry Boulevard, Yosemite Street, 11th Avenue, and Dayton Street.

The Advanced Manufacturing Center (AMC) is located at 2570 31st Street, Denver, CO 80216. The AMC is roughly bounded by 31st Street, Elati Street and privately owned properties to the south and east. The AMC began being used for classes for Fall of 2015 (August 17, 2015).

Note: the Community College of Denver does not have any residential facilities.

DEFINITION OF NON-CAMPUS

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

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

Note: the Community College of Denver does not have any off-campus student organizations.

DEFINITION OF PUBLIC PROPERTY

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

STATUS OF CAMPUS SAFETY

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

The Lowry campus as well does not have any housing facilities and typically has very few crimes reported to Lowry Campus Security.

The Advanced Manufacturing Center also does not have any housing facilities and has no reported crimes to Denver Police Department District 1.

REPORTING CRIMES AND EMERGENCIES

Crime reports can be made at any time. Auraria Campus Police Department services are available 24 hours a day, seven days a week. Priority is given to reports of incidents that threaten the life or safety of people, the security of property and the peace of the community.

Colorado Revised Statutes, 18-8-115, "Duty to Report a Crime", requires all persons who believe a crime has been committed to promptly report the suspected crime to law enforcement authorities. **When on campus, these crimes must be reported to the Auraria Campus Police Department.** To report a crime, use one of the emergency telephones located in every classroom building for immediate, direct access; or call 911 from any campus phone for emergencies or call 303-556-5000 for other police assistance. Cell phones and off-campus calls dial (303) 556-5000. Messages can also be sent via the Text-a-Tip line at 720-593-TIPS (8477).

Call the Auraria Campus Police Department if:

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

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

The Auraria Campus Police Department also provides an anonymous reporting option for victims of crimes who do not wish to be identified. Victims of crimes who wish to remain anonymous may report via the ACPD web site at [AHEC Crime Report Form](#) . Additionally, an Incident Form is available, at ccd.edu/incidentreport or (303) 352-3205. This form should be used by any campus official who is designated as a Campus Security Authority (CSA) (includes the following: Deans, athletic coaches, student activities coordinators, student conduct educators, and faculty advisors to student organizations) to complete as they become aware of a crime even when the victim wishes to remain anonymous.

Clery Act crimes can be reported to any designated campus security authority, however for timely reporting and collection it is preferred to report crimes to the Office of Student Conduct and the Auraria Campus Police Department. The Auraria Campus Police Department encourages professional and pastoral counselors, although not required to report crimes, to tell victims about the Confidential Reporting Process.

If a serious crime that may cause an ongoing threat to the campus is reported to a CSA, they are to directly report that incident to the Auraria Campus Police immediately. The College has a responsibility to notify the campus community about any crimes which pose an ongoing threat to the community, and as such, Campus Security Authorities are obligated by law to report crimes

immediately to the Auraria Campus Police Department.

On the Lowry Campus

Both Auraria Police and Lowry Security Departments work closely with the Aurora and Denver Police Departments. Administrative offices are located at 15001 E Alameda Pkwy, Aurora or 1331 Cherokee St, Denver. The Departments have officers available 24 hours a day and the Departments can be reached by calling Aurora: (303) 627-3100, Denver: (303) 913-2000 or 911 for emergencies. The appropriate police department responds to all campus incidents reported by students, faculty, staff, and members of the general public. Moreover, these agencies are contacted annually and a request for each campus crime statistics is arranged.

Emergency response for fire, ambulance, or hazardous materials is the joint responsibility of the Aurora or Denver Fire Department and the Aurora or Denver Police Department.

Students, staff, and visitors should promptly report criminal incidents, accidents, and other emergencies to the Aurora or Denver Police Department by dialing 911. Individuals may also report incidents in person at the campus security office at the Lowry Campus (located at 700 Boston Street, Building 999, Denver, CO 80230). The College has installed emergency two-way call boxes (Code Blue phones) throughout the Lowry campus. By pressing the red button on the stations, users communicate directly with an emergency communications officer or security. Members of the campus community are encouraged to report any activity, situation, or conduct that disrupts, adversely affects, or interferes with the function of the College and the pursuit of its educational purpose.

The Advanced Manufacturing Center

The Denver Police Department District 1 offices are located at 1311 West 46th Avenue, Denver CO 80211. The Department has officers available 24 hours a day and can be reached via email at 1.Dist@denvergov.org, phone at 720-913-0400 or 911 for emergencies. The Denver Police department responds to all campus incidents reported by students, faculty, staff and members of the community. This department is contacted annually for crime statistics.

Students, staff and visitors should immediately report any criminal activities, accidents and any emergency to the Denver Police Department by dialing 911.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

The Auraria Higher Education Center has developed an Emergency Operations Plan that provides a comprehensive set of guidelines for directing resources before, during and after campus emergencies and disasters. The Auraria Campus Police Department is very proactive in training all police officers and the community for emergency preparedness, response and recovery. The plan includes a set of guidelines for emergency procedures which are posted with evacuation diagrams in all the campus buildings. In addition, these guidelines can be found at: [Emergency Procedures Guide](#).

A Campus Safety Video outlines emergency guidelines for the campus, is available on the AHEC website at ahec.edu, and can be viewed by visiting: [Campus Safety Video](#). The video is played as part of new faculty/staff orientations and ongoing Workplace Answers modules. Faculty may choose to play it for classrooms.

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

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

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

The Community College of Denver has contracted with AppArmor, an emergency notification provider, to send alert text messages to cellular phones and distribute voice messages in the event of an emergency situation which may pose an immediate threat to the health or safety of the campus community. All faculty, staff and students are enrolled in our notification system so that the campus community is alerted to an emergency event. Once enrolled, individuals may opt out but CCD encourages every member of the college community to participate in the emergency notification system. AppArmor is used for timely warnings at Auraria campus as well as Lowry and AMC locations.

CRISIS COMMUNICATIONS PLAN – TIMELY WARNINGS AND IMMEDIATE NOTIFICATIONS

Purpose

This plan provides guidelines for communicating within the campus, and from the campus to the media and the public, in the event of an emergency or crisis. Disasters, emergencies and crises disrupt the normal activities of the campus and may require activation of the AHEC Emergency Operations Plan. This Crisis Communications Plan describes the role of Communications and Campus Relations in communicating vital information to members of the Auraria community and the public. This plan is to be flexibly used with emergency decision-making procedures of the campus.

Elements should be tested annually in conjunction with campus-wide emergency drills.

Appendices should be checked for accuracy and completeness at least annually, and as often as necessary.

Objectives

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

Assessment & Notification Procedures

- 1) **Assessment** – The Chief of Safety & Communications (CSC) or their designee will be made aware of a potential crisis or emergency by the Chief of the Auraria Campus Police Department or their designee. The Chief of Police and CSC or their designees then determines whether it is appropriate to invoke this plan and activate all or part of the Crisis Communications Plan. Once activated, the CSC will notify each of the institutional Communications Directors/Public Information Officers or their backups as soon as practical.
- 2) **Issuance of a “Timely Warning”** – Per the requirements of the Clery Act, “Timely Warning” advisories are made to the campus community for crimes that are reported to the Auraria Campus Police Department or local police and which may represent an ongoing threat to the safety of students or employees. The Chief of the Auraria Police Department or their designee shall make the decision as to whether an incident poses an ongoing threat and if a “Timely Warning” advisory is required. In the event that an advisory is required, the Chief of Police or their designee shall provide the AHEC CSC or their designee with the specifics of the case for the purpose of drafting the “Timely Warning” advisory. In all cases, Timely Warning advisories are then sent by AHEC staff via electronic mail directly to all staff, faculty, and students on the Auraria Campus using their institution-provided email accounts.
 - These advisories may also be made using one or a combination of the following methods:
 - Press Releases
 - Crime Advisories
 - Making reports available to the campus community and media through campus websites and newspapers, and radio and television news stations
 - Advertising in campus publications
- 3) **Issuance of an “Immediate Notification”** – In the event that there is a confirmed

significant emergency or dangerous situation involving an immediate threat to the campus community (per the judgment of the Chief of the Auraria Campus Police Department or their designee), AHEC will, without undue delay, and taking into account safety of the community, determine the content of the notification and initiate the immediate notification system. However, if in the professional judgment of responsible authorities the notification may compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency, the notification may be delayed.

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

Crisis Communications Spokesperson

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

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

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

Incidents that are not crime-related will follow similar guidelines. Situations that affect a single institution, such as a student death, will be represented by the respective PIO. Situations that

involve the campus facilities or operations, such as a natural disaster, will be represented by the AHEC CSC.

On the Lowry Campus and Advanced Manufacturing Center, the spokesperson will be the highest ranking individual who has direct knowledge of the events. On the Lowry Campus, that will most likely be the Director of Security.

LAW ENFORCEMENT AUTHORITY AND INTER-AGENCY RELATIONSHIPS

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

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

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

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

AURARIA CAMPUS POLICE DEPARTMENT

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

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

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

SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS

A community and its police must do more than simply react to crime. It is important to look for opportunities to deter and/or prevent crime. The Auraria Campus Police Department provides the following services and programs to improve safety on campus and to make the community aware of campus crime and efforts to reduce criminal activity, as well as to minimize their chances of becoming a victim.

Programs provided by the Auraria Campus Police Department include:

**EACH SEMESTER/ON REQUEST
Student Classes & Staff/Faculty
Orientations**

This presentation on crime, personal safety, and security is available for classes and new staff/faculty orientations.

**ON GOING/SET HOURS
Fingerprinting**

Fingerprinting is available to members of the campus community. (Effective September 24, 2018 Auraria Campus was no longer be able to provide this service.)

**ON REQUEST
Drug Information Seminars**

These talks cover recognition of controlled substances, their effects on people, and what to do if one suspects that someone is using or selling drugs.

**ON GOING
Crime Analysis**

Auraria Police staff will review reported crimes and determine if focused patrol activity may be required for repeated offenses in any given area.

**EACH SEMESTER/ON REQUEST
Personal Safety on Campus**

This program, usually given to small groups, covers ways to avoid being the victim of physical or sexual assault

**ON GOING/ON REQUEST*
MSU Denver Counseling Center Alcohol/Drug
Abuse Prevention Program**

An MSU Denver substance abuse education, prevention and referral program.

**ON REQUEST
Robbery Prevention**

This seminar, given to cashiers, gives tips on how to survive an armed robbery and be a good witness.

**ON GOING
Electronic Alarm Systems**

Auraria Police monitors intrusion, fire, environmental and general emergency alarms with the help of a sophisticated computerized monitoring system. The terminal for the alarm readouts is at the Auraria Facilities Services building.

<p>ON GOING Escort</p> <p>A Nightrider and Escort service is available through the Parking and Transportation Services Office. After hours, Auraria Police will provide a limited escort service for people walking on campus. Students, staff, and faculty are always encouraged to walk with others when possible and to choose paths that are well illuminated.</p>	<p>ON GOING/EACH SEMESTER or ON REQUEST Date/Acquaintance Rape Awareness Education</p> <p>The purpose of this educational program is to increase awareness of date/acquaintance rape at Auraria. R.A.D. (Rape Aggression Defense) classes available.</p>
<p>ON REQUEST Security Surveys</p> <p>Upon request, officers will evaluate a facility's physical security and make recommendations for improvements.</p>	<p>ON REQUEST Crisis Follow-ups</p> <p>Offered through Counseling Services of each institution, crisis follow-up sessions are provided for mental health concerns and to individuals who have been victims of violence. Information is presented regarding personal safety and coping with traumatic events.</p>
<p>ON REQUEST Theft and Fraud Seminars</p> <p>These presentations are usually given to people working in areas where check and credit card fraud occurs (such as the Bookstore, Bursar's Office, Recreation Center, etc.). The talk covers commonly used scams, how to recognize them, and what to do when they occur.</p>	<p>ON GOING Bike Theft Prevention</p> <p>Community Services hosts Bicycle Clinics each semester providing helpful tips on preventing bike thefts and the bike theft problem on campus.</p>
<p>ON GOING Architectural Design</p> <p>Auraria Police has significant input into the design of all new and renovated campus facilities with regard to physical and electronic security systems.</p>	

SECURITY OF AND ACCESS TO CAMPUS FACILITIES

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

Work orders noting security issues with campus facilities can be filed online at ahec.edu/workorder or called in at 303.556.3260.

Annually, each fall, a Campus Safe Night event is held, which tours the campus after dark and provides suggestions for security enhancements.

For the Lowry Campus: All academic buildings are unlocked during normal academic hours. Admission to any college facility after hours is limited to authorized persons with a building key. Buildings are secured by facilities and security personnel, and parking lots and buildings are periodically patrolled by security officers 24/7 at the Lowry Campus.

The Advanced Manufacturing Center follows the established class schedule for entry. The Facility is consistently staffed by authorized personnel of the college who secure the building. The area in which the Advanced Manufacturing Center is located is also in the patrol area of Denver Police Department.

ALCOHOL AND DRUG POLICY

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

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

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

The sale of alcoholic beverages is prohibited except in areas, at times, and on dates licensed by the Colorado State Department of Revenue.

Persons under 21 years of age cannot legally possess or consume alcoholic beverages of any kind. The furnishing of alcoholic beverages to under-aged persons is prohibited.

Alcohol cannot be consumed or carried in open containers on any street, sidewalk, alley, automobile, or public area (except as noted herein).

SERVING ALCOHOL

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

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

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

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

ILLEGAL DRUGS

The policy for Auraria and the institutions prohibit the sale, manufacture, distribution, use or possession of illegal drugs on the Auraria Campus. This policy applies equally to administrators, faculty, staff, and students.

NOTE: The CCD Student Code of Conduct states: Although possession and use of marijuana consistent with the requirements of the Colorado Constitution is no longer a crime in the State of Colorado, the possession and use of marijuana remains illegal under federal law. Consistent with federal law, including the Controlled Substances Act and the Drug Free Schools and Communities Act, the use and/or possession of marijuana continues to be prohibited while a student is on college owned or college controlled property, and/or any function authorized or supervised by the college and/or in state owned or leased vehicles.

For the Lowry Campus and Advanced Manufacturing Center, the CCD Code of Conduct applies for CCD students.

VIOLATION OF DRUG POLICY

Sale, distribution or manufacturing of illegal drugs by a member of the Auraria Campus community will normally result in the administration taking action to curtail the activity. This policy applies within or upon the grounds, buildings, or any other facilities of the campus.

Sanctions may be imposed upon individuals found in violation of these policies, as well as violation of laws controlling drugs and alcohol.

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

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

POTENTIAL SANCTIONS FOR VIOLATIONS OF THE ALCOHOL AND DRUG POLICY

At the Community College of Denver, any student who is found to be in violation of the alcohol and/or drug policy will be adjudicated under the Student Code of Conduct: ccd.edu/studentcode. If found responsible for a violation, the student may face sanctions, which range from warning to expulsion as well as educational or restorative sanctions.

Disciplinary sanctions for employees who violate the foregoing standards of conduct shall be subject to disciplinary sanctions which may include, without limitation, completion of an appropriate rehabilitation program, reprimand, probation, corrective action, demotion, reassignment with or without salary adjustment, suspension with or without pay, and termination. Disciplinary sanctions shall be consistent with local, state and federal law and shall be administered in accordance with state personnel system rules, procedures and policies or State Board or Community College of Denver policies and procedures. In addition to the foregoing disciplinary sanction, violations may be reported to law enforcement authorities for criminal prosecution.

Any student on the Lowry Campus or Advanced Manufacturing Center, is held to the same conduct standards and processes as all CCD students as outlined in the CCD Student Code of Conduct.

DEFINITIONS:

- a) "Illicit drugs" shall mean controlled substances listed in Schedules I-V of the Controlled Substances Act, 21 U.S.C. 812, and related federal regulations, 21 C.F.R. 1308.11 – 1308.15 as they may be amended from time to time and Schedules I-V of title 12, article 22, part 3 of the Colorado Revised Statutes as it may be amended from time to time. "Illicit drugs" shall include controlled substance analogs as defined by federal and state

law.

- b) "Alcohol" shall mean any beverage containing not less than 0.5% ethyl alcohol by weight.
- c) "Property" shall mean any property owned leased, chartered or occupied by the College including motor vehicles, boats and aircraft.
- d) "Activities" shall mean any act or event sponsored or participated in by the College including their constituent administrative units and approved student organizations. Without limitation, "activities" shall include all athletic events, faculty, staff and students meetings, conferences, field trips, retreats and all other acts or events for which the College pays expenses, or provides facilities, services, supplies or transportation. "Activities" shall not include incidental work-or study-related activities which employees perform in their personal, off-campus residences or purely social events which are held off-campus and are organized or attended by employees solely in their personal capacities.

RESOURCES FOR STUDENTS AND EMPLOYEES

In compliance with the Drug Free Schools and Communities Act, CCD students are sent the information about alcohol and drugs on at least an annual basis. Typically, the Director of Student Conduct and Support sends this around October 1st and March 1st. The following was sent September 17, 2020 and has updated resource information:

CCD cares about students' health, safety, and academic success and has a long-standing commitment to proactively address high-risk drinking and substance use. Illegal use and abuse of alcohol or other drugs can interfere with the academic learning process and risks the health and safety of individuals and the campus community. Like many colleges across the country, our goal is to improve academic success and the quality of student life on campus by increasing healthy lifestyles and reducing the harm associated with substance use. To aid in this success and to comply with DFSCA, we offer you the following information.

To learn about the health effects of alcohol and other drugs, check out: <https://www.samhsa.gov/adult-drug-use>.

If you are convicted of a drug offense that occurred while you were receiving federal student aid (grants, loans, or work-study), **it may affect your ability to obtain federal student aid**. If you are convicted of a drug-related offense after you submit the FAFSA form, you might lose eligibility for federal student aid, and you might be liable for returning any financial aid you received during a period of ineligibility.

The **CCD Student Code of Conduct** (ccd.edu/studentcode) includes campus policies and standards of conduct regarding alcohol and other drug use and related sanctions. All CCD students are expected to know and abide by these expectations in support of a productive, safe, and respectful community.

- CCD students are expected to **not** use, be under the influence of, make, possess, distribute, buy or sell alcohol and/or drugs including paraphernalia while on campus, in class, or at college events.
- **Students who are aged 21+** may responsibly and legally consume alcohol in the Tivoli Tap Room, at Infinitus pie, and at Auraria functions serving alcohol in accordance with Auraria Higher Education Center (AHEC) alcohol service policy. Attending class while under the influence of alcohol, even if legal age, conflicts with campus policies.

- Although Colorado law has legalized **marijuana** for individuals aged 21+, marijuana remains prohibited by Federal law and DFSCA. Thus, marijuana (including medical marijuana) is included in campus policies and is not allowed to be consumed, possessed, etc., on campus property regardless of age.
- Students suspected of violating alcohol and/or drug codes of conduct will be referred to the Office of Student Conduct and/or addressed by Auraria Campus Police Department.
- For those found responsible of violating alcohol and/or drug policies, potential consequences depend on the severity of the situation, a student's conduct history, a student's response to the situation, and the real or potential impact of the concerns. Sanctions range from warning to expulsion, and often include educational and supportive outcomes such as workshops, alcohol/drug evaluations, follow-up meetings, research/reflection papers, or counseling.

For information about Colorado laws, see <https://leg.colorado.gov/agencies/office-legislative-legal-services/colorado-revised-statutes>

There are a variety of treatment programs, counseling centers, and other related resources available for support related to substance use on campus and within the community, including:

Auraria Campus/CCD Resources:

- CCD Counseling Center: 303.352.6436, ccd.edu/Counseling
- Health Center at Auraria: 303.556.2525, msudenver.edu/healthcenter
- Auraria Campus Crisis Line: 303-615-9911, ColoradoCrisisServices.org
- Auraria Recovery Community: for more information, contact recoverycommunityinfo@gmail.com

Community (State/National):

- Alcoholics Anonymous (AA): daccaa.org/meetings.htm
- Colorado Crisis Services: 1.844.493.8255, coloradocrisiservices.org
- Colorado Division of Behavioral Health: colorado.gov/pacific/cdhs/behavioral-health
- Substance Abuse and Mental Health Services Administration (SAMHSA): SAMHSA.gov
- StartYourRecovery.org

By County:

- Adams: Community Reach Center, communityreachcenter.org
- Arapahoe/Douglas: AllHealth Network, 303.730.8858, allhealthnetwork.org
- Boulder, Broomfield: Mental Health Partners, 303.443.8500, mhpcolorado.org
- Denver: Mental Health Center of Denver: 303.504.6500, mhcd.org
- Jefferson County Mental Health Center: 303.425.0300, jcmh.org

If you are concerned about a CCD community member due to alcohol or other drug use, mental health concerns, academic issues, or other reasons, the **CCD Care Team** is also available as a resource. Visit ccd.edu/care for more information and to submit a Care report.

If you have any questions about campus policies, student conduct processes, or anything else, please contact the Office of Student Conduct and Care at 303-352-3205.

The Director of Human Resources sends a version to all employees which includes the following additions:

The Community College of Denver recognizes that substance abuse and dependence are treatable disorders. The college encourages employees and students to utilize treatment services and referral resources to address these serious conditions.

The Community College of Denver provides all employees and volunteers with a copy of the Drug Free

Workplace Policy statement which is based on SBCCOE Policy BP 3-24 upon their hire. Employees are required to sign the Employee Acknowledgement form verifying receipt and acknowledging compliance as a condition of employment. In addition, the SBCCOE policy and procedures regarding Drug Free Workplace and Drug Free Schools is reviewed with employees at new employee orientation. Information related to BP 3-24 – Drug Free Workplace, is also contained in the Faculty hand book and includes information on sanctions and reporting of convictions.

Policies and procedures are published on-line at:

State Board for Community Colleges and Occupational Education Board Policy: <https://www.cccs.edu/bp-3-24-drug-free-workplace/> - BP 3-24 Drugfree Workplace

Colorado Community College System President's Procedure: <https://www.cccs.edu/sp-3-24-drug-free-workplace/> - SP 3-24 Drug-Free Workplace

State Board for Community Colleges and Occupational Education Board Policy: <https://www.cccs.edu/bp-19-30-drug-free-schools/> - BP 19-30 – Drug Free Schools

Colorado Community College System President's Procedure: <https://www.cccs.edu/sp-19-30-drug-free-schools/> - SP 19-30 – Drug Free Schools

AHEC Policy – Special Events Involving Alcohol - <http://www.ahec.edu/files/general/Policy-Special-Events-Involving-Alcohol.pdf>

The college provides the following support services to faculty and staff

Faculty and Staff Assistance

- Family Medical Leave: Employees afflicted by substance dependence may be eligible for leave under the Family Medical Leave Act. <https://www.ccd.edu/docs/family-medical-leave-act-poster>
- Americans with Disabilities Act Coordinator: All employees, including those who do not qualify for Family Medical Leave, may be eligible for job-protected leave or other reasonable accommodations under the ADA if they have a qualifying disability.
- Colorado State Employee Assistance Program (CSEAP): Provides short term counseling for Faculty and Staff <https://www.colorado.gov/c-seap>

State Service and Assistance

- The Colorado Division of Behavioral Health maintains an online resource to help residents find treatment providers for those seeking assistance <https://www.colorado.gov/pacific/cdhs/behavioral-health>

POLICY STATEMENT FOR ANNUAL SECURITY REPORT

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

The Community College of Denver (CCD) does not discriminate on the basis of sex in its educational programs; sexual harassment and sexual violence are considered types of sex discrimination. Other acts may also be defined as forms of sex-based discrimination and are

also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, CCD issues this statement of policy to inform the community of our comprehensive plan that addresses sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on- or off-campus and when it is reported to a College official. In this context, CCD prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment to emphasize the dignity and worth of all members of the College community.

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

Additionally, the Board has delegated procedural authority to the CCCS President. As a result, the pertinent CCCS System President's Procedures (SP) on Sexual Misconduct are found at: <https://www.cccs.edu/about-cccs/state-board/policies-procedures/>. SP 19-60 - Civil Rights and Sexual Misconduct Resolution Process applies to students, employees, authorized volunteers, guests and visitors.

Definitions

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

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

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

- substantially inconsistent with reasonable medical practices; or
- The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented.

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

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

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. There is no Colorado state law on dating violence; therefore, the College abides by the definition used in the Violence Against Women Reauthorization Act (VAWA) of 2013.

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

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

- Makes a credible threat to another person and, in connection with the threat, repeatedly follows, approaches, contacts, or places under surveillance that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship; or
- Makes a credible threat to another person and, in connection with the threat, repeatedly makes any form of communication with that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship, regardless of whether a conversation ensues; or
- Repeatedly follows, approaches, contacts, places under surveillance, or makes any form of communication with another person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship in a manner that would cause a reasonable person to suffer serious emotional distress and does cause that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship to suffer serious emotional distress.

For purposes of this paragraph (c), a victim need not show that he or she received professional treatment or counseling to show that he or she suffered serious emotional distress.

Additional definitions as it relates to “Stalking” under Colorado law:

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

Source: 34 CFR §668.46(j)(1)(i)(A)-(F)

Education and Prevention Programs

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

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

Educational programs are offered to raise awareness for all students and employees, and are often conducted during New Employee Orientation and throughout a student's college experience. These educational programs and others offered throughout the year include strong messages regarding not just awareness, but also primary prevention. Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party

intervention and prevention such as calling for help, using intervention-based apps, identifying allies and/or creating distractions.

Educational programs also offer information on risk reduction that strives to empower victims, how to recognize warning signals and how to avoid potential attacks, and do so without victim-blaming approaches. Throughout the year, ongoing awareness and prevention campaigns are directed to students and employees, including faculty, often taking the form of campaigns, emails, guest speakers, and events.

The College has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students. CCD also facilitates New Employee Orientation several times annually. CCD Student Life and Student Conduct & Support work closely with the Phoenix Center at Auraria to provide educational programming such as bystander intervention, featured speakers, relationship assessment, Denim Day, the Clothesline project, the Red Flag campaign, self-defense classes, and others. The Phoenix Center at Auraria serves CCD students and staff with confidential victim advocacy services.

The College offers primary prevention, awareness, and resource information about domestic violence, dating violence, sexual assault, and stalking for all incoming students during in person and online versions of New Student Orientations. On each of the following dates, and as an online module, students were provided with written materials and Title IX information was included in a presentation called Student Rights & Responsibilities. A resource fair including the Office of Student Conduct & Care and the Phoenix Center at Auraria is included in in-person New Student Orientations. New Student Orientations in 2019 therefore covered the following program requirements:

- a = description of institution's educational programs and campaigns to promote the awareness of dating violence, domestic violence, sexual assault, and stalking
- b = description of institution's ongoing prevention and awareness campaigns for students and employees
- c = procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred
- e = statement that the institution will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance student financial aid, and other services available for victims

New Student Orientations in 2020 occurred on:

January: 6, 16

April: 10, 16, 19, 21, 22, 28, 29, 30

May: 21

June: 2, 16, 17, 18

August: 5, 11, 13

November: 11

The College offered primary prevention, awareness, and resource information about sexual

Title	Length	Intended Audience	Description
PCA Overview	15 – 30 minutes	All	The PCA Overview presentations review the services available to students, faculty, staff and residents of CU Denver, CU Anschutz, Metro State University-Denver and Community College of Denver.
Supporting Survivors	1.5-2 hours	All	This skill-building session breaks down myths about survivorship, discusses the origins of victim blaming, and dives into how to respond when receiving a disclosure.
Interpersonal Violence 101	1-1.5 hours	Students	This session provides a general overview of all aspects of interpersonal violence and includes activities to help participants think about the dynamics of violence and issues such as consent, healthy relationships, and how to help a friend.
Interpersonal Violence 301	2 hours	Graduate students, faculty, staff	Interpersonal Violence (IPV) 301 is a graduate-level curriculum addressing interpersonal violence in our society through collaborative discussions regarding identity and privileges, and the intersections with interpersonal violence, effective bystander intervention, media literacy, and developing professional and empowering responses to survivor disclosures
Healthy Relationships: What's healthy? What's hurting?	1-1.5 hours	Students	An interactive discussion in which facilitators and participants work to create a shared definition of healthy relationships (intimate or otherwise) by placing emphasis on the importance of our personal values, boundaries and needs. The group also explores healthy ways love is expressed, harbingers of relationships in trouble, and power and control dynamics.
Bystander Intervention	1 – 1.5 hours	All	This workshop discusses bystander intervention and works to develop strategies to intervene in difficult situations. The focus of this workshop is on incidents of stalking, sexual violence (including harassment) and relationship violence.
Media Literacy	1 – 1.5 hours	All	This workshop provokes discussion about what interpersonal violence is, and how media and pop-culture messages contribute to the normalization of it in our culture. Through activities, images and video clips, the concepts of sexual objectification and gender construction in the social-media age will be illustrated.
Gender	1 – 1.5	All	This workshop is designed to highlight how language and

Construction	hours		societally constructed gender roles can contribute to sexism and interpersonal violence.
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The Phoenix Center at Auraria offered the following ongoing awareness and prevention programs for CCD students and other Auraria campus community members in 2019:

Other ongoing, annual or semi-annual programs available from the Phoenix Center include the following:

PCA Programming 2020

Name /Description	Audience	Frequency	Presenters
The Phoenix Center Bathroom Signs	Campus-wide	Monthly	Phoenix Center at Auraria
Phoenix Center Information Tables: PCA staff and students provide information tables at various campus events by invitation and request.	Campus-wide	Varying, at least monthly	Phoenix Center at Auraria
MSU Denver Student Orientations: PCA staff provided a short presentation and/or information tables to the incoming MSU Denver Student community.	Incoming students	Varying, at least monthly	Phoenix Center at Auraria
Interpersonal Violence 101: Curriculum presentation reviewing types of interpersonal violence (relationship violence, sexual violence, and stalking) provided by peer educators to MSU Denver students	Campus-wide	As requested	Phoenix Center at Auraria
The Clothesline Project Display: More than 300 shirts decorated by Auraria survivors of interpersonal violence and their allies were displayed in the Tivoli student union throughout April to promote awareness and understanding of the crimes of interpersonal violence.	Campus-wide	Annually	Phoenix Center at Auraria
The Clothesline Project Decorating: Auraria community members were invited to decorate shirts for display as part of the official Auraria Clothesline Project and learn more about the PCA	Campus-wide	Annually	Phoenix Center at Auraria
NCAA Training: PCA Victim Services Coordinator partnered with MSU TIX	MSU Athletes	Annually	Phoenix

staff to provide required NCAA training to athletes.			Center at Auraria & TIX Staff
Trauma Informed Classrooms: PCA Victim Services Coordinator provided presentation for MSU Denver faculty on trauma-informed pedagogy.	Faculty	As Requested	Phoenix Center at Auraria
Barriers to Care for Male Survivors of Violence: PCA staff and student educators provided a campus-wide event addressing the needs of male survivors.	10/18/19	A, b, c, d	DaV, DoV, SA, S
PCA Overview: PCA professional staff and peer educators provided overview of PCA programs to MSU Denver Students, Faculty, and Staff	Campus-wide	As requested	Phoenix Center at Auraria
Healthy Relationships: PCA peer educators provided curriculum presentation about Healthy Relationships to MSU students in various classrooms.	Campus-wide	As requested	Phoenix Center at Auraria
Red Flag Campaign: This awareness raising campaign is meant to show the proportion of students on campus that may have experienced interpersonal violence statistically. The flags are also meant to draw attention to relational red flags. This campaign is on display for 2 weeks in September.	Campus-wide	Annually - September	Phoenix Center at Auraria
Media Literacy: PCA peer educators provided curriculum presentation about violence in the media to MSU Denver students	Campus-wide	As requested	Phoenix Center at Auraria
Bystander Intervention: PCA peer educators provided curriculum training to MSU Denver students regarding tactics for safe and effective Bystander Intervention	Campus-wide	As requested	Phoenix Center at Auraria
Coffee & Sex: PCA provides an information table specific to the topic of consent while providing coffee to	Campus-wide	Monthly	Phoenix Center at Auraria

engage passers-by			
Cupcakes & Condoms: PCA participates in health center event through information tabling	Campus-wide	Annually	Phoenix Center at Auraria & Health Center
Military Sexual Trauma Panel: PCA provided a panel related to military sexual trauma hosting experts from the field.	Campus-wide	One-time	Phoenix Center at Auraria
Phoenix Cast: PCA produces a semi-weekly podcast during the academic year on topics related to raising awareness and preventing interpersonal violence.	Campus-wide	Weekly	Phoenix Center at Auraria

Procedures for Reporting a Complaint

The College has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges, as well as the availability of medical attention, counseling and support services, and additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. Students and employees should contact the Title IX Coordinator, at 303-352-3310, go to <http://ccd.edu/titleix> to file a complaint, or U.S. mail at Campus Box 240, PO Box 173363, 1201 5th St. Denver, Colorado 80204-2005.

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at Denver Health Medical Center at 777 Bannock Street, Denver, Colorado 80204 or by phone at 303-436-6000. Another resource for medical attention on the Auraria Campus is the Health Center at Auraria in the Plaza Building located at 10th and Lawrence or by phone at 303-615-9999. In Colorado, evidence may be collected even if you choose not to make a report to law enforcement. It is important that a victim of sexual assault not bathe, douche, smoke, eat, drink, change clothing or clean the bed/linen/area where they were assaulted, if the offense occurred within the past 96 hours so that evidence (as may be necessary to the proof of criminal activity) may be preserved. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents (if they have any) that would be useful to CCD's investigators or police.

Although the College strongly encourages all members of its community to report violations of

this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. CCD's Office of Student Conduct & Support (any professional staff member, 303-352-3205); CCD's Office of Human Resources, Title IX Coordinator (303-352-3310); or the Phoenix Center at Auraria (303-556-2255) will assist any victim with notifying local police if they so desire. The Auraria Campus Police Department (ACPD) may also be reached directly by calling 303-556-5000, in person at 1201 5th Street Denver, Colorado 80204 Suite 110. Additional information about the ACPD may be found online at: ahec.edu/police.

All Sexual Misconduct complaints are investigated pursuant to System President's Procedures and, whether or not criminal charges are filed, the College or a person may file a complaint under the Civil Rights and Sexual Misconduct Resolution Process. Reports of all domestic violence, dating violence, sexual assault, and stalking made to ACPD will automatically be referred to the Title IX Coordinator for review, regardless if the complainant chooses to pursue criminal charges.

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the College's Title IX Coordinator at 303-352-3310 and in person at 1201 5th St. Denver, Colorado 80204 Suite 310 and ACPD (if the victim so desires).

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

The College will provide resources to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who are found to violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions against violators of this policy.

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

her/his mind at a later date.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the College, the below are the procedures that the College will follow as well as a statement of the standard of evidence that will be used during any student conduct or disciplinary hearing on campus arising from such a report:

CCD's SEXUAL MISCONDUCT PROCEDURE (SP 19-60)

Sexual misconduct includes unwanted sexual activity, touching, or behavior. Attempting these behaviors is also sexual misconduct.

Alcohol and drug use NEVER excuse or lessen violations to the Sexual Misconduct Procedure. Possession, use, or distribution of any rape drug, such as Rohypnol, Ketamine, GHB, etc. is a violation of the Sexual Misconduct Procedure.

Read the [Colorado Community College System Sexual Misconduct Procedure \(SP 19-60\)](#). Sexual misconduct includes, but is not limited to, the following:

- Sexual Harassment
- Non-consensual Sexual Contact
- Non-consensual Sexual Intercourse
- Sexual Exploitation

Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint, the College will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights. In Colorado, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

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

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

- The right to be treated with fairness, respect, and dignity, and to be free from intimidation, harassment, or abuse, throughout the criminal justice process;
- The right to be informed of, be present or not present for, and receive notification of critical stages of the criminal justice process as specified in state statute (C.R.S. 24-4.1-302(2) and 302.5);
- The right to be informed of the filing of a petition by a perpetrator of the offense to terminate sex offender registration pursuant to section 16-22-113(2)(c), C.R.S.;
- The right to be informed, upon request by the victim, when a person who is accused or convicted of a crime against the victim is released or discharged from county jail; and
- The right to be informed, upon written request by the victim, when a person who is accused or convicted of a crime against the victim is released or discharged from custody other than county jail, is paroled, escapes from a secure or non-secure correctional facility or program, or absconds from probation or parole.

Further, the College complies with Colorado law in recognizing orders of protection by assisting

a student who has an order of protection in connecting them with the Phoenix Center at Auraria and ACPD. Any person who obtains an order of protection from Colorado or any reciprocal state should provide a copy to Campus Police/Safety and the Office of the Title IX Coordinator. A complainant may then meet with ACPD to develop a Safety Action Plan, which is a plan for campus police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, obtaining a temporary cell phone, changing classroom location or allowing a student to complete assignments from home, etc. The Phoenix Center at Auraria provides victim advocacy services for students, and the staff at Phoenix Center at Auraria are well trained in how orders of protection are implemented and can be of valuable assistance.

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

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

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

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

danger exists to the life or health of the minor child in the reasonably foreseeable future.

To the extent of the victim's cooperation and consent, CCD offices, including the Office of Human Resources, Office of Student Conduct & Care, and the Phoenix Center at Auraria will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal College investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services and assistance in notifying appropriate local law enforcement. Contact the College's Title IX Coordinator for assistance with these accommodations. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are adjudicating/investigating the complaint, or delivering resources or support services to the complainant. The College does not publish the name of crime victims nor house identifiable information regarding victims on ACPD's Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by request. For questions around this type of request, please contact the CCD Registrar at 303-352-6564.

Financial Aid Services

If a student victim would like information regarding financial aid services, please contact the CCD Director of Financial Aid at 303-352-6625. The College can assist students with information such as how to apply for a withdrawal from classes or about options for addressing concerns about loan repayment terms and conditions.

Victim Assistance Program: Resources for victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking

If you have experienced interpersonal violence including stalking, sexual abuse, sexual assault or domestic violence, the Victim Assistance Program has been developed to provide students, faculty and staff with support and resources. Students who are victims of sexual offenses have access to various confidential counseling options with staff that are specifically trained in the area of sexual offenses and crisis intervention. Victims of sexual offenses can be seen confidentially through the Health Center at Auraria. During regular business hours, victims should call the Health Center at 303-615-9999 for immediate care or an appointment. After hours, victims should seek immediate assistance from Denver Health Medical Center at 777 Bannock Street Denver, Colorado 80204 or by phone at 303-436-6000.

Services and referrals related to interpersonal violence can be accessed by calling the Victim Assistance phone lines:

24/7 Auraria Campus Crisis Line: For Mental Health and Victim Assistance 303-615-9911
The Phoenix Center at Auraria 24/7 Helpline 303-556-2255 (303-556-CALL)

Please know that all initial victim assistance services are provided at no cost and that individuals can be assured that their situation will be handled with the utmost empathy, sensitivity and promptness. The applicable resource for assistance will be determined at the time of the call, contingent on the caller's needs.

The Health Center at Auraria, the campus Counseling Centers and the Phoenix Center at Auraria provide confidential services according to legal and professional standards. In addition, each of these departments often collaborates with community agencies when developing a comprehensive plan of action tailored for each individual's needs.

Sexual Assault Services, Including the Option for a Medical Forensic Examination with Rape Kit

The Health Center at Auraria and each of the Auraria Higher Education Institutions entered into a formal Memorandum of Understanding with Denver Health in the Fall of 2015 to ensure that students on the Auraria Campus had access to a free medical forensic examination performed by a Sexual Assault Nurse Examiner (referred to as a SANE nurse) at Denver Health. Students can report directly to Denver Health Emergency Room for medical evaluation and consideration of requesting a sexual assault evidence based examination.

Students who have been sexually assaulted can attain services, guidance and intervention by reporting to either the Health Center or the Phoenix Center on the Auraria Campus during business hours. If after meeting with either of these agencies a student would like to obtain a forensic evidence based examination, transportation to Denver Health will be arranged at no cost to the student. Students can either walk-in to the Health Center or the Phoenix Center for services or call to schedule an appointment time.

Health Center at Auraria: 303-615-9999, Plaza Building 150, Business Hours M-Th 8:00 a.m. to 5:00 p.m. and F 8:00 a.m. to 3:00 p.m.

Phoenix Center: 303-315-7250, Tivoli Student Union 227, Business Hours M-F 8:00 a.m. to 5:00 p.m.

On-Campus Resources:

The Phoenix Center at Auraria
(Available to any student, staff, and faculty)
Tivoli Student Union, 900 Auraria Parkway, Suite 227
Denver, Colorado 80204
info@thepca.org Helpline: 303-556-CALL (2255) (24/7)

CCD Counseling Center
(For CCD students only – at no charge)
900 Auraria Parkway, Suite 245
Denver, Colorado 80217
303-352-6436
www.ccd.edu/counseling

MSU Denver Counseling Center
(For MSU Denver Students only – at no charge)
900 Auraria Parkway, Suite 651
Denver, Colorado 80217

Tivoli 651
303-615-9988
<https://msudenver.edu/counsel/>

CU Denver Student & Community Counseling Center
(CU Denver students—at no charge; fees may apply to MSU Denver and CCD students)
900 Auraria Parkway, Suite 454
Denver, Colorado 80204
303-315-7270
<http://www.ucdenver.edu/life/services/counseling-center/Pages/default.aspx>

Health Center at Auraria (available to any student—fees may apply)
955 Lawrence Street #150
Plaza 150
Denver, Colorado 80204
303-615-9999
24/7 Crisis Line 303-615-9911
<https://msudenver.edu/healthcenter/>

Auraria Campus Police Department 303-556-5000

Nightrider (evening escort service on campus) 303-556-2001

The Gender Institute for Teaching and Advocacy
(Referrals and community resources)
1059 9th Street Park
Denver, Colorado 80204
303-615-2052
<https://msudenver.edu/gita/>

Community Resources:

Local law enforcement agencies:

Denver District Attorney's Office
201 West Colfax Avenue
Denver, Colorado 80202
720-913-9000
<https://www.denverda.org/>

Victims Compensation:
201 West Colfax
Department 801
Denver, Colorado 80202

720-913-9253

VictimComp@denverda.org

<https://www.denverda.org/crime-victim-compensation/>

Denver Police Department
1331 Cherokee Street
Denver, Colorado 80204-4507
Emergency: 911
TDD/TTY: 720-913-2000
Non-Emergency: 720-913-2000
Victim Assistance Unit: 720-913-6035
Sex Crimes Unit: 720-913-6040
Sex Offender Hotline: 720-913-6511
www.denvergov.org/police

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

Colorado Coalition Against Sexual Assault (CCASA)
1330 Fox Street
Suite 2
Denver, Colorado 80204
303-839-9999
www.ccasa.org

The Center for Trauma & Resilience
(Formerly Denver Center for Crime Victims)
P.O. Box 18975
Denver, Colorado 80218
Hotline: 303-894-8000 (English)
 303-718-8289 (Español)
TTY: 303-860-9555
Administrative line: 303-894-0660
<http://traumahealth.org/>

Moving to End Sexual Assault (MESA)
(Formerly the Boulder County Rape Crisis Team)
1455 Dixon Ave. Suite #210
Lafayette, Colorado 80026
Hotline: 303-443-7300
Administrative Office: 303-443-0400
Email: info@movingtoendsexualassault.org
<http://movingtoendsexualassault.org/>

The Blue Bench (formerly Rape Assistance and Awareness Program (RAAP))

PO Box 18951
Denver, Colorado 80218
Hotline: 303-322-7273
Toll Free: 1-888-394-8044
Spanish: 303-329-0031
TTY: 303-329-0023
Administrative Office: 303-329-9922 (M – F, 9 a.m. – 5 p.m.)
Email: info@thebluebench.org
<http://thebluebench.org/>

WINGS Foundation
(Survivors of childhood sexual abuse; support groups for men and women. Groups available for men and women.)
3900 S Wadsworth Blvd. Ste. 430
Lakewood, Colorado 80235
Local: 303-238-8660
Toll free: 888-505-HEAL (4325)
Email: wings@wingsfound.org
<https://www.wingsfound.org/>

Community specific services/resources:

Asian Pacific Development Center (Asian American / Pacific Islander)
1537 Alton Street
Aurora, Colorado 80010
303-923-2920 (24 hours)
info@apdc.org
www.apdc.org

Denver Indian Health & Family Services (Native American/ Indigenous)
2880 West Holden Place
Denver, Colorado 80204
303-953-6600
303-936-2688 (M – F, 8 a.m. – 12 p.m. and 1 p.m. – 5 p.m.)
<http://www.dihfs.org/>

The Initiative (previously known as Domestic Violence Initiative for Women with Disabilities)
6825 E Tennessee Ave. #475
Denver, Colorado 80224
Hotline & TDD: 303-839-5510
Toll free: 1-877-839-5510
info@theinitiativeco.org

DOVE, Advocacy Services for Abused Deaf Women and Children
PO Box 150449
Denver, Colorado 80215
24 hour hotline: 303-831-7874
Email: hotline@deafdove.org
www.deafdove.org

Servicios De La Raza
(Chicano/Mexicano/Latino & Spanish speaking)
3131 W. 14th Avenue
Denver, Colorado 80204
303-458-5851
info@serviciosdelaraza.org
www.serviciosdelaraza.org

Online State and National Resources

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

<http://www.ccasa.org/> – Colorado Coalition Against Sexual Assault
<http://violencefreecolorado.org/> – Violence Free Colorado
<https://www.colorado.gov/c-seap> – Colorado State Employee Assistance Program
<http://www.rainn.org> – Rape, Abuse and Incest National Network
<http://www.nsvrc.org> – National Sexual Violence Resource Center
<http://www.nrcdv.org/> – National Resource Center on Domestic Violence
<http://www.thehotline.org/> - National Domestic Violence Hotline
<http://www.mencanstoprape.org/> – Men Can Stop Rape
<http://www.victimsofcrime.org/our-programs/stalking-resource-center/stalking-information/> – Stalking Resource Center
<http://maketheconnection.net/conditions/military-sexual-trauma> – Make the Connection (Support for Veterans)
<http://www2.ed.gov/about/offices/list/ocr/index.html> – Department of Education, Office of Civil Rights

Investigation, Resolution and Adjudication of Violations

CCD follows a Civil Rights and Sexual Misconduct Resolution Process. The procedures can be located at [Civi Rights and Sexual Misocnduct Resolution Process](#). If the respondent to a complaint is a CCD employee(s), student(s), authorized volunteer(s), guest(s), or visitor(s), the **College's** SP 19-60 – Civil Rights and Sexual Misconduct Resolution Process applies.

Filing a Complaint

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

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

Complaints may also be submitted directly to the Title IX/EO Coordinator verbally or in writing. Complainants may be asked to reduce verbal complaints to writing and sign them (in person or electronically) before proceeding through the resolution process (e.g., Sexual Harassment/Title IX complaints must be in writing and signed by the Complainant or Title IX Coordinator before proceeding with formal investigation).

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

Employee Reporting Obligations

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

Preliminary Steps and Timeline

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

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

If there is reasonable cause and the Complainant wishes to proceed, the Title IX/EO Coordinator will initiate an informal resolution or a formal investigation. If the Complainant does not wish to proceed, the Title IX/EO Coordinator will give consideration to the Complainant's preference, but reserves the right, when necessary to protect the CCD community, to initiate an

informal resolution or formal investigation of the complaint. The Title IX/EO Coordinator also reserves the right to initiate an investigation and resolve a complaint without a participating or identifiable Complainant.

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

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

- Seriousness of the alleged conduct;
- Risk that the Respondent will similarly harm others;
- Previous complaints or allegations involving similar conduct;
- Whether multiple Complainants were involved;
- Whether the conduct was facilitated by incapacitation;
- Whether a weapon or violence was used;
- Whether the Complainant is a minor and/or at-risk;
- Whether the conduct was predatory in nature; and/or
- Any other information deemed relevant by the Title IX/EO Coordinator.

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

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

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

Interim Actions

The Title IX/EO Coordinator, in consultation with appropriate administrative personnel, may implement interim actions, including supportive measures, intended to protect the safety and security of the campus community, address the effects of the reported behavior, and prevent

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

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

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

Rights of Involved Parties

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

- To be treated with respect by CCD employees.
- To take advantage of Supportive Measures and other resources, such as counseling, psychological services, and health services.
- To experience a safe living, educational, and work environment.
- To have an advisor of their choice present at any meeting.
- To have access to a Title IX/EO Coordinator, investigator(s), hearing officers/decision-maker(s) for Title IX cases, and/or other individuals assisting with the resolution process who do not have a conflict of interest or bias for or against either party.
- To receive amnesty for minor student misconduct (such as alcohol or drug violations) that is ancillary to the incident.
- To be free from retaliation.
- To be informed of the outcome/resolution of the complaint, and the sanctions and rationale for the outcome where permissible.
- To have assistance in contacting law enforcement, if desired.
- To request housing, employment, and/or educational modifications, as deemed appropriate and reasonable.

- To request no further contact with the opposite party, as deemed appropriate, allowable and reasonable.

Informal Resolution

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

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

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

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

Formal Investigation

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

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

determinations made by investigators will not be based upon a person's status as a Complainant, Respondent, or witness.

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

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

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

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

Preliminary Investigation Report

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

Final Investigation Report

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

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

- For cases involving Sexual Harassment within the United States, the Title IX/EO Coordinator shall initiate a live hearing as described below. If a live hearing cannot be

held due to refusal of parties to participate, CCD reserves the right to address the conduct through the procedures applicable to non-Sexual Harassment/Title IX cases.

- For other civil rights cases (non-Sexual Harassment or Sexual Harassment outside the United States), the Title IX/EO Coordinator will obtain a written Determination Report from the investigators as to whether or not, based on a preponderance of the evidence, the alleged behavior took place and whether that behavior constitutes a civil rights violation. The determination shall include a summary of all evidence and information used to reach these conclusions.

Live Hearing for Sexual Harassment Cases

Live hearings are subject to the following procedures:

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

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

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

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

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

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

Notice of Findings

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

Appeals for Formal Investigations

In the event of an appeal, the Title IX/EO Coordinator shall perform an initial review to determine if the appeal meets the limited grounds listed below and is timely (filed within ten [10] calendar days, as noted above). If the appeal is found to meet these criteria, the Title IX/EO Coordinator shall forward the appeal to a designated appellate officer, who shall give written notice to the opposing party and provide a suitable time frame for the opposing party to submit a written response to the appeal. The appeal and any responses shall be reviewed by the appellate officer. The party requesting an appeal must show error, as the original finding is presumed to have been decided reasonably and appropriately. The only grounds for appeal are as follows:

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

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

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

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

Sanctions

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

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

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

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

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

The following sanctions may be imposed:

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

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

Student Privacy

The outcome of a CCD investigation is an educational record of a student Respondent, and is

subject to privacy protections under the federal Family Educational Rights and Privacy Act (FERPA). However, CCD observes the legal requirements to disclose the records as follows:

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

Sex Offender Registration

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

In Colorado, convicted sex offenders must register with the local law enforcement jurisdiction in which they live. This information is forwarded to the Colorado Bureau of Investigation (CBI). The Colorado sex offender website is <https://www.colorado.gov/apps/cdps/sor/>.

Prohibition on Retaliation

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

AURARIA CAMPUS SEXUAL ASSAULT POLICY

I. Statement of Purpose:

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

Auraria Campus is committed to responding appropriately to all reports of sexual assaults and to working collaboratively with other law enforcement and government and community agencies. In the development of this Policy, the Auraria Campus also collaborated with the Sexual Assault Interagency Council and adhered to the spirit of the Denver Sexual Assault Response Protocol, which was signed by the chief executives of the Constituent Institutions on November 7, 2005.

This Protocol is available online at <http://www.denversaic.org>.

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

Community College of Denver

Director of Student Conduct & Support
Tivoli Room 243
CCD Campus Box 205
PO Box 173363
Denver, CO 80217-3363
303-352-3205

University of Colorado Denver

Director
Office of Student Conduct and Community Standards, Tivoli 309
CU Denver Box 83
PO Box 173364
Denver, CO 80217-3364
303-315-7311

Metropolitan State University of Denver

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

Auraria Higher Education Center

Chief of Police
Auraria Campus Police Department, Campus Box E
1201 5th Street, Suite 110
PO Box 173361
Denver, CO 80217-3361
303-556-5000

II. Policy Statement:

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

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

III. Sexual Assault Prevention on the Auraria Campus:

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

IV. Sexual Assaults / Offenses:

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

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

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

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

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

with other options:

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

Special notes:

- 1) Student victims have the option to request adjustments to their academic schedules after a reported sexual assault, if such changes are reasonably available. Each such request will be handled on a case-by-case basis by the student's institution.
- 2) Both the accuser and the accused are entitled to the same opportunities to have others present during any disciplinary hearing.
- 3) Both the accuser and the accused will be informed of the outcome, except when prohibited by law, of any Center or institutional disciplinary proceeding that is brought alleging a sex offense.

VI. Support for Victims:

Students who are victims of sexual offenses have access to various confidential counseling options with staff that are specifically trained in the area of sexual offenses and crisis intervention. Victims of sexual offenses can be seen confidentially through the Health Center at Auraria. During regular business hours, victims should call the Health Center at 303-556-2525 for immediate care or an appointment. After hours, victims should seek immediate assistance from Denver Health Medical Center at 8th and Bannock in Denver. For additional resources, see below or contact the institutional representative listed in Section I.

On the Auraria Campus:

The Phoenix Center at Auraria (available to any student)

info@thezca.org

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

CCD Counseling Center (for CCD students only – at no charge)

Tivoli 245 (location moved from Tivoli 221, July 2019)

303-352-6436

ccd.edu/counseling

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

Tivoli 651

303-615-9988

<https://msudenver.edu/counsel/>

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

Tivoli 454

303-315-7270

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

Health Center at Auraria (available to any student—fees may apply)

Plaza 150

303-615-9999

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

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

1059 9th Street Park

303-615-2052

<http://www.msudenver.edu/women>

Local law enforcement agencies:

Denver District Attorney's Office

720-913-9000

Victims Compensation: 720-913-9253

www.denverda.org

Denver Police Department
Emergency: 911
TDD/TTY: 720-913-2000
Non-Emergency: 720-913-2000
Victim Assistance Unit: 720-913-6035
Sex Crimes Unit: 720-913-6050
Sex Crimes Hotline: 720-913-6359
www.denvergov.org/police

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

Colorado Coalition Against Sexual Assault (CCASA)
303-839-9999
www.ccasa.org

The Center for Trauma & Resilience
(Formerly Denver Center for Crime Victims)
Hotline: 303-894-8000
TTY: 711
Administrative line: 303-860-0660
<http://traumahealth.org/>

Moving to End Sexual Assault (MESA) (formerly the Boulder County Rape Crisis Team)
Hotline: 303-443-7300
Administrative Office: 303-443-0400
www.movingtoendsexualassault.org

The Blue Bench Hotline: 303-322-7273
Spanish: 303-329-0031
TTY: 303-329-0023
Administrative Office: 303-329-9922 (M-F 9am-5pm)
www.thebluebench.org

WINGS Foundation
Survivors of childhood sexual abuse; support groups for men and women
303-238-8660
Toll free: 800-373-8671
www.wingsfound.org

Community specific services/resources:

Anti-Violence Project of Colorado (gay, lesbian, bisexual, transgender, and queer)
303-839-5204
24-hour crisis: 303-852-5094/ 1-888-557-4441

www.solcolorado.org

Asian Pacific Development Center (Asian American / Pacific Islander)

303-923-2920 (24 hours)

303-365-2959 x116 (Interpreters bank, fee for service)

www.apdc.org

Denver Indian Health & Family Services (Native American/ Indigenous)

303-953-6600

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

<http://www.dihfs.info/>

The Initiative for Women with Disabilities (Not a shelter)

Hotline & TDD: 303-839-5510

Toll free: 1-877-839-5510

dviforwomen.org

DOVE, Advocacy Services for Abused Deaf Women and Children

24 hour hotline: 303-831-7874

<http://deafdove.org/>

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

303-458-5851

24 hour crisis line: 303-458-7088

www.serviciosdelaraza.org

AHEC WEAPONS POLICY

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

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

Therefore, the Auraria Board adopts the following policy:

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

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

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

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

Exceptions: This policy shall not apply to:

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

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

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

For the Lowry Campus and Advanced Manufacturing Center:

POSSESSION OF FIREARMS/WEAPONS ON CAMPUS

State Board for community colleges and occupational education (SBCCOE) states that no person may have on his or her person any unauthorized firearm, ammunition, explosive device, or illegal weapon on campus or any facility used by a college. Persons authorized to carry firearms and other equipment defined in the policy are:

- 1) Those persons conducting and participating in an approved program of instruction in the college's curriculum which requires access to such equipment as an integral part of the instructional program;
- 2) Certified peace officers;
- 3) Those persons who have been issued a valid permit to carry a concealed handgun in accordance with Colorado's Concealed Carry Act, C.R.S. § 18-12-201, et seq. and who are acting in compliance with the requirements of that Act; and
- 4) Those persons granted permission at the discretion of the college president for specific purposes from time to time.

Concealed Handgun Permit holders exercising their rights pursuant to Item #3 above are responsible for preventing the casual or inadvertent display of their handgun.

It shall not be an offense if the weapon remains inside a locked motor vehicle upon the real estate owned by the State Board for Community Colleges and Occupational Education. In accordance with Colorado Statute CRS 18-12-214(3), under no circumstances may a person other than a certified peace officer carry a firearm or other equipment defined in Board Policy onto the real property, or into any improvements erected thereon, of a public elementary, middle, junior high, or high school. In accordance with Colorado Statute CRS 18-12-214(3)(a), a concealed weapon permittee may have a handgun on the real property of the public school so long as the handgun remains in his or her vehicle and, if the permittee is not in the vehicle, the handgun is in a compartment within the vehicle and the vehicle is locked.

ANNUAL FIRE SAFETY REPORT

Community College of Denver does not maintain any on-campus student housing facilities; therefore, they are exempt from reporting on this.

MISSING STUDENT NOTIFICATION

Community College of Denver does not maintain any on-campus student housing facilities; therefore, they are exempt from reporting on this.

DEFINITIONS OF REPORTED CRIMES

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

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

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

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

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

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

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

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

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

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

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though

the vehicles are later abandoned including joyriding.)

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

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

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

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

Weapon Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

Drug Abuse Violations: Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Bensedrine).

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

Domestic Violence: A felony or misdemeanor crime of violence committed by:

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

Dating Violence: Is violence committed by a person 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 person involved in the relationship.

- *This includes, but is no limited to, sexual or physical abuse or the threat of such abuse.*
- *This does not include acts covered under the definition of domestic violence.*

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

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

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

AURARIA CAMPUS CLERY STATISTICAL REPORT Community College of Denver

CRIMINAL OFFENSES	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Murder and Non Negligent Manslaughter	0	0	1	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	1	0	1	0	1	0	0	0	0
Fondling	4	1	1	0	0	0	0	0	0
Incest	0	0		0	0	0	0	0	0

Statutory Rape	0	0	0	0	0	3	0	0	0
Robbery	2	3	3	0	1	3	0	0	0
Aggravated Assault	5	12	0	0	1	0	0	0	0
Burglary	16	16	9	0	0	0	0	0	0
Motor Vehicle Theft	7	9	6	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
ARRESTS	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Liquor Law Violations	8	7	5	0	1	0	0	0	0
Drug Law Violations	13	14	9	6	8	3	0	0	0
Illegal Weapons Possession	6	3	6	3	0	2	0	0	0

REFERRALS	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	1	0	2	0	0	0	0	0	0
Illegal Weapons Possession	0	0	0	0	0	0	0	0	0

	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Domestic Violence	12	11	3	0	4	1	0	0	0
Dating Violence	1	1	0	0	0	0	0	0	0
Stalking	17	20	3	0	0	0	0	0	0

For the year of 2020, Auraria Campus Police had 1 Hate Crime on Public Property – Intimidation: Race

For the year of 2019, Auraria Campus Police had 1 Hate Crime On Campus – Intimidation: Religion, and 1 Hate Crime on Public Property – Assault: Race

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

Unfounded: A thorough investigation by the Auraria Campus Police Department, in the below

cases, revealed that the elements of the reported crime were found to have not occurred.
2020

- Case # 20-0686 Sex Assault (Rape)

2019

- Case # 19-2235 Stalking

2018

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

LOWRY CAMPUS CLERY STATISTICAL REPORT Community College of Denver

CRIMINAL OFFENSES	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Murder and Non Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	4	0	0	0	0
Aggravated Assault	1	0	0	1	8	2	0	0	0
Burglary	1	2	4	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	1	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0

For the year of 2020, Lowry Campus had zero (0) reported Hate Crimes.

For the year of 2019, Lowry Campus had zero (0) reported Hate Crimes

For the year 2018, there was one (1) On Campus Hate Crime
1 – Intimidation

ARRESTS	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Liquor Law Violations	0	1	0	0	0	0	0	0	0
Drug Law Violations	0	6	0	0	7	0	0	0	0
Weapon Law Violations	0	1	0	0	0	1	0	0	0

ARRESTS	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Weapon Law Violations	0	0	0	0	0	0	0	0	0

REFERRALS	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Weapon Law Violations	0	0	0	0	0	0	0	0	0

	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

The AMC Campus had zero (0) reported Hate Crimes during the reported period.